

5

THE STATE OF SOUTH CAROLINA
In the Court of Appeal

RECEIVED
JAN 03 2017
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Roger M. Young, Sr., Circuit Judge

Appellate Case No: 2016-001170

William B. Haskin, Jr.....Appellant

Samuel W. Rhodes, Jr., Rhodes Investments, Inc, Rhodes Consulting, LLC
and Tracey M. Bozzelli.....Respondents

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

The Respondent proposes the following additional matter to be included in the Record on
Appeal:

1. Order for Case Assignment dated May 22, 2013;
2. Complaint filed October 5, 2012;
3. Transcript of Excerpt of Record before the Honorable Roger M. Young, Sr.,
November 16-19, 2015 (William B. Haskin, Jr.)
 - a. 8:2-7 (direct)
 - b. 72:6 to 73:3 (cross)
 - c. 8:4-7 (direct)
 - d. 70:5-8 (cross)
 - e. 19:8-10 (direct)
 - f. 21:18-22 (direct)
 - g. 23:13-18 (direct)

- h. 25:17 to 26:10 (direct)
- i. 61:1-3 (cross)
- j. 56:20-23 (cross)
- k. 44:15-22 (cross)
- l. 44:15-22 (cross)
- m. 44:15 to 47:22 (cross)
- n. 47:19-22 (cross)
- o. 56:10-23 (cross)
- p. 57:21 to 58:4 (cross)
- q. 43:19 to 44:14 (cross)
- r. 66:5 to 67:4 (cross)
- s. 70:24 to 71:3 (cross)

4. Transcript of Excerpt of Record before the Honorable Roger M. Young, Sr.,
November 16-19, 2015 (Samuel W. Rhodes, Jr.)

- a. 23:8 to 24:1 (direct)
- b. 46:14-25 (direct)
- c. 25:6-20 (direct)
- d. 35:12-15 (direct)
- e. 24:11 to 28:11 (direct)
- f. 25:14-20 (direct)
- g. 23:8 to 24:1 (direct)
- h. 24:2-9 (direct)
- i. 24:21 to 25:3 (direct)
- j. 44:5 to 45:4 (direct)
- k. 45:5-13 (direct)
- l. 25:6-20 (direct)
- m. 27:11 to 28:11 (direct)
- n. 35:2-15 (direct)
- o. 45:14 to 46:2 (direct)
- p. 23:21-22
- r. 29:19-22 (direct)
- s. 46:17 to 47:1 (direct)

5. Transcript of Excerpt of Record before the Honorable Roger M. Young, Sr.,
November 16-19, 2015 (Richard T. Livingston)

- a. 4:1-24 (cross)
- b. 4:25 to 6:13 (cross)
- c. 31:11 to 32:6 (direct)
- d. 31:6 to 32:6 (direct)
- e. 3:7-17 (cross)

- f. 66:20 to 67:19 (direct)
- g. 74:4 to 76:6 (cross)
- h. 76:23 to 77:6 to 79:1 80:12 (cross)
- i. 71:6 to 72:2 (cross)
- j. 35:17-25 (direct)
- k. 31:11-24 (direct)
- l. 4:11-24 (cross)
- m. 5:20-22 (cross)
- n. 65:24 to 66:18 (cross)
- o. 66:20 to 67:19 (direct)
- p. 67:25 to 68:25 (cross)
- q. 70:2-24 (direct)
- r. 12:21-24 (direct)
- s. 24:19 to 25:8 (cross)
- t. 26:21 to 27-28:25
- u. 3:7 to 6:3 (cross)
- v. 7:14 to 8:7 (cross)
- w. 12:10-14 (cross)
- x. 74:4 to 76:6 (cross)
- y. 81:9 to 82:7 (cross)

- 6. Transcript of Excerpt of Record before the Honorable Roger M. Young, Sr., November 16-19, 2015 (James Covington)

- a. 20:3-25 (direct)
- b. 22:1-10 (direct)
- c. 19:21 to 22:9 (direct)
- d. 21:4-11 (direct)
- e. 20:15-25 (direct)

- 7. Transcript of Excerpt of Record before the Honorable Roger M. Young, Sr., November 16-19, 2015 (Ellie Thomas)

- a. 30:3 to 98:24

- 8. Defendant's Exhibit 4, Haskin's Tax Returns for 2006, 2007, 2008, 2009, 2010 and 2011;
- 9. Defendant's Exhibit 9, unsigned Operation Agreement for Station 22 of Charleston, LLC
- 10. Defendant's Exhibit 5, signed Operating Agreement for Bayonne;
- 11. Defendant's Exhibit 6, unsigned Operating Agreement for 2624 Myrtle, LLC;
- 12. Defendant's Exhibit 7, unsigned Operating Agreement for 2802 Middle Street,

LLC.

13. Affidavit of William B. Haskin dated January 28, 2015 without exhibits.
14. Supplemental Affidavit of Richard T. Livingston dated April 15, 2015.

This 29th day of December, 2016

Cisa & Dodds, LLP



Frank M. Cisa
858 Lowcountry Blvd., Suite 101
Mt. Pleasant, SC 29464
(843) 881-6530
fax:(843) 881-5433
E-mail: frank@cisadodds.com

THE STATE OF SOUTH CAROLINA
In the Court of Appeal

RECEIVED
JAN 03 2017
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Roger M. Young, Sr., Circuit Judge

Appellate Case No: 2016-001170

William B. Haskin, Jr.....Appellant

Samuel W. Rhodes, Jr., Rhodes Investments, Inc, Rhodes Consulting, LLC
and Tracey M. Bozzelli.....Respondents

CERTIFICATE OF COUNSEL

The undersigned certifies that this Designation of Matter contains no matter which is irrelevant to the appeal and complies with Rule 209 (c), SCACR.



Frank M. Cisa

December ^{29th}, 2016
Mt. Pleasant, SC

THE STATE OF SOUTH CAROLINA
In the Court of Appeal

RECEIVED
JAN 03 2017
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Roger M. Young, Sr., Circuit Judge

Appellate Case No: 2016-001170

William B. Haskin, Jr.....Appellant

Samuel W. Rhodes, Jr., Rhodes Investments, Inc, Rhodes Consulting, LLC
and Tracey M. Bozzelli.....Respondents

PROOF OF SERVICE

I certify that I have served a copy of the Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal, by United States Mail, postage prepared, on December 29, 2016, I, addressed to the Appellate's attorneys, John E. Rosen and Richard S. Rosen with the law firm of Rosen, Rosen & Hagood, located at PO Box 893, Charleston, SC 29402.

Cisa & Dodds, LLP

F.M.C.

Frank M. Cisa
858 Lowcountry Blvd., Suite 101
Mt. Pleasant, SC 29464
(843) 881-6530

Fax: (843) 881-5433

E-mail: frank@cisadodds.com

Attorney for Respondents

8

CISA & DODDS, LLP
ATTORNEYS AND COUNSELORS AT LAW
858 Lowcountry Boulevard, Suite 101
Mt. Pleasant, South Carolina 29464
Telephone (843) 881-6530 Fax (843) 881-5433

FRANK M. CISA
JOHN J. DODDS, III
ROBERT S. DODDS

frank@cisadodds.com
john@cisadodds.com
robert@cisadodds.com

December 29, 2016

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Willam B. Haskin, Jr. v. Samuel W. Rhodes, Jr., et.al
Appellate No.: 2016-001170
Our file: 13-113

RECEIVED
JAN 03 2017
SC Court of Appeals

Dear Ms. Kitchings:

Enclosed is the original and one (1) copy of the Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal together with my Proof of Service. I would appreciate you filing the original and returning one (1) filed copy to me in the self-addressed stamped envelope provided.

With kindest regards, I am

Very truly yours,


Frank M. Cisa

FMC/alp
Enclosures

cc: John E. Rosen, Esquire (w/enc.)
Richard S. Rosen, Esquire (w/enc.)