

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

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APPEAL FROM YORK COUNTY
Court of Common Pleas

JUL 01 2016

SC Court of Appeals

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
(THIRD AMENDED)

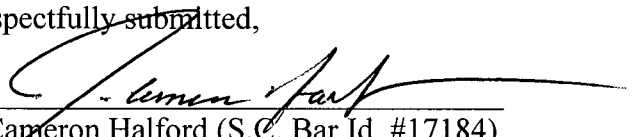
Appellant Michelle Minardi hereby submits proposed designation of matter for the
Record on Appeal, as amended, in this case pursuant to SCACR 209(a) and designates
the following matter for inclusion within the record in this appeal:

1. November 11, 2011 Bank of America, N.A. Summons, Complaint, ADR
Exemption Certificate and Deficiency Waiver.
2. January 10, 2011 Answer, Counterclaims of Defendant Michelle Minardi and
Objection to Reference.
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 5, 2012 Hearing / Transcript / First Motion for Order of Reference heard before Hon. Lee S. Alford.
8. September 7, 2012 Form 4 Order of Hon. Lee S. Alford denying reference.
9. October 24, 2013 Plaintiff Secondary Motion for Order of Mandatory Reference and Notice of Hearing for January 13, 2014.
10. January 13, 2014 Halford time line depicting no material change – in opposition to Reference citing administrative order provisions.
11. January 13, 2014 Hearing / Transcript / Plaintiff's Second Motion for Order of Reference heard before Hon. John C. Hayes.
12. January 13, 2014 Form 4 Order – Motion for Reference Taken Under Advisement – Hon. John C. Hayes.
13. February 7, 2014 Order granting Plaintiff Motion for Mandatory Reference.
14. Letters from Bank of America to Defendant Minardi dated October 18, 2010 and December 6, 2010.
15. October 8, 2014 Notice of Appearance Brock & Scott PLLC; and October 29, 2014 Consent Order Substituting Counsel for Plaintiff.
16. February 2, 2015 Defendant Minardi motion to compel mediation pursuant to administrative order 2011-05-02-01 and 2/5/2015 Notice of Hearing.
17. February 6, 2015 Defendant Minardi Notice of Motion and Motion for Summary Judgment.
18. February 7, 2015 Defendant Motion for Summary Judgment and Defendant Minardi Memorandum in Support of Summary Judgment.
19. February 18, 2015 Hearing Transcript / Defendant Motion for Summary Judgment.

20. March 18, 2015 Defendant Minardi Motion to Compel Rule 30(b)(6) Deposition of Bank of America designee.
21. March 18, 2015 Defendant Minardi Motion to Amend Pleadings and Exhibit A Draft Amended Complaint.
22. March 18, 2015 Defendant Minardi motion to Bifurcate and Remand Legal Counterclaims to Circuit Court.
23. March 26, 2015 Form 4 Order, S. Jackson Kimball III denying Defendant Motion for Summary Judgment and scheduling order.
24. April 14, 2015 Hearing Transcript / Defendant Motions to Compel.
25. June 30, 2015 Hearing Transcript / Defendant Motion to Reconsider Rule 59(e).
26. April 16, 2015 Plaintiff Notice of Final Hearing and Certificate of Service.
27. May 19, 2015 Order denying Defendant Minardi Motion to Bifurcate and Remand Legal Counterclaims.
28. May 29, 2015 Defendant Minardi Rule 59(e) Motion for Reconsideration.
29. May 29, 2015 Minardi Amended Answer and Counterclaims adding Breach of Fiduciary Duty as a cause of action.
30. June 3, 2015 Amended Reply to Defendant Amended Answer and Counterclaims.
31. June 29, 2015 Plaintiff Memorandum Opposing Defendant Motion for Reconsideration.
32. July 29, 2015 Order denying Defendant Motion for Rule 59(e) consideration.
33. August 3, 2015 Notice of Appeal by Michelle Minardi.

Respectfully submitted,


J. Cameron Halford (S.C. Bar Id. #17184)
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ATTORNEY FOR APPELLANT

June 30, 2016

PROOF OF SERVICE

I hereby certify that I am the attorney for Appellant in the above case and that I did on June 30, 2016 serve a copy of the foregoing APPELLANT THIRD AMENDED DESIGNATION OF MATTER FOR RECORD ON APPEAL, served upon counsel for the Respondent by depositing a copy of the same in the United States mail postage prepaid, and addressed as follows:

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SC Court of Appeals

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

ATTORNEYS FOR RESPONDENT
BANK OF AMERICA, N.A.



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Individually Owned Companies and Limited Liability Companies*

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SC Court of Appeals

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J. Cameron Halford, Esq. ^
Matthew R. Niemiec, Esq.
P. John Freeman, Esq.
Thomas A. Givens, Esq. †
Christopher M. Tavella, Esq. •

June 30, 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-46-4278
Appellant No.: 2015-001857

Dear Ms. Kitchings:

Enclosed please find an original and sixteen (16) copies of the Appellant's Amended Record on Appeal and Proof of Service along with an original and one copy of the Appellant's Third Amended Designation of Matter to be Included in Record on Appeal and Proof of Service in the above-referenced matter. Please return the clocked copies to my office in the envelope provided.

By copy of this letter, I am serving these documents upon opposing counsel. 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
Brian A. Calub, Esquire
w/enclosure

^ CERTIFIED MEDIATOR IN S.C. AND N.C. COURTS

† OF COUNSEL, INDEPENDENTLY OWNED AND OPERATED LAW OFFICE

• ASSOCIATE ATTORNEY HNF, LLP