

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Letitia H. Verdin, Circuit Court Judge

Case No. 2010-CP-23-5880
Appellate Case No.: 2015-000523

Overland, Inc., d/b/a Land Rover Greenville Appellant,

Vs.

Lara Marie Nance, Charlie Andrew Nance, Roger Fields,
Synovus Financial Corporation, d/b/a NBSC, Branch Banking
And Trust Company, Bank of America Corporation, and
SunTrust Banks, Inc. Defendants,

Of whom, Lara Marie Nance, Charlie Andrew Nance, Bank of America Corporation, and
SunTrust Banks, Inc. are the Respondents.

**APPELLANT'S AMENDED DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**


Carl F. Muller, Esq., SC Bar No. 4131
Carl F. Muller, Attorney at Law, P.A.
607 Pendleton Street, Suite 201
Greenville, SC 29601
864-991-8905
carl@carlmullerlaw.com

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

- 1) Order, dated December 8, 2014, filed December 15, 2014.
- 2) Plaintiff's Motion to Alter/Amend or Reconsider Pursuant to Rule 59(e), SCRCF, dated January 7, 2014.
- 3) Letter from T. Hunt Reid, representing Overland, Inc. to Judge Verdin, dated January 29, 2015 (with enclosures).
- 4) Bank of America's response to Plaintiff's Rule 59(e) Motion, dated January 30, 2015.
- 5) Motion for Summary Judgment of Defendant SunTrust Banks, Inc., dated August 22, 2014.
- 6) Memorandum in Support of Motion for Summary Judgment of Defendant SunTrust Banks, Inc., dated October 24, 2014.
- 7) Bank of America's Notice of and Motion for Summary Judgment Purely on the Basis of Law as to 17th and 15th Causes of Action, dated September 5, 2014.
- 8) Bank of America's Brief In Support of Its Rule 56(B) Motion as to the 17th and 20th Causes of Action Against It, dated October 23, 2104.
- 9) Response of Overland, Inc. to Defendant's Bank of American and SunTrust Banks Motions for Summary Judgment, October 27, 2014.
- 10) Affidavit of Peter Seitz, dated October 21, 2014.
- 11) Affidavit of Michael O'Shea, dated October 27, 2014.
- 12) Transcript of Record, October 29, 2014.
- 13) Answer of Bank of America Corporation to Third Amended Complaint, dated October 10, 2012.
- 14) Defendant SunTrust Banks, Inc.'s Answer to Third Amended Complaint, dated November 19, 2012.
- 15) Third Amended Complaint.
- 16) Deposition Transcript, Lara Marie Nance, pp. 53, 101-102, and 111.
- 17) Order, dated May 22, 2014 Denying Bank of America and SunTrust's Motions for Judgment on the Pleadings as to the Seventeenth Causes of Action filed May 22, 2014.
- 18) Overland Discovery Request re: Bank of America, dated December 16, 2013.
- 19) Overland Discovery Request re: SunTrust Banks, dated December 16, 2013.
- 20) Overland Motion to Compel Discovery, dated September 22, 2015(as to Bank of America)
- 21) Overland Enlargement of Time to file Rule 59(e) Motion.
- 22) Court's Order Granting Enlargement of Time to File Rule 59(e) Motion.
- 23) Order, dated February 5, 2015 (denying Plaintiff's Motion to Alter/Amend or Reconsider Pursuant to Rule 59(e), SCRCF).
- 24) Plaintiff's Notice of Appeal, dated March 4, 2015.
- 25) *United Stats v. Lara Marie Nance*, No. 6:10cr634-1 (Feb. 14, 2011).

- 26) December 16, 2014 email from Hunter Reid to Bank of America and SunTrust.
- 27) January 23, 2014 email from Lauren Maxwell to Hunter Reid.
- 28) January 21, 2014 email from Jim Sheedy to Hunter Reid.
- 29) February 17, 2014 email from Hunter Reid to Jim Sheedy and Susan Driscoll.
- 30) February 17, 2014 email from Hunter Reid to Lauren Maxwell and Jim Sheedy. R. p. __.
- 31) February 19, 2014 email from Lauren Maxwell to Hunter Reid.
- 32) March 3, 2014 email from Hunter Reid to Bank of America and SunTrust counsel.
- 33) July 7, 2014 letter from Hunter Reid to James Sheedy and Susan Driscoll,
- 34) October 3, 2014 email from Lauren Maxwell to Hunter Reid.
- 35) October 27, 2014 letter from James Sheedy to Hunter Reid.
- 36) SunTrust Responses to Overland's Interrogatories, March 3, 2014.
- 37) SunTrust Responses to Overland's Production Requests, March 3, 2014.
- 38) Bank of America Responses to Overland's Interrogatories, March 1, 2014.
- 39) Bank of America Responses to Overland's Production Requests, March 1, 2014.
- 40) Notice of and Motion for Judgment on the Pleadings as to the Seventeenth Cause of Action Against Defendant SunTrust Banks filed March 12, 2014.
- 41) Notice of and Motion for Judgment on the Pleadings as to the Seventeenth Cause of Action Against Defendant Bank of America filed March 5, 2014.
- 42) Bank of America's Brief in Support of its Rule 12(c) Motion as to the Seventeenth Cause of Action filed April 25, 2014.
- 43) Overland's Response to Bank of American and SunTrust's Motions for Judgment on the Pleadings as to the Seventeenth Cause of Action.
- 44) Bank of America's Response to Plaintiff's Rule 59(e) Motion filed February 3, 2015.
- 45) Memorandum of Defendant SunTrust in Opposition to Plaintiff's Motion to Alter/Amend or Reconsider Pursuant to Rule 59(e) filed February 3, 2015.
- 46) Bank of America Motion to Dismiss Appeal.
- 47) SunTrust Motion to Dismiss Appeal.
- 48) Overland Response to Bank of America and SunTrust's Motion to Dismiss Appeal.
- 49) Order Denying Motion to Dismiss Appeal, dated June 4, 2015.
- 50) Bank of America Deposit Slips dated December 21, 2009.

The undersigned certifies that the Record Designated on Appeal by respondent contains no matter which is irrelevant to this appeal.



Carl F. Muller, Esq., SC Bar No. 4131
Carl F. Muller, Attorney at Law, P.A.
607 Pendleton Street, Suite 201
Greenville, SC 29601
864-991-8905
carl@carlmullerlaw.com

T. Hunt Reid, Esq. SC Bar No.: 77538
Fayssoux Law Firm, P.A.
PO Box 10207
Greenville, SC 29603
864-233-0445
hunter@fayssouxlaw.com

Attorneys for Appellant

August 7, 2015

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CARL F. MULLER, ATTORNEY AT LAW, P.A.

607 PENDLETON STREET, SUITE 201
GREENVILLE, SOUTH CAROLINA 29601

POST OFFICE BOX 1717
GREENVILLE, SOUTH CAROLINA 29602-1717

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CARL@CARLMULLERLAW.COM

PHONE: 864-991-8904

FAX: 864-751-2831

August 7, 2015

VIA FEDERAL EXPRESS

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

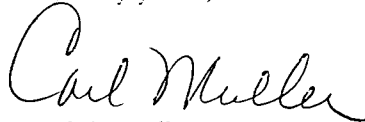
Re: Overland, Inc., d/b/a Land Rover Greenville, Appellant, vs.
Lara Marie Nance, et al, Defendants, of whom Lara Marie
Nance, et al, are the Respondents
Case No.: 2015-000523

Dear Ms. Kitchings:

Enclosed please find the original and six copies of our Reply Brief of Appellant and Amended Designation of Matter to be Included in the Record On Appeal. Please return a file-stamped copy of each to us in the envelope provided for your convenience. By copy of this letter we are serving these documents on all counsel of record.

Thank you for your assistance. If you need anything further, please do not hesitate to contact us.

Very truly yours,



Carl F. Muller

CFM:dph

c: W. Howard Boyd, Jr., Esq.
James W. Sheedy, Esq.
Susan Elizabeth Driscoll, Esq.
Lauren Thorne Maxwell, Esq.
James H. Price, III, Esq.
Bruce A. Byrholdt, Esq.
David L. Moore, Esq.

Enclosures