

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Case No. 2013-CP-07-1807

RECEIVED

JAN 19 2017

SC Court of Appeals

William Loflin and Leslie Loflin, Appellants,

v.

BMP Development, LP, Balsam Mountain Group, LLC, Coward, Hicks & Silver,
P.A., J.K. Coward, Jr., Chicago Title Insurance Company, and Counsellor Title
Agency, Inc., Defendants

Of which
Chicago Title Insurance Company is the Respondent.

RESPONDENT'S DESIGNATION OF
MATTERS TO BE INCLUDED IN THE
RECORD ON APPEAL

G. Hamlin O'Kelley, III
S.C. Bar No. 15491
BUIST, BYARS & TAYLOR, LLC
652 Coleman Blvd., Suite 200
Mt. Pleasant SC 29464
(843) 856-4488

ORDERS

1. Order of the Honorable Carme T. Mullen Granting Chicago Title Insurance Company's Motion for Summary Judgment, August 25, 2016;
2. Order of the Honorable Ernest Kinard denying Chicago Title Insurance Company's Motion to Dismiss, September 3, 2014.
3. Order to Amend Complaint, January 6, 2015;
4. Order Designation Complex Case, January 15, 2016.

PLEADINGS

1. Plaintiffs' Complaint, July 18, 2013;
2. Chicago Title Insurance Company's Motion to Dismiss, August 9, 2013;
3. Counsellor Title Agency Inc.'s Motion to Dismiss, August 12, 2013;
4. Balsam Mountain Preserve Community Association's Motion to Dismiss, Sept. 6, 2013;
5. Balsam Mountain Preserve Community Association's Motion to for Protection from Discovery, September 27, 2013;
6. Balsam Mountain Preserve Community Association's Motion to for Protection from Discovery, September 27, 2013;
7. Plaintiffs' Amended Complaint, April 4, 2014;
8. Chicago Title Insurance Company's Motion to Dismiss the Amended Complaint, April 16, 2014;
9. Counsellor Title Agency Inc.'s Motion to Dismiss the Amended Complaint, April 28, 2014.
10. Answer of Chicago Title Insurance Company to the Plaintiffs' Amended Complaint, Sept. 11, 2014;
11. Plaintiffs' Second Amended Complaint, January 6, 2015;
12. Chicago Title Insurance Company's Answer to Second Amended Complaint, January 21, 2015;
13. Chicago Title Insurance Company's Motion for Summary Judgment, July 14, 2015;
14. Counsellor Title Agency, Inc.'s Motion for Summary Judgment, July 31, 2015;
15. Plaintiffs' Third Amended Complaint; August 5, 2015;
16. Chicago Title Insurance Company's Answer to Third Amended Complaint; August 14, 2015;
17. Plaintiffs' Notice of Deposition for Chicago Title Pursuant to Rule 30 SCRPC, December 16, 2015;
18. Chicago Title Insurance Company's Motion to Quash, December 30, 2015;
19. Chicago Title Insurance Company's Memorandum in Support of its Motion for Summary Judgment, June 10, 2016.
20. Plaintiffs' Memorandum in Opposition to Certain Defendants' Motions for Summary Judgment, July 1, 2016.
21. Chicago Title Insurance Company's Supplemental Memorandum in Support of its Motion for Summary Judgment, July 11, 2016.

EXHIBITS

1. Chicago Title Insurance Company's Residential Title Insurance Policy 34 0063 097 00000014, issued by Counsellor Title Agency, Inc., dated February 19, 2002;
2. Letter to Chicago Title Insurance Company submitting claim, March 23, 2012;
3. Letter from Chicago Title Insurance Company denying claim, August 21, 2012.

DEEDS AND PLATS

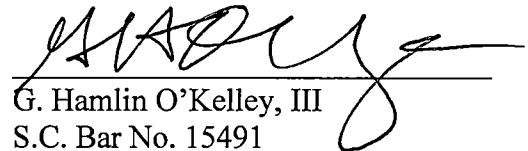
1. Deed to Lot 108, Balsam Mountain Preserve, Feb. 19, 2002, recorded in Book 1227 at Page 202 in Jackson County, North Carolina;
2. Plat recorded in Plat Cabinet 11 at Slide 383 in Jackson County, North Carolina.
3. Unrecorded Plat for Balsam Mountain Preserve.

TRANSCRIPTS

1. Transcript of Motions Hearings, June 13, 2016;
2. Transcript of Deposition of Chicago Title Insurance Company's 30(b)(6) Representative Cynthia Baines; Jan. 21, 2016 (pp. 11 -14).

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

Respectfully submitted



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Mt. Pleasant, South Carolina

Jan-16, 2017

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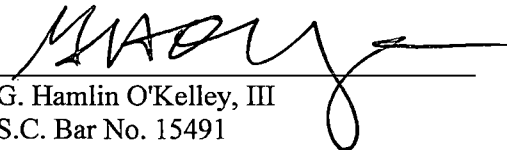
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PROOF OF SERVICE

I hereby certify that I served the Respondent's Initial Brief and Designation of Matters to be Included in the Record on Appeal by depositing a copy of same in the U.S. Mail, postage prepaid, on January 16, 2017, addressed to the Appellants' attorneys of record as follows: Daniel A. Speights, Esq., A.G. Solomons, III, Esq., Speights & Runyan, 100 Oak Street, East, P.O. Box 685, Hampton, SC 29924

Mt. Pleasant, SC
Jan. 16, 2017


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