

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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FEB 18 2015

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

SC Court of Appeals

Marvin H. Dukes, III, Circuit Court Judge

Case No. 2009-CP-07-03201

Appellate Case No. 2014-001296

National Bank of South Carolina, Respondent,

v.

Thaddeus F. Segars; KCS Investments, LLC; Singleton
Place Homeowners Association Inc.; and Suntrust
Mortgage Inc., Defendants,

Of Whom Thaddeus F. Segars is the, Appellant.

RESPONDENT'S DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL

Pursuant to Rule 209 of the South Carolina Appellate Court Rules, Respondent National Bank of South Carolina ("NBSC") respectfully requests that in addition to the items designated in Appellant's Designation of Matter dated November 14, 2014, the following items be included in the record on appeal:

ORDERS

1. Order Granting Defendants Richardson Street Partners, LLC and J. Paul Gaughf's Motion to Dismiss, filed May 20, 2009, Honorable Marvin H. Dukes, III, Civil Action No. 2008-CP-07-2791, (S.C.Com.Pl., Beaufort)

2. Order Granting Summary Judgment to Defendants, filed July 2, 2010, Honorable Carmen T. Mullen, Civil Action No. 09-CP-07-00381, (S.C.Com.Pl., Beaufort)
3. Judgment of Foreclosure and Sale entered December 16, 2010
4. Order Granting Defendant's Motion to Dismiss, filed May 24, 2012, Honorable Carmen T. Mullin, Civil Action No. 2011-CP-07-00931, (S.C.Com.Pl., Beaufort)
5. Form 4 Judgment in a Civil Case Order denying Motion to Reconsider dated and entered May 15, 2014

PLEADINGS

6. NBSC's Amended Summons and Complaint dated August 14, 2009
7. NBSC's Amended and Restated Answer and Reply of Plaintiff to Counterclaim of Thaddeus F. Segars and KCS Investments, LLC dated January 31, 2011

MOTIONS AND MEMORANDA

8. Motion to Intervene in case number 04-ALJ07-0304-CC dated March 16, 2005
9. NBSC's Notice of Motion and Plaintiff's Motion for Summary Judgment filed June 18, 2012¹
10. NBSC's Plaintiff's Supplemental Memorandum in Support of Motion for Summary Judgment filed December 16, 2013
11. Segars' Notice of Motion and Motion to Reconsider filed February 27, 2014

TRANSCRIPTS

12. Deposition of Thaddeus F. Segars, dated August 4, 2010
13. Second Deposition of Thaddeus F. Segars, dated January 19, 2011²
14. Hearing Transcript dated March 14, 2013

¹ Segars designated one of NBSC's motions for summary judgment but did not specify which one, so NBSC has identified both to ensure both are included in the record.

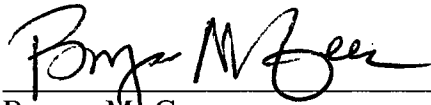
² Segars designated one of his depositions but did not specify which one, so NBSC has identified both to ensure both are included in the record.

EXHIBITS AND OTHER MATERIALS OR DOCUMENTS

15. Boundary Reconfiguration of Singleton Beach Place Extension Survey dated November 12, 2002
16. Boundary Reconfiguration of Singleton Beach Place Extension Survey dated December 4, 2003
17. Contract of Sale—Offer and Acceptance dated March 15, 2004
18. Credit Application dated May 18, 2004
19. General Warranty Deed signed on May 24, 2004
20. Commitment Letter from Douglas K. Matney of NBSC to Tad Segars dated May 28, 2004
21. Appraisal of Stephen V. Lindsay dated June 2, 2004
22. Consumer Loan Note/Security Agreement dated June 9, 2004
23. Mortgage of Real Property dated June 9, 2004
24. Consumer Loan Note/Security Agreement dated July 7, 2005
25. Consumer Loan Note/Security Agreement dated January 24, 2007
26. Email from Finn Law Firm to Honorable Marvin H. Dukes, III dated December 13, 2013 attaching Supplemental Brief
27. Letter from Jennie S. Cerrati to Honorable Marvin H. Dukes, III dated January 15, 2014
28. Letter from Jennie S. Cerrati to Honorable Marvin H. Dukes, III regarding proposed Orders dated January 15, 2014.

The Undersigned counsel hereby certifies, pursuant to Rule 209(c) of the South Carolina Appellate Court Rules that this Designation contains no matter that is irrelevant to the appeal.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

Bryson M. Geer

SC Bar No. 13606

E-Mail: bryson.geer@nelsonmullins.com

Merritt G. Abney

SC Bar No. 71893

Erika J. Karnaszewski

SC Bar No. 101774

E-Mail: erika.karnaszewski@nelsonmullins.com

151 Meeting Street / Sixth Floor

Post Office Box 1806 (29402-1806)

Charleston, SC 29401-2239

(843) 853-5200

Attorneys for Respondent

Charleston, South Carolina

February 13, 2015

CERTIFICATE OF SERVICE

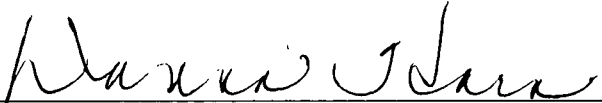
I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Respondent, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings:

RESPONDENT'S DESIGNATION OF MATTER

Counsel Served:

Thomas J. Finn, Esq.
Finn Law Firm, P.C.
PO Box 6003
Hilton Head Island, SC 29938



Donna Horn
Administrative Assistant

Feb 13, 2015

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SC Court of Appeals

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law
151 Meeting Street / Sixth Floor / Charleston, SC 29401-2239
Tel: 843.853.5200 Fax: 843.722.8700
www.nelsonmullins.com

Bryson M. Geer
(Admitted in NC & SC)
Tel: 843.720.4306
bryson.geer@nelsonmullins.com

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia, SC 29211

RE: National Bank of South Carolina v. Thaddeus F. Segars; KCS Investments, LLC; Singleton Place Homeowners Association, Inc.; and SunTrust Mortgage, Inc., of whom Thaddeus Segars is the Appellant
Case No.: 2009-CP-07-03201
Court of Appeals Case No. 2014-01296
NMRS File No.: 00325/02009

Dear Ms. Kitchings:

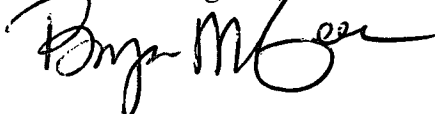
Enclosed are the originals and one copy of the following documents in the above matter:

1. Initial Brief of Respondent;
2. Respondent's Designation of Matter to be Included in the Record on Appeal;
and
3. Proof of Service.

Please file the original pleadings and return the clocked-in copies to us in the enclosed envelope. By copy of this letter, we are serving these pleadings on counsel for Appellant.

Thank you for your assistance with this matter.

With kind regards,



Bryson M. Geer

BMG:dh

Enclosures

cc: Thomas J. Finn, Esq. (w/enclosures)

Hasler

PRIORITY MAIL

02/13/2015

US POSTAGE

\$05.95⁰⁰



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SC Court of Appeals

**Nelson
Mullins**

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
Post Office Box 1806
Charleston, SC 29402-1806

00325/02009

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211