

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

Dale E. Van Slambrook, Master-in-Equity

Appellate Case No. 2016-000292

**RECEIVED**  
SEP 12 2016  
SC Court of Appeals

Branch Banking and Trust Company ..... Plaintiff/ Respondent,

v.

Wilton H. Cain; Cassandra M. Durrah-Cain;  
Liberty Hall Residential Property Owners  
Association, Inc..... Defendants,

Of Whom Wilton H. Cain and Cassandra  
M. Durrah-Cain are the ..... Appellants.

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

Pursuant to Rule 209, SCACR, Branch Banking and Trust Company ("Respondent") designate 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. Judgment of Foreclosure and Sale, June 30, 2011;
2. Order for Deficiency Judgment, September 19, 2011;
3. Order (Appraisal Rights), December 1, 2015;
4. Order Reducing Deficiency Judgment December 4, 2015;

5. Order Confirming Deficiency Judgment and Denying Motion to Alter, Amend or Reconsider, January 26, 2016.

**PLEADINGS**

6. BB&T Complaint for foreclosure, October 4, 2010.

**TRANSCRIPTS**

7. January 14, 2016 Hearing Transcript;

**DOCUMENTS**

8. Cain Promissory Note dated September 19, 2007;
9. Cain Recorded Mortgage recorded September 20, 2007.

**OTHERS**

10. Per Curiam Opinion of South Carolina Court of Appeals, Case No. 2011-205089, September 24, 2014.
11. Motion to Dismiss Deficiency Judgment, December 29, 2015;
12. Brief Regarding Deficiency Judgment, January 7, 2016.

Respectfully submitted,



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Erica G. Lybrand (SC Bar # 79052)  
ROGERS TOWNSEND & THOMAS, PC  
1221 Main Street, 14<sup>th</sup> Floor (29201)  
P.O. Box 100200  
Columbia, SC 29202

*Attorneys for Respondent Branch Banking and Trust Company*

September 12, 2016

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**PROOF OF SERVICE**

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I HEREBY CERTIFY that I have served **RESPONDENT'S DESIGNATION OF MATTER** on Appellants Wilton H. Cain and Cassandra M. Durrah-Cain by depositing copies of it in the United States Mail, postage prepaid, on September 12, 2016, addressed to Appellants Wilton H. Cain and Cassandra M. Durrah-Cain at 6476 N. Highway 17, Awendaw, SC 29429.



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Erica G. Lybrand (SC Bar #79052)  
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September 12, 2016

RECEIVED  
SEP 12 2016  
SC Court of Appeals

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
The South Carolina Court of Appeals Clerk of Court  
1015 Sumter Street  
Columbia, SC 29201

RE: *Branch Banking and Trust Company v. Wilton H. Cain; Cassandra M. Durrah-Cain; Liberty Hall Residential Property Owners Association, Inc.*  
C/A # 2010-CP-08-03514  
RTT File # 504335-02111

Dear Ms. Kitchings:

Enclosed are an original and one copy of Respondent's Brief and Designation of Matter and Proof of Service in the above referenced matter. Please file the original document, and return the clocked copy to me in the envelope provided for the Court's convenience.

With kind regards, I remain

Cordially yours,

A handwritten signature in black ink, appearing to read "Erica G. Lybrand".

Erica G. Lybrand

Enclosures

cc:

Wilton H. Cain  
Cassandra M. Durrah-Cain  
6476 North Hwy 17  
Awendaw, SC 29429