

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Clifton 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 Dasmercse 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., Geometrics, 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 Chuck's Construction, Inc. is the Respondent,

Chuck's Construction Co., Inc., Third-Party Plaintiff,

v.

5
Vereen Concrete Co., Inc. and Asphalt Pavement Maintenance of Myrtle Beach, Inc., Third-Party Defendants.

Rivergate Homeowners' AssociationAppellant,

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.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

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

1. Sanger Complaint filed January 12, 2007.
2. Sanger Amended Complaint filed April 20, 2008.
3. Rivergate Homeowner's Association Complaint filed June 13, 2008.
4. Rivergate Homeowner's Association First Amended Complaint filed March 21, 2009.
5. Order filed March 31, 2009.
6. Order filed August 18, 2009.
7. Consent order filed April 28, 2009.
8. Rivergate Homeowner's Association Second Amended Complaint filed on April 28, 2010.
9. Answer of Respondent Chuck's Construction, Inc.
10. Kimley-Horn and Associates, Inc. Report
11. Affidavit of J. Drew Wilkie
12. Motion for Summary Judgment of Chuck's Construction, Inc.

13. Motion for Summary Judgment of Speedy Concrete, Inc.
14. Motion for Summary Judgment of AB Consulting Engineers, Inc.
15. Attachments to AB Consulting Engineers Motion for Summary Judgment:
 - a. Excerpts from Deposition of Amie Drucker with Exhibits 3, 10, 11 and 12
 - b. Excerpts from Deposition of Donna Dawson
 - c. Excerpts from Deposition of Wayne Winderman
 - d. Excerpts from Deposition of Luther Bellamy
 - e. Excerpts from Deposition of Gerald Foran
 - f. Excerpts from Deposition of Christopher Sarratt with attached Exhibit 3
 - g. Excerpts from Deposition of Michael Gardner
 - h. Excerpts from Deposition of J. Drew Wilkie with attached Exhibit 2
 - i. Excerpts from Deposition of James Dunn with attached Exhibits 2, 5, 6, 15, 16, 17, 19, 21, 22, 24, 26, 27, 28, 30, 32, 33, 34, 36, 37, 38, 41
16. Master Deed and Amendments filed with AB Consulting's Motion for Summary Judgment
17. Transcript of Hearing dated January 17, 2014
18. Transcript of Hearing dated September 8, 2014
19. Order granting Chuck's Construction, Inc. Motion for Summary Judgment
20. Order denying Motion to Reconsider Summary Judgment on behalf of Chuck's
21. Notice of Appeal dated March 2, 2015
22. Appellant's Motion to Consolidate Appeals dated April 21, 2015
23. Order Granting Consolidation filed June 3, 2015

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

August 13, 2015

Christina A. Bisset

Christina A. Bisset

James Christopher Clark

McAngus, Goudelock & Courie LLC

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Chuck's Construction Co., Inc.

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Of Whom Chuck's Construction, Inc. is the Respondent,

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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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SC Court of Appeals

PROOF OF SERVICE

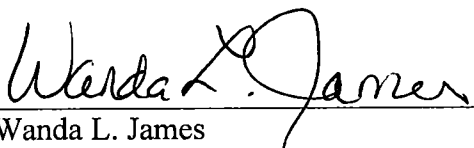
I hereby certify that on August 13, 2015, I served a corrected copy of Respondent Chuck's Construction, Inc.'s Initial Brief and Designation of Matter to be Included in the Record on Appeal by depositing in the United States Mail, with due and proper postage affixed hereto, a copy of the same addressed to:

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August 13, 2015


Wanda L. James