

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

J. C. Nicholson, Jr., Circuit Court Judge

RECEIVED

FEB 10 2015

SC Court of Appeals

Trial Case Nos. 2009-CP-08-1068, 2009-CP-08-3916,
2009-CP-08-1413, 2008-CP-08-2714
Appellate Case No. 2014-002390

THE OAKS AT RIVERS EDGE PROPERTY OWNERS ASSOCIATION, INC., JOHN E. ATKINSON, JOAN D. STRANDQUIST, JOSEPH E. CHIOVAROU, JR., PEYTON H. COOK, JR., BRENDA COOK, JOHN W. EDELEN, KAREN A. NELSON, ROBERT J. GRAHAM, MAUREEN S. GRAHAM, NANCY K. JOHNSON as trustee for the Nancy K. Johnson Revocable Trust, WILLIAM JUNG, CHARLES MARAZITI, PATRICIA MARAZITI, GEORGE S. POLLARD, ELEANOR J. POLLARD, ROBERT REECE, GERARD M. RUVO AND SUE S. RUVO as trustees for the Ruvo 2006 Living Trust, CAROLYN M. JENNINGS, THOMAS EDWARD KEANE, EDWARD WALLACE BARR, III, RICHARD B. PEKRUHN, PAULINE PEKRUHN, MATTHEW J. SEVERANCE, and ELIZABETH ASHLEY PHILLIPS SEVERANCE,

Respondents,

v.

DANIEL ISLAND RIVERSIDE DEVELOPERS, LLC, and CARRIAGE HILL ASSOCIATES OF CHARLESTON, LLC,

Appellants.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellants propose the following be included in the Record on Appeal:

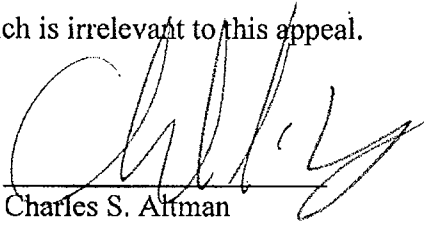
1. Judge Nicholson Order of October 25, 2013
2. Judge Nicholson Form 4 Order 10/7/14 Denying Post Trial Motions
3. Judge Nicholson Form 4 Order 11/4/13 Correcting Scrivener's Error in Order
4. Transcript of Bench Trial, Volumes I-IV (pp. 1-1043)
5. Transcript of Post-Trial Motion Hearing: pp. 1-62
6. CHAC and DIRD's Motion for Order Requiring Election of Remedies

7. CHAC and DIRD's Motion for Allocation of Damages
8. CHAC and DIRD's Motion for Set-Off
9. CHAC and DIRD's Motion for JNOV, New Trial, Remittitur, to Amend Judgment and for Relief from Order
10. CHAC and DIRD's Damages Memorandum (5/21/13)
11. Southeastern Construction Repair Estimate for \$11,807,884.00 (Exhibit 49).
12. Exhibit 229, Quietly Making Noise Report
13. Stipulation of Dismissal July 10, 2013
14. Complaint of AC Construction 1/12/07
15. DIRD Answer & Counterclaim to AC Construction 4/9/07
16. Travelers Answer & Counterclaim to AC Construction 11/1/07
17. DIRD Answer 2/20/09, CHAC Answer 2/20/09, CHNY Answer 2/20/09
18. Notice of Motion and Motion to Intervene 1/20/09
19. POA Complaint 2/9/09
20. Notice of Motion and Motion to Consolidate 3/11/09
21. DIRD and CHAC Complaint 2/16/09
22. WS Answer 5/4/09, Muhler Answer 5/1/09, AC Answer 5/15/09
23. POA Complaint 12/3/09
24. POA/Unit Owners Amended Complaint 5/5/2010
25. POA Third Amended Complaint 12/20/12
26. POA Fourth Amended Complaint (June 6, 2012)
27. DIRD Amended Answer to Third Amended Complaint and Cross-Claim (6/13/12)
28. CHAC Answer to Third Amended Complaint and Cross-Claims (6/13/12)
29. CAOBA Doors Answer (6/22/12)
30. CHNY Answer (6/22/12)
31. Edward J. D'Orazio Answer (6/25/12)
32. Gerald Rumplick Answer (6/25/12)
33. AC Construction, Inc Answer (7/3/12)
34. Muhler Co., Inc. Answer to Fourth Amended Complaint and Cross Claims (7/10/12)
35. Weather Shield Manufacturing, Inc. Answer (7/10/12)
36. Weather Shield Manufacturing, Inc. Reply (7/18/12)
37. CHAC Answer (8/3/12)
38. CAOBA Doors Answer (8/8/12)
39. Castle Siding, Inc. Motion to Dismiss (8/15/12)
40. Muhler Co., Inc. Answer (8/16/12)
41. Castle Siding, Inc. (8/17/12)
42. Richard Behringer Answer (3/4/12)

[Certification and Signature on Following Page]

I certify that this designation contains no matter which is irrelevant to this appeal.

February 9, 2015



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Attorneys for Appellants

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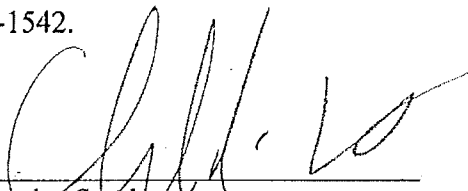
Appellants.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellants and Designation of Matter to be
Included in the Record on Appeal via email and by depositing a copy of it in the United States

Mail, postage prepaid, on February 9, 2015, addressed to its attorneys of record, W.H. Bundy, Jr., Esquire, and M. Brent McDonald, Esquire, Smith, Bundy, Bybee & Barnett, P.C., Post Office Box 1542, Mt. Pleasant, South Carolina 29465-1542.

February 9, 2015



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ATTORNEYS & COUNSELORS *at* LAW

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February 9, 2015

VIA UPS OVERNIGHT DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: The Oaks at Rivers Edge Proper Owners Association, et.al, Respondents, v. Daniel Island Riverside Developers, LLC, et. al, Appellants, Case No.'s 2009-CP-08-1068, 2009-CP-08-1413, 2008-CP-08-2714, 2009-CP-08-3916
Our File No.: 141-62999

Dear Ms. Kitchings:

Enclosed for filing are the following:

- (1) Appellant's Initial Brief (original plus one copy);
- (2) Designation of Matter to be Included in the Record on Appeal (original plus one copy);
- (3) Proof of Service.

Sincerely,

A handwritten signature in black ink, appearing to be 'C. Altman', written over the typed name.

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SC Court of Appeals

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