

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Case No. 2010-CP-10-10355
R. Markley Dennis, Circuit Court Judge

RECEIVED
OCT 15 2015
SC Court of Appeals

Appellate Case No.: 2015-001238

D.R. Horton, Inc. f/k/a C. Richard Dobson Builders, Inc.Appellant,

v.

Builders FirstSource - Southeast Group, LLC, and
Builders FirstSource, Inc.Respondent,

Joseph Naccari, Individually, and d/b/a Masterframers. Defendant /Third-Party Plaintiff,

v.

Jaime Arreguin d/b/a Maya Construction Third Party Defendant

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

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


1. D.R. Horton's Amended Complaint filed July 13, 2012;
2. Builders FirstSource's Answer to Amended Complaint;
3. Builders FirstSource's Motion for Summary Judgment filed December 11, 2012;
4. Builders FirstSource's Memorandum in Support of Summary Judgment filed April 10, 2013;
5. D.R. Horton's Memorandum in Opposition to Motion for Summary Judgment filed April 10, 2013;

April 10, 2013;

6. Order filed October 2, 2013, denying Motion for Summary Judgment;
7. Builders FirstSource's Motion to Reconsider filed October 16, 2013;
8. D.R. Horton's Reply to Motion to Reconsider filed October 28, 2013;
9. Order filed May 2, 2014, granting Builders FirstSource Partial Summary Judgment;
10. D.R. Horton's Motion to Reconsider filed September 18, 2014;
11. Order filed June 26, 2014, denying D.R. Horton's Motion to Reconsider;
12. Builders FirstSource's Second Motion for Summary Judgment filed July 24, 2014;
13. Builders FirstSource's Memorandum in Support of Second Motion for Summary Judgment filed July 24, 2014;
14. D.R. Horton's Memorandum in Opposition of Second Motion for Summary Judgment filed August 13, 2014;
15. Order filed September 5, 2014, granting Builders FirstSource Motion for Summary Judgment;
16. D.R. Horton's Motion to Reconsider filed September 18, 2014;
17. Order filed May 6, 2015, denying D.R. Horton's Motion to Reconsider.

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

October 12, 2015.


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Attorneys for the Appellant

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PROOF OF SERVICE


I, Peden Brown McLeod, Jr. of Wall Templeton & Haldrup, do hereby certify that I have served Appellant's Initial Brief on counsel for Respondents, as well as other parties' counsel, by depositing the same in the United States Mail, properly posted on October 12, 2015, addressed as follows to counsel of record:

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The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: *D.R. Horton, Inc. vs. Builders FirstSource-Southeast Group, et al.*
Appellate Case No. 2015-001238

Dear Ms. Kitchings:

Please find enclosed an original and one copy of Appellant's Initial Brief, Designation of Matter and Proof of Service in the above referenced matter. Please file the original and return a filed-stamped copy to me in the envelope provided for your convenience.

By copy of this letter to all counsel of record, I am serving them with the enclosed brief.

Thank you for your time and attention to this matter.

Sincerely,

WALL TEMPLETON & HALDRUP, P.A.

Peden Brown McLeod, Jr.

PBMjr:are
Enclosures

cc: James Taylor Anderson, III, Esquire (w/ encl)
David S. Cobb, Esquire (w/ encl)
R. Trippett Boineau, III, Esquire (w/ encl)



FIRST CLASS MAIL



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The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
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