

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE NINTH CIRCUIT COURT OF COMMON PLEAS
MIKELL ROSS SCARBOROUGH, PRESIDING MASTER-IN-EQUITY

APPELLATE CASE NUMBER: 2016-002366

Emory J. Infinger and Associates Construction Company, Inc.,.....Respondent,

v.

North Charleston Community Interfaith Shelter, Inc., Bobby Knight, in his official capacity as Chairman and President of Board for The Good Neighbor Center, Bank of America, N.A., S.C.S State Housing and Development Authority, Atlantic Construction Services, Inc., L & W Corporation d/b/a CK Supply, Now Mechanical, Inc. Wilson and Associates Electrical Contractor, Inc., Defendants,

Of whom North Charleston Community Interfaith Shelter, Inc., is the.....Appellant.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent Emory J. Infinger & Associates Construction Company, Inc. ("Infinger") proposes the following be included in the Record on Appeal:

1. Lis Pendens, Summons and Complaint with Exhibit A. Mechanic's Lien and Verified Statement and Exhibit B. S.C. Code Ann. § 27-1-15 Certified Demand Letter;
2. Answer
3. Order of Master-in-Equity dated September 28, 2015
4. Defendant's Summary Judgment Motion
5. Defendant's Motion to Amend Answer
6. Defendant's Second Motion to Amend Answer
7. Order of Master-in-Equity dated March 11, 2016 and filed on March 18, 2016

RECEIVED
SEP 19 2017
SC Court of Appeals

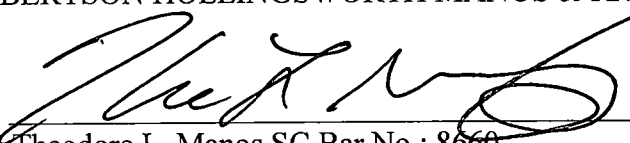
8. Transcript of Proceedings pp. 22-24; 62-63; 64-66; 67; 99 -100; 107-111; 111-113; 115-116; 154-155; 159-160; 160-161; 161-162; 163; 164-165; 178; and 183-188.
9. Plaintiff's Exhibits 2, 4 -18, 21, 22, and 24.

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

Respectfully Submitted,

ROBERTSON HOLLINGSWORTH MANOS & RAHN, LLC

By:



Theodore L. Manos SC Bar No.: 8660
550 King Street, Suite 300
Charleston, South Carolina 29403
Phone: 843-723-6470
Tlm@roblaw.net
Attorney for Respondent

Charleston, South Carolina
September 18, 2017

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE NINTH CIRCUIT COURT OF COMMON PLEAS
MIKELL ROSS SCARBOROUGH, PRESIDING MASTER-IN-EQUITY

APPELLATE CASE NUMBER: 2016-002366

Emory J. Infinger and Associates Construction Company, Inc.,.....Respondent,

v.

North Charleston Community Interfaith Shelter, Inc., Bobby Knight, in his official capacity as Chairman and President of Board for The Good Neighbor Center, Bank of America, N.A., S.C.S State Housing and Development Authority, Atlantic Construction Services, Inc., L & W Corporation d/b/a CK Supply, Now Mechanical, Inc. Wilson and Associates Electrical Contractor, Inc., Defendants,

Of whom North Charleston Community Interfaith Shelter, Inc., is the.....Appellant.

PROOF OF SERVICE

This hereby certifies that a copy of the foregoing Initial Brief of Respondent Emory J. Infinger and Associates Construction Company, Inc. has been sent to all counsel of record via electronic mail and US Regular Mail as follows:

William K. Swope, Esquire
1525 Sam Rittenburg Boulevard, Suite 208
Charleston, SC 29407

Jackson S. Whipper, Esquire
Whipper Law Firm, PA
4592 Durant Avenue
North Charleston, SC 29405

RECEIVED

SEP 19 2017

SC Court of Appeals

By: 
Elissa Jones

September 18, 2017
Charleston, South Carolina

ROBERTSON HOLLINGSWORTH
MANOS & RAHN, LLC
ATTORNEYS AT LAW

550 KING STREET, SUITE 300
CHARLESTON, SOUTH CAROLINA 29403
(843) 723-6470 • Fax (843) 853-9045
Email: info@roblaw.net
www.roblaw.net

Dunn D. Hollingsworth
Theodore L. Manos
Paul R. Rahn
Michael E. Wright
S. Wallace Carnwath, III (SC, NC)
Rose Beth G. Smith
Jillian S. Barton

September 18, 2017

VIA FEDERAL EXPRESS

US AIRBILL NO.: 8026 5380 0599

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

RE: Emory J. Infinger and Associates Construction Company, Inc., Respondent,

v.

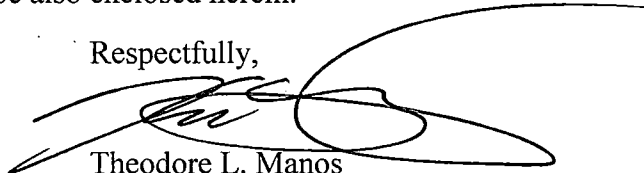
North Charleston Community Interfaith Shelter, Inc., Bobby Knight, in his official capacity as Chairman and President of Board for The Good Neighbor Center, Bank of America, N.A., S.C.S state Housing Finance and Development Authority, Atlantic Construction Services, Inc., L&W Supply Corporation d/b/a CK Supply, Now Mechanical, Inc., Wilson & Associates Electrical Contractors, Inc., Defendants,

Of whom North Charleston Community Interfaith Shelter, Inc. is the Appellant.
South Carolina Appellate Case No.: 2016-002366

Dear Ms. Kitchings:

Please find enclosed for filing Respondent Emory J. Infinger and Associates Construction Company, Inc.'s Initial Brief and Designation of Matter to be Included in the Record on Appeal. By copy of this correspondence and enclosure to counsel for Appellant, we are providing them with same. We have also enclosed an extra copy and request that you please return a filed copy in the prepaid postage, self-addressed envelope also enclosed herein.

Respectfully,



Theodore L. Manos

TLM/ej

Enclosure

cc: William K. Swope, Esquire
Jackson S. Whipper, Esquire

RECEIVED

SEP 19 2017

SC Court of Appeals



Express

FedEx
FIRST OVERNIGHT

Delivery Address
1220 SENATE ST



FedEx
TRK# 8026 5380 0577
0200

TUE - 19 SEP 8:00A
FIRST OVERNIGHT

N1 USCA

29201
SC-US
CAE



FID 512930 18SEP17 CHSA 546C1/FF19/0C8A

FedEx **NEW Package**
Express **US Airbill**

FedEx Tracking Number 8026 5380 0577

Form ID No. 0200

Recipient's Copy

1 From [Redacted] Date 9/19/2017

Sender's Name Elissa Jones Phone 843-723-6470

Company Robertson Hollingsworth Manost Rahn

Address 550 King Street, Suite 300 Dept./Floor/Suite/Room

City Charleston State SC ZIP 29403

2 Your Internal Billing Reference

3 To Recipient's Name Jenny A. Kitchings Phone 903-734-1890

Company Clerk of Court SC Court of Appeals

Address 1220 Senate Street Dept./Floor/Suite/Room

City Columbia State SC ZIP 29201

HOLD Weekday
FedEx location address
REQUIRED. NOT available for
FedEx First Overnight.

HOLD Saturday
FedEx location address
REQUIRED. Available ONLY for
FedEx Priority Overnight and
FedEx 2Day to select locations.

4 Express Package Service *To most locations.
NOTE: Service order has changed. Please select carefully.

Packages up to 150 lbs.
For packages over 150 lbs. use the new
FedEx Express Freight US Airbill.

Next Business Day

2 or 3 Business Days

FedEx First Overnight
Earliest next business morning delivery to select
locations. Friday shipments will be delivered on
Monday unless SATURDAY Delivery is selected.

FedEx Priority Overnight
Next business morning. * Friday shipments will be
delivered on Monday unless SATURDAY Delivery
is selected.

FedEx Standard Overnight
Next business afternoon.
Saturday Delivery NOT available.

FedEx 2Day A.M.
Second business morning.

5 Packaging *Declared value limit

FedEx Envelope*

6 Special Handling

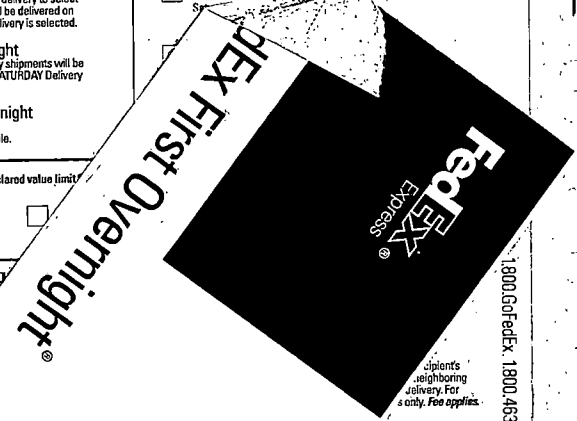
SATURDAY Delivery
NOT available for FedEx

No Signature
Package may be
obtaining a

Does this

14199 000 0200 0000

FIRST OVERNIGHT



1800.GoFedEx 1800.463.3339

kg

Obtain recip. Acct. No.

Credit Card Cash/Check

Credit Card Auth.

current FedEx Service Guide for details.

644

Your liability is limited to the actual value of the contents.

Rev. Date 1/12 * Part #167002

A: SRF

fedex.com 1800.GoFedEx 1800.463.3339



8026 5380 0577