

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

RECEIVED  
MAR 26 2015  
SC Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Larry B. Hyman, Jr., Circuit County Judge

Appellate Case No. 2014-002491

Skydive Myrtle Beach, Inc. (f/k/a Skydive Myrtle Beach, LLC),.....Appellant,

v.

Horry County, Horry County Department of Airports,  
H. Randolph Haldi, Pat Apone, Tim Jackson, and Jack Teal,  
Defendants,

Of whom H. Randolph Haldi, Pat Apone, Tim Jackson,  
and Jack Teal are ..... Respondents.

DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following to be included in the Record on Appeal:

1. Order of October 13, 2014;
2. Order of June 3, 2014;
3. Complaint;
4. Amended Complaint;<sup>1</sup>
5. Horry County and Horry County Department of Airports Answer;

<sup>1</sup> The amended complaint was not before the trial court but it is being submitted as “additional factual allegations or a different theory of recovery which may give rise to a claim upon which relief may be granted” as required by the South Carolina Supreme Court *Spence v Spence*, 368 S.C 106, 130-31, 628 S E 2d 869, 882 (2006)

6. Motion to Dismiss;
7. Motion to Consolidate;
8. Requests for Production to Horry County, Horry County Department of Airports, H. Randolph Haldi, Pat Apone, Tim Jackson, and Jack Teal;
9. Interrogatories to Horry County, Horry County Department of Airports, H. Randolph Haldi, Pat Apone, Tim Jackson, and Jack Teal;
10. Request for Admissions to Horry County, Horry County Department of Airports, H. Randolph Haldi, Pat Apone, Tim Jackson, and Jack Teal;
11. Answers to Admissions from Horry County, Horry County Department of Airports, H. Randolph Haldi, Pat Apone, Tim Jackson, and Jack Teal;
12. Motion to Compel;
13. Horry County and Horry County Department of Airports Production Response;
14. Horry County and Horry County Department of Airports Answer to Interrogatories;
15. Motion Hearing Transcript;
16. Memorandum of Law to Judge Hyman dated 23MAY14;
17. Proposed Orders and Letters to Judge Hyman dated 09JUN14, 15AUG14,  
and
18. Email from Judge Hyman's Law Clerk dated, 09JUL14, 13JUL14,  
14JUL14.

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

Dated: March 23, 2015



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Attorney for Appellant

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Larry B. Hyman, Jr., Circuit County Judge

**RECEIVED**  
MAR 26 2015  
**SC Court of Appeals**

Case No. 2014-CP-26-1193

Skydive Myrtle Beach, Inc. (f/k/a Skydive Myrtle Beach, LLC),.....Appellant,

v.

Horry County, Horry County Department of Airports,  
H. Randolph Haldi, Pat Apone, Tim Jackson, and Jack Teal,  
Defendants,

Of whom H. Randolph Haldi, Pat Apone, Tim  
and Jack Teal are ..... Respondents.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal on H. Randolph Haldi, Pat Apone, Tim Jackson, and Jack Teal by depositing a copy of it in the United States Mail, postage prepaid, on March 23, 2015, addressed to the attorneys of record, Samuel F. Arthur, III, Esquire, Aiken, Bridges, Elliott, Tyler & Saleby, PA, P.O. Box 1931, Florence, SC 29503, and Michael W. Battle, Esquire, Battle Law Firm, LLC, P.O. Box 530, Conway, SC 29529.



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**ROBERT G. EASTMAN**  
ADMITTED IN DE, FL, GA, MD, NJ, PA, & SC

March 23, 2015

**RECEIVED**  
MAR 26 2015  
**SC Court of Appeals**

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

**Re: Skydive Myrtle Beach, Inc. v. Horry County,  
Appellate Case No. 2014-002491**

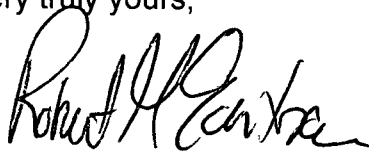
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Dear Ms Kitchings.

Enclosed for filing are the original and one copy of Appellant's Initial Brief, Designation of Matter to be Included on Appeal, and Proof of Service in the above referenced appeal. Please file the original with the court and return a date-stamped copy of each in the enclosed stamped self-addressed envelope.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Robert G Eastman

Encl (7)  
cc Aaron Holly  
Robert Varnado, Esq  
Samuel F Arthur, III, Esq  
Michael W Battle, Esq  
RGE/fub