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JUL 17 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Frank R. Addy, Jr., Circuit Court Judge

Case No. 2012-CP-36-00090
Appellate Case No. 2014-002540

Terlizzi Home Improvement, LLC,..... Appellant,

v.

Michael L. Boheler, Jeannette A. Boheler,
and Palmetto Bank as Assignee of Midlands
Mortgage Corp.,.....Defendants,

Of Whom

Michael L. Boheler and Jeannette A. Boheler are.....Respondents,

v.

William Terlizzi,.....Third-Party Defendant and Appellant.

**RESPONDENTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

The Respondents propose that the following be included in the Record on Appeal:

1. Construction contract (Exhibit B to Plaintiff's Reply);
2. Notice and certificate of mechanic's lien (Mechanic's Lien);
3. Affidavit in Support and Statement of Account of mechanic's lien;
4. Bohelers' 2011 Motion to Dismiss
5. THI's Return to Motion to Dismiss;
6. THI's Complaint;
7. Bohelers's Answer and Counterclaims/Third-Party Claims;

8. THI and Terlizzi's Reply;
9. Stipulation of Reduced Lien Amount
10. Motion for Partial Summary Judgment
11. Memorandum in Support of Motion for Partial Summary Judgment
12. Terlizzi's Deposition (pp. 38-39; pp. 41-45; pp. 49-67; p. 103; p. 114; pp. 130-55; pp. 162-68; pp. 180-89)
13. Harding's Affidavit dated;
14. Transcript of March 12, 2014 Hearing;
15. Form 4 Order dated April 18, 2014;
16. April 23, 2014 Letter to Judge from Bohelers
17. April 30, 2014 email to Judge from Terlizzi requesting hearing
18. Transcript of May 8, 2014 Hearing;
19. Order dated July 7, 2014;
20. Motion to Reconsider;
21. Transcript of October 16, 2014 Hearing;
22. Order Denying Motion to Reconsider;
23. Lien Waivers (Terlizzi Deposition Exhibits 11-17);
24. Emails and letter from Charles Krawczyk to Robert Cook dated September 9, 2011, September 14, 2011, and January 5, 2012.

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

Respectfully submitted,

July 17, 2015



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Attorneys for Respondents

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Of Whom
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v.

William Terlizzi,.....Third-Party Defendant and Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, she served
counsel for the Appellants with a copy of the Designation of Matter to be Included in the
Record on Appeal by mailing a copy of the same by United States Mail with first class
postage prepaid to the following address:

Robert M. Cook II, Esquire
P.O. Box 2559
Batesburg-Leesville, South Carolina 29070

July 17, 2015
Columbia, South Carolina


Tammy Pearson



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SC Court of Appeals

July 17, 2015

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

Re: Terlizzi Home Improvement, LLC, et al. v. Michael Boheler, et al.
Case No.: 2012-CP-36-00090
Appellate Case No.: 2014-002540

Dear Madam Clerk:

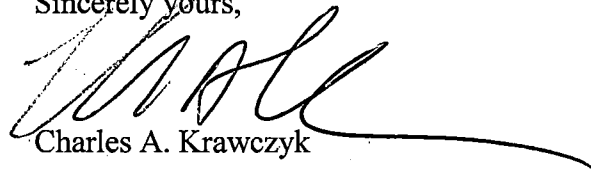
Pursuant to Rules 208 and 209, SCACR, enclosed for filing please find an original and one copy the Respondents' Initial Brief and Designation of Matter to be included in the Record on Appeal with related certification and Proofs of Service.

As copied on this letter, and as evidenced by the Proofs of Service, we are providing copies of the same to counsel of record.

Should you have any questions regarding this matter, please do not hesitate to contact me.

With best regards, I am,

Sincerely yours,



Charles A. Krawczyk

CAK/kmm

Enclosures

cc: Michael L. Boheler and Jeannette A. Boheler via email
Robert Cook, Esq. via email and regular mail

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