

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

The Honorable Joe M. Crosby, Master-in-Equity

Case No. 2011-CP-22-00342

Appellate Case No. 2015-002484

RECEIVED
JUN 24 2016
SC Court of Appeals

TD Bank, N.A., successor by merger to Carolina First
Bank, N.A., Respondent,

v.

Sunil V. Lalla and Sharon W. Lalla, Appellants.

**RESPONDENT'S DESIGNATION OF MATTER
FOR THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, Respondent TD Bank, N.A., successor by merger to Carolina First Bank, N.A ("Respondent"), designates the following material for inclusion in the record on appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to the appeal:

ORDERS

1. Consent Order of Reference filed October 5, 2012;
2. Final Order filed May 10, 2013;
3. Order Granting Respondent's Motion to Alter or Amend and Foreclosure Judgment and Order of Sale filed February 4, 2015;
4. Form 4 Judgment filed March 9, 2015;

5. Amended Form 4 filed July 15, 2015;
6. Order Appointing Receiver filed November 12, 2015;

PLEADINGS

7. Complaint filed March 15, 2011, with Exhibits; Exhibits itemized below:
 - a. Promissory Note dated November 13, 2006;
 - b. Mortgage dated November 13, 2006;
 - c. Assignment of Leases and Rents dated November 13, 2006;
8. Answer and Counterclaim filed April 13, 2011;
9. Answer to Counterclaim filed May 3, 2011;

MOTIONS AND MEMORANDA

10. Respondent's Post-Trial Memorandum dated January 31, 2013;
11. Motion to Amend or Alter Court's Order filed June 7, 2013, with Exhibit; Exhibit itemized below:
 - a. Public Documentation from Office of the Secretary of State of South Carolina;
12. Motion for Leases, Rents, and Appointment of Receiver filed June 23, 2015;
13. Motion for Defendants to Show Cause Why They Have Refused to Comply with Court's Order Appointing Receiver filed December 1, 2015;

MISCELLANEOUS

14. Affidavit of Jason Bristol filed August 16, 2011;
15. Supplemental Affidavit of Jason Bristol filed November 8, 2011;
16. Affidavit of Sunil Lalla dated December 6, 2011;
17. Second Supplemental Affidavit of Jason Bristol filed September 20, 2012;
18. Letter to Judge Crosby from Moore dated July 15, 2014;

19. Notice of Appeal in Appellate Case No. 2015-000295 filed February 17, 2015;
20. Letter to Judge Crosby from McGee dated June 18, 2015, with proposed corrected Form 4;
21. Notice of Hearing on Motion for Leases, Rents, and Appointment of Receiver dated July 27, 2015;
22. Letter to Moore from Sullivan providing Order Appointing Receiver dated November 18, 2015;
23. Notice of Appeal filed November 25, 2015; and

TRANSCRIPTS

24. Transcript of Hearing of December 10, 2012, with Exhibits; Exhibits itemized below:
 - a. Order Approving the Acquisition of a Bank Holding Company;
 - b. Form S-8;
 - c. Copy of mortgage dated November 13, 2006;
 - d. Copy of promissory note dated November 13, 2006; and
 - e. Printout of payment record.

<signature block next page>

NELSON MULLINS RILEY & SCARBOROUGH LLP

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Attorneys for Respondent TD Bank, N.A., successor by
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Columbia, South Carolina

June 24, 2016.

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TD Bank, N.A., successor by merger to Carolina First
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PROOF OF SERVICE

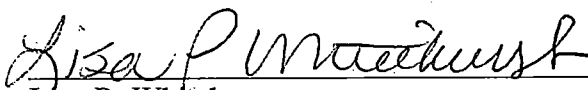
I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for TD Bank, N.A., successor by merger to Carolina First Bank, N.A., do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings:

Respondent's Designation of Matter for the Record on Appeal

Counsel Served:

S. Jahue Moore, Esquire
Moore Taylor Law Firm
Post Office Box 5709
West Columbia, SC 29171



Lisa P. Whitehurst
Administrative Assistant

June 24, 2016

Nelson Mullins

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

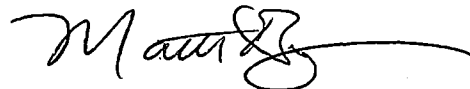
RE: TD Bank, NA, Successor by merger to Carolina First Bank, N.A., Respondent
v. Sunil V. Lalla and Sharon W. Lalla, Appellants
Appellate Case No. 2015-002484
Our File No. 04387/01834

Dear Ms. Kitchings:

Enclosed please find the original and one copy each of the Initial Brief and Designation of Matter for the Record on Appeal of Respondent TD Bank, N.A., Successor by Merger to Carolina First Bank, N.A. We would ask that you file the originals and return clocked-in copies to us via our courier.

By copy of this letter to counsel of record, we are serving them with copies of these pleadings.

Very truly yours,



A. Mattison Bogan

AMB:lpw
Enclosures

cc: S. Jahue Moore, Esquire