

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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DEC 04 2015

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Alexander S. Macaulay, Circuit Court Judge

Lower Court Case No. 2009-CP-37-00652
Court of Appeals Case No. 2015-000417

Stoneledge at Lake Keowee Owners' Association, Inc., C. Dan Carson, Jeffrey J. Dauler, Joan W. Davenport, Michael Furnari, Donna Furnari, Jessy B. Grasso, Nancy E. Grasso, Robert P. Hayes, Lucy H. Hayes, Ty Hix, Jennifer D. Hix, Paul W. Hund, III, Ruth E. Isaac, Michael D. Plourde, Mary Lou Plourde, Carol C. Pope, Steven B. Taylor, Bette J. Taylor, and Robert White, Individually, and on Behalf of All others similarly situated,

Respondents,

v.

IMK Development Co., LLC, Keowee Townhouses, LLC, Ludwig Corporation, LLC, SDI Funding, LLC, Medallion at Keowee, LLC, Integrys Keowee Development, LLC, Marick Home Builders, LLC, Bostic Brothers Construction, Inc., Miller/Player & Associates; Bradford D. Seckinger; John Ludwig, William C. Cox, Larry D. Lollis, Rick Thoennes, M. Group Construction and Development, LLC, Mel Morris, Joe Bostic, Jeff Bostic, Clear View Construction, LLC, Michael Franz, MHC Contractors, Miguel Porras Choncoas, Builders FirstSource Southeast Group, Mike Green, Southern Concrete Specialties, Carl Compton d/b/a Compton Enterprise d/b/a Compton Enterprises, Gunter Heating & Air, All Pro Heating, A/C & Refrigeration, LLC, Coleman Waterproofing, Heyward Electrical Services, Inc., Tinsley Electrical, LLC, Hutch N Son Construction, Inc., Upstate Utilities, Inc., Southern Basements, Inc., Carl Catoe Construction, Inc., T.G. Construction,

LLC, Delfino Construction; Francisco Javier Zarate d/b/a Zarate Construction, Alejandro Avalos Cruz, Herberito Acros Hernandez, Martin Hernandez-Aviles; Francisco Villalobos Lopez, Ambrosio Martinez-Ramirez; Ester Moran Mentado, Socorro Castillo Montel, Upstate Utilities, Inc., MJG Construction and Homebuilders, Inc. d/b/a MJG Construction, KMAC of the Carolinas, Inc., Eufacio Garcia, Everado Jarmamillo, Garcia Parra Insulation, Inc., J&J Construction, Jose Nino, Jose Manuel Garcia, Eason Construction, Inc., and Vincent Morales d/b/a Morales Masonry, Appellants.
(Of Whom Bostic Brothers Construction, Inc., is the Appellant)

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

The Appellant, Bostic Brothers Construction, Inc., proposes the following to be included in the Record on Appeal:

1. Notice of Appeal
2. Second Amended Notice of Appeal;
3. Plaintiffs' First Amended Complaint;
4. Defendants' Answer to Plaintiffs' First Amended Complaint;
5. Plaintiffs' Third Amended Complaint;
6. Defendants' Answer to Plaintiffs' Third Amended Complaint;
7. Bostic Brothers Construction, Inc.'s Rule 59 Motion to Reconsider filed February 19, 2015;
8. Order Denying Bostic Brothers Construction, Inc.'s Rule 59 Motion to Reconsider filed March 13, 2015;
9. Plaintiffs' Motion to Alter or Amend Judgment dated November 18, 2013;
10. Order granting Plaintiffs' Motion to Alter or Amend Judgment dated November 18, 2013;
11. Defendants' Motion for Judgment Notwithstanding the Verdict;
12. Defendants' Motion Pursuant to S.C. Code § 15-35-50 for an Order Granting Set-Off;
13. Defendants' Motion Requesting a New Trial Absolute;
14. Defendants' Motion Requesting a New Trial Nisi Remittitur;
15. Defendants' Motion to Alter or Amend Judgment Entered on January 30, 2015;
16. Final Judgment, Apportionment Form, and Jury Verdict Form filed on November 8, 2013;
17. Form 4 and Jury Verdict Form;

18. Form 4 and Order Denying Defendants' Post-Trial Motions filed on January 22, 2015;
19. Form 4 Judgment filed on January 30, 2015, amending prior Form 4 Final Judgment filed on November 8, 2013;
20. Transcript of Judgment filed on January 30, 2015;
21. Am. and Restated Bylaws of Stoneledge at Lake Keowee Owners' Association, Inc., (Pls.' Ex.P-3, P-4, P-5;
22. Decl. of Covenants, Conditions, and Restrictions for Stoneledge at Lake Keowee, Article VII;
23. Excel Spreadsheet entered into evidence by Plaintiffs (Ex. 42) at trial;
24. Plaintiffs Ex. P-10 entered into evidence at trial;
25. Transcript of Proceedings pages 158; 216; 217; 220; 221; 222; 224; 234; 266; 267; 293; 295; 305; 306; 308; 309; 312; 328; 336; 351; 355; 416; 464; 467; 468; 469; 478; 479; 480; 481; 488; 489; 495; 634; 750; 751; 752; 754; 755; 756; 757; 1044; 1046; 1047; 1048; 1049; 1050; 1051; 1063; 1075; 1139; 1146; 1150; 1167; 1168; 1171; 1172; 1175; 1184; 1204; 1205; 1220; 1221; 1234-1255; 1240; 1245; 1246; 1255; 1277; 1278; 1302; 1303; 1518; 1519; 1520; 1521; 1522; 1556; 1572.
26. Appellant designates the entire trial transcript, pages 1 through 1,783, and all exhibits introduced and admitted at trial, not otherwise identified above, but only insofar as the Court deems it necessary to inquire therein.
27. Appellant designates all pleadings and motions of record in this matter filed with the Court of Appeals and all Post-Trial Motions filed with the trial court.

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

Respectfully submitted,



Alan R. Belcher, Jr., Esquire, Bar No. 71686
Elizabeth F. Wieters, Esquire, Bar No. 78064
Paul Trainor, Esquire, Bar No. 101405
40 Calhoun Street, Suite 550
Charleston, South Carolina 29401
Telephone: (843) 720-3460
Facsimile: (843) 720-3458
*Attorneys for Appellant, Bostic Brothers
Construction, Inc.*

Dated: December 31 2015

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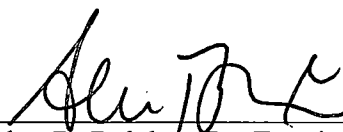
Appellants.

PROOF OF SERVICE

I certify that I have served the Appellant's Designation of Matter to be Included in the Record on Appeal upon the Respondents by depositing a copy of same in the United States Mail, First Class postage prepaid, on December 31 2015, addressed to Respondents' attorneys of record, Robert T. Lyles, Jr., Esquire, Lyles & Lyles, LLC, PO Box 773, Charleston, SC 29402.

Also served by the same means are the following: Cynthia Buck Brown, Esquire and R. Patrick Smith, Esquire of Harper Lambert & Brown, PA, P.O. Box 908, Greenville, SC 29602 (attorneys for IMK Development Co., LLC, Integrys Keowee Development, LLC, William C. Cox, and Larry Lollis), Jason M. Imhoff, Esquire and Chad M. Graham, Esquire of The Ward Law Firm, P.A., P.O. Box 5663, Spartanburg, SC 29304 (attorneys for Marick Home Builders, LLC and Rick Thoennes).

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Alan R. Belcher, Jr., Esquire, Bar No. 71686
Elizabeth F. Wieters, Esquire, Bar No. 78064
Paul Trainor, Esquire, Bar No. 101405
40 Calhoun Street, Suite 550
Charleston, South Carolina 29401
Telephone: (843) 720-3460
Facsimile: (843) 720-3458
*Attorneys for Appellant, Bostic Brothers
Construction, Inc.*

Robert T. Lyles, Jr., Esquire
Lyles & Lyles, LLC
P. O. Box 773
Charleston, SC 29402
843-577-7730
Attorney for Respondents

Cynthia Buck Brown, Esquire
R. Patrick Smith, Esquire
Harper, Lambert & Brown, PA
PO Box 908
Greenville, SC 29602
864-235-5535
Attorneys for IMK Development Co., LLC, Integrys Keowee Development, LLC,
William C. Cox, and Larry Lollis

Jason M. Imhoff, Esquire
Chad M. Graham, Esquire
The Ward Law Firm, P.A.
P.O. Box 5663
Spartanburg, SC 29304
843-582-3075
Attorneys for Marick Home Builders, LLC and Rick Theonnes