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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

RECEIVED

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

AUG 04 2015

SC Court of Appeals

Clifton B. Newman, Circuit Court Judge

Case No.: 2010-CP-26-03901  
Appellate Case No.: 2015-000248

Rivergate Homeowners' Association,

Appellant,

v.

WW & LB Development Company, LLC, RWG, Inc., Aiello Associates, Daniels Engineering, Inc., Rivergate Homeowners' Association, Rivergate Homeowners' Association Board of Directors, Wayne Winderman, individually, Salvatrice Foran, individually, Gerald Foran, individually, Marcos Soares Construction, William C. DeSouza, individually, James Eason individually and d/b/a James Eason & Company, D&D Cleaning and Construction, Inc., Joel's Framing, Joe Freza, Aroldo Garcia, Joaquin Geraldo Zeferinao, individually and d/b/a Zeferino Framing, Leo Trombley, Judy Schultz, J&D Interior Design, Jose Dasmerces d/b/a J.P. Construction, Scott Chandler d/b/a Coastal Custom Windows & Doors, R&D Construction, Nicasio Ramirez Zunigo, Walchir Morais, Marco Trebbi, Blankenship Roofing, Inc., DLJ Construction, LLC, Dewayne Bates, The Bates Group, LLC, Bridges Construction Co., Brewer Construction, Inc., Speedy Concrete, REB-FEL, Inc., Mark Mychajluk, Eric Jazwinski, Southern Framing Corporation, AB Consulting Engineers, Inc., WWI Development Company, LLC, Michael Dawson Construction, Inc., Asphalt Paving & Maintenance Co., Inc. and Chuck's Construction Co., Inc., Right Way Group, Inc., Stevens Construction Co., Inc., Geometries, Inc., Eric Yazwinski, Law

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Engineering, Inc., D & M Builders, Inc., Hill Construction Company, Bonnie Stone a/k/a Bonny Stone, DJL Construction Company, L.L.P., Adrian Mondragon, individually and d/b/a Mondragon Construction, Inc., and Glen Causey,

Defendants,

Of Whom Speedee Concrete, Inc. and  
Chuck's Construction, Inc. are the

Respondents.

Chuck's Construction Co., Inc.,

Third-Party Plaintiff,

v.

Vereen Concrete Co., Inc. and Asphalt Pavement Maintenance of  
Myrtle Beach, Inc.,

Third-Party Defendants,

Rivergate Homeowners' Association,

Appellant,

v.

WW & LB Development Company, LLC, Speedy Concrete, AB  
Consulting Engineers, Inc., and Chuck's Construction Co., Inc.,

Defendants.

Of Whom AB Consulting Engineers,  
Inc. is the

Respondent.

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DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

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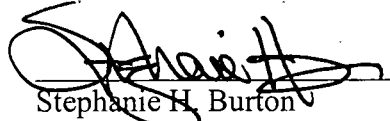
Respondent AB Consulting Engineers, Inc. proposes the following be included in the Record on Appeal:

1. Sanger Complaint filed on January 12, 2007;
2. Sanger Amended Complaint filed on April 20, 2008;
3. Plaintiff's Complaint filed on June 13, 2008;

4. Plaintiff's First Amended Complaint filed on March 21, 2009;
5. Order filed on March 31, 2009;
6. Order filed on August 18, 2009;
7. Consent Order filed April 28, 2010;
8. Plaintiff's Second Amended Complaint filed on April 28, 2010;
9. Answer of Defendant AB Consulting Engineers, Inc. filed on September 9, 2010;
10. Motion for Summary Judgment of AB Consulting Engineers, Inc. filed on April 15, 2013;
11. Excerpts from Deposition of Amie Drucker with Exhibits 3, 10, 11, and 12 filed with AB Consulting's Motion for Summary Judgment;
12. Excerpts from Deposition of Donna Dawson filed with AB Consulting's Motion for Summary Judgment;
13. Excerpts from Deposition of Wayne Winderman filed with AB Consulting's Motion for Summary Judgment;
14. Excerpts from Deposition of Luther Bellamy filed with AB Consulting's Motion for Summary Judgment;
15. Excerpts from Deposition of Gerald Foran filed with AB Consulting's Motion for Summary Judgment;
16. Excerpts from Deposition of Christopher Sarratt with attached Exhibit 3 filed with to AB Consulting's Motion for Summary Judgment;
17. Excerpts from Deposition of Michael Gardner attached to AB Consulting's Motion for Summary Judgment filed with AB Consulting's Motion for Summary Judgment;
18. Excerpts from Deposition of J. Drew Wilkie with attached Exhibit 2 filed with AB Consulting's Motion for Summary Judgment;
19. Excerpts from Deposition of James K. Dunn with attached Exhibits 2, 5, 6, 15, 16, 17, 19, 21, 22, 23, 24, 26, 27, 28, 30, 32, 33, 34, 36, 37, 38, 41 filed with AB Consulting's Motion for Summary Judgment;
20. Master Deed and Amendments filed with AB Consulting's Motion for Summary Judgment;
21. Transcript of Hearing of January 17, 2014;
22. Order filed on May 19, 2014;
23. Plaintiff's Motion for Reconsideration of Order Granting Summary Judgment as to AB Consulting Engineers, Inc. filed May 28, 2014;
24. Transcript of Hearing of September 8, 2014;
25. Order filed on December 10, 2014;
26. Notice of Appeal dated March 2, 2015;
27. Appellant's Motion to Consolidate Appeals dated April 21, 2015; and
28. Order Granting Consolidation filed on June 3, 2015.

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

July 31, 2015

A handwritten signature in black ink, appearing to read 'Stephanie H. Burton', written over a horizontal line.

Stephanie H. Burton  
Gibbes Burton, LLC  
308 East Saint John Street  
Spartanburg, South Carolina 29302  
(864) 327-5000

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Case No.: 2010-CP-26-03901  
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Rivergate Homeowners' Association,

Appellant,

v.

WW & LB Development Company, LLC, RWG, Inc., Aiello Associates, Daniels Engineering, Inc., Rivergate Homeowners' Association, Rivergate Homeowners' Association Board of Directors, Wayne Winderman, individually, Salvatrice Foran, individually, Gerald Foran, individually, Marcos Soares Construction, William C. DeSouza, individually, James Eason individually and d/b/a James Eason & Company, D&D Cleaning and Construction, Inc., Joel's Framing, Joe Freza, Aroldo Garcia, Joaquin Geraldo Zeferinao, individually and d/b/a Zeferino Framing, Leo Trombley, Judy Schultz, J&D Interior Design, Jose Dasmerces d/b/a J.P. Construction, Scott Chandler d/b/a Coastal Custom Windows & Doors, R&D Construction, Nicasio Ramirez Zunigo, Walchir Morais, Marco Trebbi, Blankenship Roofing, Inc., DLJ Construction, LLC, Dewayne Bates, The Bates Group, LLC, Bridges Construction Co., Brewer Construction, Inc., Speedy Concrete, REB-FEL, Inc., Mark Mychajluk, Eric Jazwinski, Southern Framing Corporation, AB Consulting Engineers, Inc., WWI Development Company, LLC, Michael Dawson Construction, Inc., Asphalt Paving & Maintenance Co., Inc. and Chuck's Construction Co., Inc., Right Way Group, Inc., Stevens Construction Co., Inc., Geometries, Inc., Eric Yazwinski, Law

Engineering, Inc., D & M Builders, Inc., Hill Construction Company, Bonnie Stone a/k/a Bonny Stone, DJL Construction Company, L.L.P., Adrian Mondragon, individually and d/b/a Mondragon Construction, Inc., and Glen Causey,

Defendants,

Of Whom Speedee Concrete, Inc. and  
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Respondents.

Chuck's Construction Co., Inc.,

Third-Party Plaintiff,

v.

Vereen Concrete Co., Inc. and Asphalt Pavement Maintenance of  
Myrtle Beach, Inc.,

Third-Party Defendants,

Rivergate Homeowners' Association,

Appellant,

v.

WW & LB Development Company, LLC, Speedy Concrete, AB  
Consulting Engineers, Inc., and Chuck's Construction Co., Inc.,

Defendants.

Of Whom AB Consulting Engineers,  
Inc. is the

Respondent.

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PROOF OF SERVICE

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The undersigned, Brian R. Edwards, certifies that he is an employee of Gibbes  
Burton, LLC and on the 31st day of July 2015, he served a copy of Respondent AB  
Consulting Engineers, Inc.'s Initial Brief and Designation of Matter to be Included in the

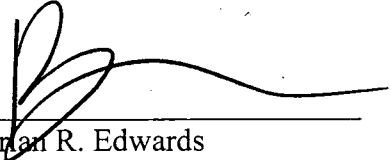
Record on Appeal by depositing in the United States mail, with due and proper postage  
affixed thereto, a copy of the same addressed to:

Mr. Stacy L. Stanley  
Ms. V. Denise Hamilton  
Stanley Law Firm  
3303 Highway 9 East  
Little River, SC 29566

Mr. G. Michael Smith  
Thompson & Henry, P.A.  
P.O. Box 1740  
Conway, SC 29528

Ms. Christina A. Bisset  
Mr. J. Christopher Clark  
McAngus Goudelock & Courie, LLC  
P.O. Box 1349  
Myrtle Beach, SC 29578

July 31, 2015

  
Brian R. Edwards

Stephanie H. Burton  
sburton@gibbesburton.com



July 31, 2015

RECEIVED  
AUG 04 2015  
SC Court of Appeals

The Honorable Jenny Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Rivergate Homeowners' Association v. AB Consulting Engineers, Inc., et al.  
C.A. No. 2010-CP-26-03901  
Appellate Case No.: 2015-000248

Dear Ms. Kitchings:

We are enclosing for filing the original and two copies of the following:

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

We would appreciate you filing these papers and returning clocked copies to us in the enclosed envelope.

With kind regards,

Yours very truly,

GIBBES BURTON, LLC

A handwritten signature in black ink, appearing to read "Stephanie H. Burton", written over the typed name.

Stephanie H. Burton

SHB/br  
Enclosures

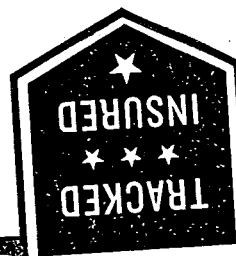


GIBBES BURTON, LLC  
308 E. ST. JOHN STREET  
SPARTANBURG, SC 29302

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The Honorable Jenny Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
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Columbia, SC 29211

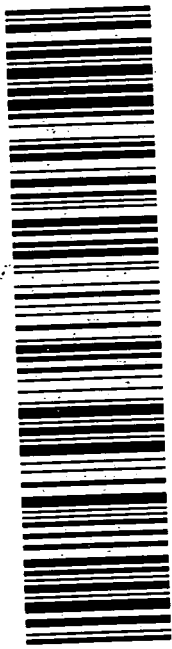
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Expected Delivery Day: 08/03/15

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