

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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OCT 22 2015

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Stephanie P. McDonald, Circuit Court Judge

Case No. 2010-CP-10-10490

Brad J. Walbeck and Lea Ann Adkins, Both Individually and Derivatively on Behalf of
The I'On Assembly, Inc.; I'On Assembly, Inc.

Respondents,

v.

The I'On Company, LLC, The I'On Club, LLC, The I'On Group, LLC f/k/a Civitas, LLC,
and I'On Realty, LLC,

Appellants.

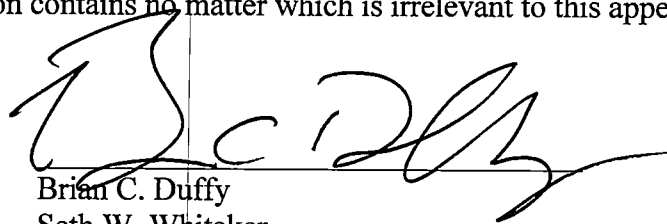
**DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

Appellants propose the following to be included in the Record on Appeal:

1. March 15, 2012 Order.
2. November 6, 2012 Order.
3. February 11, 2014 Order.
4. February 26, 2014 Order.
5. June 20, 2014 Order.
6. August 11, 2014 Order.
7. June 15, 2015 Order Denying JNOV and Motion for New Trial.
8. June 15, 2015 Order Denying Adkins Petition for Unjust Enrichment.
9. June 16, 2015 Easement Order.
10. July 13, 2015 Order Awarding Walbeck Attorney's Fees and Costs.
11. July 13, 2015 Order Denying The I'On Company's Petition for Fees.
12. December 22, 2010 Summons and Complaint.
13. March 8, 2011 Amended Complaint.
14. May 27, 2011 Answer.

15. February 7, 2012 Second Amended Complaint.
16. January 2, 2014 Third Amended Complaint.
17. January 9, 2014 Verifications to Third Amended Complaint by Plaintiffs.
18. January 14, 2014 Answer to Third Amended Complaint.
19. January 13, 2014 Hearing Transcript.
20. July 24, 2014 Hearing Transcript.
21. July 28, 2014 – August 1, 2014 Trial Transcript.
22. May 27, 2011 Motion to Dismiss.
23. May 31, 2012 Motion for Summary Judgment.
24. October 22, 2012 I'On Memorandum in Support of Motion for Summary Judgment, Ex. A: Walbeck Deposition Excerpts.
25. May 12, 2014 Complaint – The I'On Company, LLC v. Walbeck.
26. July 31, 2014 Memorandum in Support of Directed Verdict.
27. Verdict Form.
28. August 11, 2014 Motion for Judgment Notwithstanding the Verdict.
29. August 11, 2014 Walbeck Petition for Attorneys' Fees.
30. August 11, 2014 Adkins Petition for Unjust Enrichment.
31. August 11, 2014 Plaintiffs' Motion Regarding Easement.
32. August 12, 2014 I'On Petition for Attorneys' Fees.
33. Lea Ann Adkins' July 9, 2014 Deposition, 60:13-61:11.
34. Brad Walbeck's July 9, 2014 Deposition, 29:8-30:14.
35. Court's Exhibits Nos. 1, 5.
36. Plaintiffs' Trial Exhibits Nos.: 1, 2, 33, 45, 53, 54, 57, 58, 111, 119, 180, 181, 187, 225.
37. Defendants' Trial Exhibits Nos.: 3, 4, 5B, 8, 14, 15, 17-19, 22-25, 27, 28, 32-34, 39-44, 49, 52, 54-56, 59, 60, 61A, 62, 63, 67, 69-84, 87, 98, 105-133, 137, 140-142, 150-153, 155, 157, 158, 164A, 167, 173, 174, 180, 182.

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



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October 19, 2015
Charleston, South Carolina

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and I'On Realty, LLC,

Appellants.

PROOF OF SERVICE

I, Liane Marcotulli, paralegal for Duffy & Young, LLC, certify that I have served the **DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** on Respondents by U.S. mail on October 19, 2015 by depositing a copy of it to their attorneys of record as shown below:

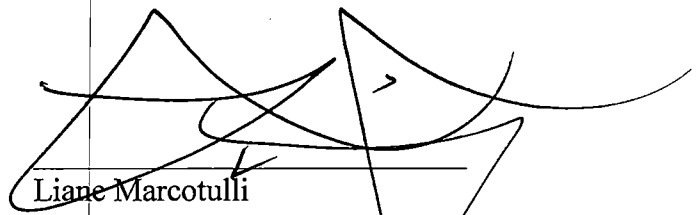
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individually and derivatively on behalf of I'On Assembly, Inc.*

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A handwritten signature in black ink, appearing to read "Liane Marcotulli", is written over the typed name and address of Liane Marcotulli. The signature is stylized and somewhat illegible.

Liane Marcotulli
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