

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARION COUNTY
Court of Common Pleas

Haigh Porter, Special Referee

Case No. 2011-CP-33-00016

Wells Fargo Bank, N.A. successor-in-interest
to Wachovia Bank, National Association Plaintiff,

v.

Marion Amphitheatre, LLC, David P. Gannon,
Michael Guarco, Carolina Entertainment Complex, LLC
and 4 Prophets, LLC a/k/a 4 Profits, LLC Defendants,

Of Whom,
David P. Gannon, and Michael Guarco are the Appellants,

And 4 Prophets, LLC a/k/a 4 Profits, LLC is the Respondent.

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

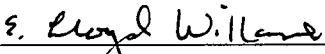
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Attorneys for Appellants

Appellants propose to include the following in the Record on Appeal:

1. Summons and Complaint;
2. Answer, Counter-Claim, and Cross-Complaint;
3. July 17, 2006, Agreement;
4. Objection to Proposed Order dated, August 29, 2011;
5. Motion to Amend dated November 21, 2011;
6. Affidavit of Darryl E. Rouson;
7. Affidavit of Michael Guarco;
8. Order dated November 7, 2011;
9. Order dated March 14, 2012;
10. Transcript of hearing dated September 12, 2011.

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

September 19, 2012



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Case No. 2011-CP-33-00016

Wells Fargo Bank, N.A. successor-in-interest
to Wachovia Bank, National Association Respondent,

v.

Marion Amphitheatre, LLC, David P. Gannon,
Michael Guarco, Carolina Entertainment Complex, LLC
and 4 Prophets, LLC a/k/a 4 Profits, LLC Defendants,

Of Whom,

David P. Gannon, and Michael Guarco are the Appellants,

And 4 Prophets, LLC a/k/a 4 Profits, LLC is the Respondent.

PROOF OF SERVICE

I certify that I have served the **Appellants' Initial Brief and Designation of Matters** on the *Respondent*, through their attorney of record, by depositing a copy of same in the United States Mail, postage prepaid, to:

John P. Williams Jr.
PO Box 883
Marion SC 29571

Attorney for Respondent 4 Prophets, LLC a/k/a 4 Profits, LLC

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September 19, 2012

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Reply To: Florence

HON JENNY ABBOTT KITCHINGS
CLERK OF COURT
SC COURT OF APPEALS
PO BOX 11629
COLUMBIA SC 29211

RE: Wells Fargo v. Marion Amphitheatre, LLC, Guarco, et al
Case No.: 2011-CP-33-00016
Case Tracking No. 2012-211806
Our File No. 15491.15631

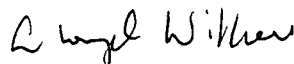
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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed is an original and one copy of **Initial Brief of Appellants; Designation of Matter to be Included in the Record on Appeal and Proof of Service** in reference to the above-captioned matter.

Please file the originals and return a clocked copy to us in the envelope provided for your convenience.

Yours very truly,



ELW/jaj
Enclosure

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cc: John P. Williams Jr., Esquire
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