

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable R. Markley Dennis, Jr.

Appellate Case No. 2016-001496

RECEIVED

SEP 26 2016

SC Court of Appeals

David B. Powell and Carol Ann Powell Respondents,

v.

SunTrust Bank, Midland Funding LLC,
and Pavilion Place Property Owners' Association, Inc. Defendants,

Of whom SunTrust Bank is the.....Appellant.

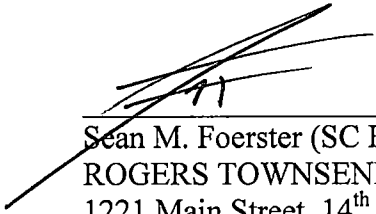
**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Appellant SunTrust Bank proposes that the following be included in the Record on Appeal:

1. Summons and Complaint filed on November 30, 2012.
2. Answer of SunTrust Bank filed on February 14, 2013.
3. Consent Order entered on January 21, 2014.
4. Amended Answer, Counterclaim, and Crossclaim of SunTrust Bank filed on January 27, 2014.
5. Reply to Amended Counterclaim filed on April 23, 2014.
6. Motion for Summary Judgment, and all exhibits thereto, filed by SunTrust Bank on February 10, 2015.

7. Plaintiff's Memorandum in Opposition to Motion for Summary Judgment and Cross-Motion for Summary Judgment filed on June 18, 2015.
8. Consent Order Resolving Various motions entered on June 23, 2016.
9. Transcript of Record of hearing on October 16, 2015.
10. Order entered on May 3, 2016.
11. Motion for Reconsideration filed on May 23, 2016.
12. Order entered on June 15, 2016.

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



Sean M. Foerster (SC Bar # 77466)
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Attorneys for the Appellant SunTrust Bank

September 26, 2016

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Of whom SunTrust Bank is the.....Appellant.

PROOF OF SERVICE

I HEREBY CERTIFY that I have served the Designation of Matter to be Included in the Record on Appeal on September 26, 2016, by depositing a copy in the United States Mail, postage pre-paid, addressed to the following party of record:

David B. Powell
273 Forest Trail
Isle of Palms, SC 29451

Carol Ann Powell
273 Forest Trail
Isle of Palms, SC 29451

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Mt. Pleasant, SC 29464

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Peyre Thomas Lumpkin, Esquire
Office of Commission Counsel
1205 Pendleton Street, Suite 333
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David A. Collins, Esquire
7455 Cross County Road
North Charleston, SC 29418

A handwritten signature in black ink that reads "Tabitha Scott". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Tabitha Scott
Paralegal to Sean M. Foerster, Esquire
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September 26, 2016

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SC Court of Appeals

VIA HAND DELIVERY

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

Re: *David B. Powell and Carol Ann Powell vs. SunTrust Bank, Midland Funding LLC, and Pavilion Place Property Owners' Association, Inc.*
Appellate Case # 2016-001496
Our File# 19610-12

Dear Ms. Kitchings:

Enclosed are an original and two copies of an Initial Brief of Appellant and Designation of Matter, along with proof of service for each document, in reference to the above matter.

By copy of this correspondence, I am serving copies of these documents upon all parties to this appeal.

Please have your staff file the originals and return clocked copies of these documents to me with the courier.

Thank you for your assistance in this matter.

Very truly yours,



Sean M. Foerster

/tds
Enclosure

cc:
David B. Powell
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Isle of Palms, SC 29451

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