

THE STATE OF SOUTH CAROLINA
In The South Carolina Court of Appeals

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MAR 25 2016

SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Hon. S. Jackson Kimball III
Master in Equity

Case no. 2011-CP-46-4278
Appellant No.: 2015-001857

Bank of America, N.A., as successor by merger to BAC Home Loans
Servicing, LP, f/k/a/ Countrywide Home Loans Servicing.....RESPONDENT

vs.

Michelle Minardi and Ameris Bank,
of whom Michelle Minardi is theAPPELLANT

APPELLANT DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL
(AMENDED)

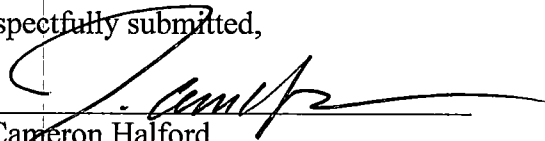
Appellant Michelle Minardi hereby submits proposed designation of matter for the
Record on Appeal in this case pursuant to SCACR 209(a) and designates the following
matter for inclusion within the record in this appeal:

1. November 11, 2011 Bank of America, N.A. Summons, Complaint, ADR
Exemption Certificate and Deficiency Waiver.
2. January 11, 2011 Objection to Reference, Answer and Counterclaims of
Defendant Michelle Minardi.
3. February 10, 2012 Plaintiff Reply to Defendant Minardi Answer and
Counterclaims

4. August 16, 2012 Plaintiff First Motion for Mandatory Reference, Affidavits of Default as to Ameris Bank, and Certificate of Service
5. August 27, 2012 Plaintiff Notice of Hearing for First Motion for Reference to occur September 6, 2012.
6. September 5, 2012 Affidavit of George Hunter filed by Defendant opposing Defendant Motion for Mandatory Reference.
7. September 6, 2012 Form 4 Order of Hon. Lee S. Alford denying reference.
8. October 24, 2013 Plaintiff Secondary Motion for Order of Mandatory Reference and Notice of Hearing for January 13, 2014.
9. January 13, 2014 Halford time line depicting no material change – in opposition to Reference citing administrative order provisions
10. January 13, 2014 Form 4 Order – Motion for Reference Taken Under Advisement – Hon. John C. Hayes
11. February 7, 2014 Order granting Plaintiff Motion for Mandatory Reference
12. October 8, 2014 Notice of Appearance Brock & Scott PLLC; and October 29, 2014 Consent Order Substituting Counsel for Plaintiff.
13. February 2, 2015 Defendant Minardi motion to compel mediation pursuant to administrative order 2011-05-02-01 and 2/5/2015 Notice of Hearing.
14. February 6, 2015 Defendant Minardi Notice of Motion and Motion for Summary Judgment
15. February 7, 2015 Defendant Motion for Summary Judgment and Defendant Minardi Memorandum in Support of Summary Judgment
16. February 18, 2015 Hearing Transcript / Defendant Motion for Summary Judgment
17. March 18, 2015 Defendant Minardi Motion to Compel Rule 30(b)(6) Deposition of Bank of America designee
18. March 18, 2015 Defendant Minardi Motion to Amend Pleadings and Exhibit A Draft Amended Complaint
19. March 18, 2015 Defendant Minardi motion to Bifurcate and Remand Legal Counterclaims to Circuit Court

20. March 26, 2015 Form 4 Order, S. Jackson Kimball III denying Defendant Motion for Summary Judgment and scheduling order
21. April 14, 2015 Hearing Transcript / Defendant Motions to Compel
22. June 30, 2015 Hearing Transcript / Defendant Motion to Reconsider Rule 59(e)
23. April 16, 2015 Plaintiff Notice of Final Hearing and Certificate of Service
24. May 19, 2015 Order denying Defendant Minardi Motion to Bifurcate and Remand Legal Counterclaims
25. May 29, 2015 Defendant Minardi Rule 59(e) Motion for Reconsideration
26. May 29, 2015 Minardi Amended Answer and Counterclaims adding Breach of Fiduciary Duty as a cause of action
27. June 3, 2015 Amended Reply to Defendant Amended Answer and Counterclaims
28. June 29, 2015 Plaintiff Memorandum Opposing Defendant Motion for Reconsideration
29. July 29, 2015 Order denying Defendant Motion for Rule 59(e) consideration
30. August 3, 2015 Notice of Appeal by Michelle Minardi

Respectfully submitted,



J. Cameron Halford
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ATTORNEY FOR APPELLANT

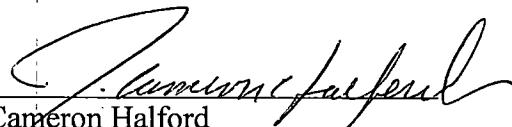
PROOF OF SERVICE

I hereby certify that I am the attorney for Appellant in the above case and that I did on March 24, 2016 serve a copy of the foregoing APPELLANT AMENDED INITIAL BRIEF and APPELLANT AMENDED DESIGNATION OF MATTER FOR RECORD ON APPEAL pursuant to the March 24, 2016 Order of the Court of Appeals, served upon counsel for the Respondent by e-mail (PDF) and by depositing a copy of the same in the United States mail, postage prepaid, and addressed as follows:

Brian Calub, Esquire
McGuire Woods, LLP
201 N. Tryon Street, Suite 30
Charlotte, NC 28202

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SC Court of Appeals

ATTORNEYS FOR RESPONDENT
BANK OF AMERICA, N.A.



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vs.

Michelle Minardi and Ameris Bank,
of whom Michelle Minardi is theAPPELLANT

PROOF OF SERVICE

I certify that I have served Appellant's Amended Initial Brief and Amended Designation of Matter to be Included in Record on Appeal on the attorney identified below by depositing the same in the United States mail, postage prepaid, and addressed as follows, on the 24th day of March, 2016:

Brian Calub, Esquire
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SC Court of Appeals

March 24, 2016

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

Re: Bank of America, N.A., as successor by merger to BAC Home Loans
Servicing, LP, f/k/a Countrywide Home Loans Servicing, LP f/k/a
Countrywide Home Loans Servicing, LP vs. Michelle Minardi and
Ameris Bank
Case No.: 2011-CP-46-250

Dear Ms. Kitchings:

Enclosed please find an original and seven (7) copies of the Appellant's Amended Initial Brief and Proof of Service regarding the above-referenced matter. In this regard, I would appreciate your filing these documents and returning a clocked copy to my office in the envelope provided. If you have any questions regarding the enclosed or this matter, please do not hesitate to contact my office.

With kind personal regards, I am

Sincerely,


J. Cameron Halford

JCH:tml
Enclosures

cc: Ms. Michelle Minardi
w/enclosure
Brian A. Calub, Esquire
w/enclosure

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