

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Charleston County
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Appellate Case No. 2014-001273
Circuit Court Case No. 2012-CP-10-8447

Montclair Property Owners Association, Inc. and Montclair
Property Owners Association Board of Directors for and on
behalf of all owners of the Montclair Horizontal Property
Regime, as assignees of Montclair Associates Limited
Partnership, Cremco, LLC and Montclair Homes, LLC,

Respondents,

v.

Church Creek Construction, LLC,

Appellant.

**RESPONDENTS' DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Joseph E. DaPore (SC Bar No. 1544)
Edward D. Buckley, Jr. (SC Bar No. 994)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, SC 29401
P.O. Box 993 (29402)
(843) 577-4000
Attorneys for Respondent

Respondents propose the following additional material not already cited by Appellant to be included in the Record on Appeal:

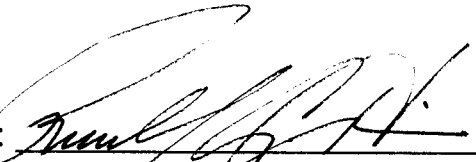
1. Entire Trial Transcript Dated July 24, 2013;
2. Dep. Of Bruce Kinney, Vol. 1, pages 1-5, 36-39; 49-50; 64-65; 101-102;
3. Dep. of Roger Lockey, page 6;
4. Exhibit 36;
5. Exhibit 43;
6. Exhibit 103E;
7. Exhibit 266;
8. Exhibit 283;
9. Exhibit 284;
10. Exhibit 285;
11. Exhibit 290; and
12. Exhibit 291.

I certify that this Designation of Matters contains no matter which is irrelevant to this appeal.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. Brown (SC Bar No. 66468)

Joseph E. DaPore (SC Bar No. 1544)

Edward D. Buckley, Jr. (SC Bar No. 994)

Russell G. Hines (SC Bar No. 72100)

25 Calhoun Street, Suite 400

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Attorneys for Respondents

Charleston, South Carolina

Dated: 1/20/15

**THE STATE OF SOUTH CAROLINA
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v.

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Appellant.

PROOF OF SERVICE

I, Russell G. Hines, of Young Clement Rivers, LLP, do hereby certify that a copy of the **Initial Brief of Respondents and Respondents' Designation of Matter to be Included in the Record on Appeal** was sent to all counsel of record via United States Mail, postage pre-paid, on January 20, 2015, addressed as follows:

C. Mitchell Brown, Esquire
Elizabeth Herlong Brogdon, Esquire
Miles E. Coleman, Esquire
Brian P. Crotty, Esquire
NELSON MULLINS RILEY & SCARBOROUGH, LLP
1320 Main Street, 17th Floor
Columbia, SC 29201

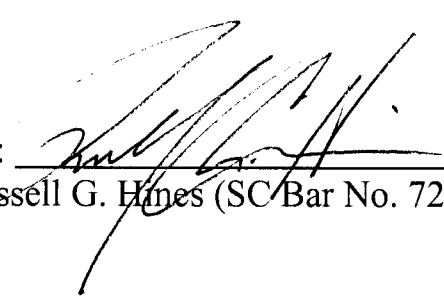
-and-

Thomas H. Hesse, Esquire
PRATT-THOMAS WALKER, PA
P.O. Drawer 22247
Charleston, SC 29413-2247

Attorneys for Appellant

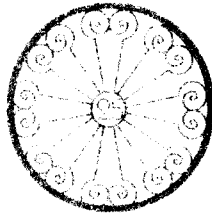
Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 
Russell G. Hines (SC Bar No. 72100)

Charleston, South Carolina

Dated: 1/20/15



YCR LAW

Young Clement Rivers, LLP

CELEBRATING 50 YEARS OF LEGAL SERVICE

50 YEARS

Aimee M. Justman
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January 20, 2015

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JAN 23 2015

SC Court of Appeals

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Montclair Property Owners Assoc., Inc. et al. v. Church Creek Construction, LLC
Appellate Case No.: 2014-001273
Circuit Case No.: 2012-CP-10-8447
YCR File: 13752-20081514

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter, please find the original and two (2) copies of **Respondent's Initial Brief, Respondent's Designation of Matter to be Included in the Record on Appeal, and Proof of Service** regarding the same.

Kindly return one clocked copy in the pre-stamped envelope provided. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Aimee M. Justman
Legal Assistant

/amj

Enclosures

cc: C. Mitchell Brown, Esquire, Nelson, Mullins, Riley & Scarborough, LLC
Elizabeth Herlong Brogdon, Esquire, Nelson, Mullins, Riley & Scarborough, LLC
Miles E. Coleman, Esquire, Nelson, Mullins, Riley & Scarborough, LLC
Brian P. Crotty, Esquire, Nelson, Mullins, Riley & Scarborough, LLC
Thomas H. Hesse, Esquire, Pratt-Thomas Walker, PA

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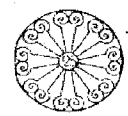
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