

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas  
14<sup>th</sup> Judicial Circuit

J. Ernest Kinard, Jr., Circuit Court Judge

**RECEIVED**

JUN 17 2015

SC Court of Appeals

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Appellate Case No. 2015-000002

The Callawassie Island Members Club, Inc.,

Respondent,

v.

Michael J. Frey and Grace I. Frey,  
of Whom Michael J. Frey is the Appellant.

Appellant.

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DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL

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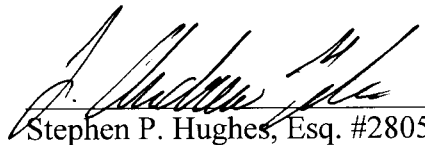
Respondent proposes the following be included in the Record on Appeal:

1. Order of June 27, 2014
2. Final Order of December 16, 2014
3. Complaint (with Exhibits)
4. Answer and Counterclaims
5. Reply to Answer and Counterclaims
6. Amended Answer and Counterclaims
7. Reply to Amended Answer and Counterclaims
8. Second Amended Answer and Counterclaims
9. Reply to Second Amended Answer and Counterclaims
10. Motion for Summary Judgment
11. Memorandum in Support of Motion for Summary Judgment
12. Memorandum in Opposition to Motion for Reconsideration
13. Affidavit Jeff Spencer
14. Supplemental Affidavit of Jeff Spencer
15. Affidavit of Ehrick K. Haight, Jr.
16. Supplemental Affidavit of Ehrick K. Haight, Jr.

17. Affidavit of G. Harman Switzer, 3<sup>rd</sup>
18. 1994 Plan for the Offering of Memberships, General Club Rules and By-laws
19. 2001 Plan for the Offering of Memberships, General Club Rules and By-laws
20. 2007 General Club Rules
21. 2008 Plan for the Offering of Memberships
22. 2009 General Club Rules and By-laws
23. Deposition of Phillip C. Kilian (pp. 71, 72 & 87)
24. Deposition of James Carling (p. 32)
25. Deposition of Karen Norwood (p.84)
26. Deposition of Michael Aulton (p. 50)
27. Deposition of Sandra Aulton (p. 35)
28. Transcript of Hearing-Motion for Summary Judgment (pp. 4, 17, 18, 29, 31)
29. Transcript of Hearing-Motion for Reconsideration (pp. 6, 27)
30. Defendant's Memorandum of Law in Opposition to Summary Judgment (pp. 4, 25)

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

Respectfully submitted,



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Stephen P. Hughes, Esq. #2805

James Andrew Yoho, Esq. #100803

HOWELL, GIBSON & HUGHES, P.A.

P.O. Drawer 40

Beaufort, South Carolina 29901-0040

(843) 522-2400

And

Ehrick K. Haight, Jr., Esq. #2446

Stacey S. Collins, Esq. #73360

MINOR, HAIGHT & ARUNDELL, P.C.

Post Office Drawer 6067

Hilton Head Island, South Carolina 29938

(843) 785-8040

Attorneys for Respondent

June 15<sup>th</sup>, 2015.

HOWELL, GIBSON AND HUGHES, P.A.  
ATTORNEYS AT LAW

Post Office Box 40  
Beaufort, South Carolina 29901-0040  
www.hghpa.com

25 RUE DU BOIS  
LADY'S ISLAND  
BEAUFORT, SOUTH CAROLINA 29907

STEPHEN P. HUGHES  
PATRICK M. HIGGINS \*  
ROBERT W. ACHURCH III \*  
DAVID S. BLACK  
MARY BASS LOHR  
THOMAS A. BENDLE, JR.

J. ANDREW YOHO  
STEVEN A. JORDAN, JR.

JAMES S. GIBSON, JR. \*  
Of Counsel

\*Certified Mediator

TELEPHONE: 843 - 522-2400  
FAX NUMBER: 843 - 522-2429  
WRITER'S E-Mail: ayoho@hghpa.com  
WRITER'S DIRECT: 843 - 522-2408

June 15, 2015

Hon. Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

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Re: The Callawassie Island Members Club, Inc. vs. Michael J.  
Frey and Grace I. Frey  
Appellate Case No. 2015-000002  
Civil Action No.: 2012-CP-07-03209  
Our File No: 10809 11 SPH

Dear Ms. Kitchings:

Please find enclosed herewith for filing an original and one copy of the Initial Brief of Respondent, together with the Designation of Matter, with regard to the above referenced matter. I would appreciate your filing the same and returning a filed clocked copy to me in the enclosed self-addressed, stamped envelope provided for your convenience.

By copy hereof to all counsel of record, I am providing them with a copy of the same.

Yours truly,

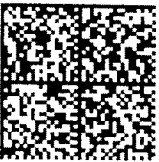
HOWELL, GIBSON AND HUGHES, P.A.



J. Andrew Yoho

JAY/cab  
Enclosure

cc: Ehrick K. Haight, Jr., Esquire - w/ enclosures  
Ian S. Ford, Esquire - w/ enclosures  
Neil D. Thomson, Esquire - w/ enclosures



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SC Court of Appeals

**HOWELL, GIBSON & HUGHES, P.A.**  
Attorneys at Law  
Post Office Box 40  
Beaufort, SC 29901-0040

**TO:**

Hon. Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

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