

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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JUN 15 2015
SC Court of Appeals

APPEAL FROM Horry COUNTY
Court of Common Pleas

Larry B. Hyman, Jr., Circuit County Judge

Case No. 2014-CP-26-1193
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:

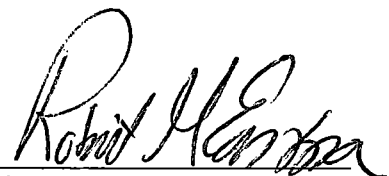
1. Order of October 13, 2014;
2. Order of June 3, 2014;
3. Complaint;
4. Amended Complaint;¹

¹ 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).

5. Horry County and Horry County Department of Airports Answer;
 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: June 11, 2015



Robert G. Eastman, Esquire
3980 South Tropical Trail
Merritt Island, FL 32952
(843) 329-9657
Attorney for Appellant

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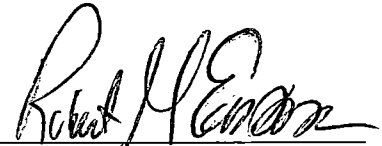
v.

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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.

PROOF OF SERVICE

I certify that I have served the Reply 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 June 11, 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

June 11, 2015

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

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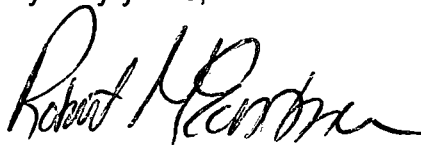
**Re: Skydive Myrtle Beach, Inc. v. Horry County,
Appellate Case No. 2014-002491**

Dear Ms. Kitchings:

Enclosed please find an original and one copy of Appellant's Designation of Matter to be Included in the Record of Appeal, Reply Brief of Appellant, and Proof of Service, together with a self-addressed stamped envelope. Kindly file the originals and send the date stamped copies in the 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.: (4)
cc: Aaron Holly
Samuel F. Arthur, III, Esq.
Michael W. Battle, Esq.
RGE/fub



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