

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Robert E. Hood, Circuit Court Judge

Appellate Case No. 2017-000180

U.S. Bank National Association, as Trustee,
successor-in-interest to Bank of America,
N.A., as successor by merger to LaSalle
Bank National Association, as Trustee for
the registered holders of Bear Stearns
Commercial Mortgage Securities, Inc.,
Commercial Mortgage Pass-Through
Certificates, Series 2007-TOP26,

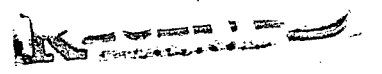
AW-MAGPIG, LLC; HW-MAGPIG,
LLC; and MW-MAGPIG, LLC,

Wells Fargo Bank, N.A., and Meridian
Capital Group, LLC,

Respondent,
v.

Appellants,
v.

Third-Party Defendants.


OCT 16 2017
SC Court of Appeals

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

David H. Simpkins, Esq.
James H. Pulliam, Esq.
Kilpatrick, Townsend & Stockton LLP
214 North Tryon Street, Suite 2400
Charlotte, North Carolina 28202
(704) 338-5000
Attorneys for Respondent

Respondent proposes that the following be included in the Record on Appeal:

ORDERS

1. Order Requiring Turnover of Collateral and Sequestering Rents
2. Order denying motion for reconsideration

PLEADINGS

3. Complaint
4. Verification of Complaint
5. Defendants and Third Party Plaintiffs' Answer, Counterclaims and Third-Party Complaint

HEARING TRANSCRIPTS

6. Hearing Transcript - Transcript of Record Before The Honorable Robert E. Hood, October 26, 2016

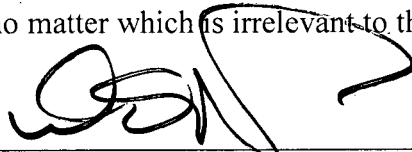
MOTIONS AND MEMORANDA OF LAW

7. Motion for Order Requiring Turnover of Collateral and Sequestering Rents
8. Plaintiff's Memorandum of Law in Support of Motion for Order Requiring Turnover of Collateral and Sequestering Rents
9. Memorandum of Law in Opposition to Plaintiff's Motion for Order Requiring Turnover of Collateral and Sequestering Rents
10. Defendants' Supplemental Memorandum of Law in Opposition to Plaintiff's Motion For Order Requiring Turnover of Collateral and Sequestering Rents
11. Notice of Motion and Motion for Reconsideration or in the Alternative Requiring that Plaintiff Post a Bond for the Injunction it Obtained and/or in the Alternative Staying Enforcement of Court's Previous Order Pending Appeal

AFFIDAVITS AND OTHER DOCUMENTS

12. Affidavit of S. Michael Dickerson
13. Affidavit of David Weiss
14. Email from Judge Hood's law clerk to counsels for Respondent and Appellants dated November 9, 2016
15. Letter from David H. Simpkins to Judge Hood dated November 16, 2016

I hereby certify that this Designation contains no matter which is irrelevant to the appeal.



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Attorneys for Respondent and Third-Party
Defendant Wells Fargo Bank, N.A.

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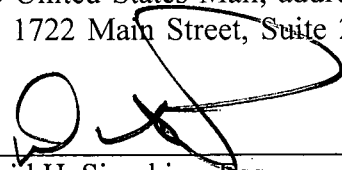
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PROOF OF SERVICE

I hereby certify that on October 11, 2017 I caused copies of the Initial Brief of Respondent and Respondent's Designation of Matter to be Included in Record on Appeal to be served upon Appellants by depositing a copy of same in the United States Mail, addressed to their counsel, Robert D. Dodson, Esq., Robert Dodson, P.A., 1722 Main Street, Suite 200, Columbia, South Carolina 29201.



David H. Simpkins, Esq.
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October 11, 2017

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dsimpkins@kilpatricktownsend.com

VIA U.S. REGULAR MAIL

Attn: Jessica, Case Manager
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Calhoun State Office Building
1220 Senate Street
Columbia, SC 29211

**RE: U.S. Bank National Association, as Trustee, et al. Respondent, vs. AW-MAGPIG, LLC;
HW-MAGPIG, LLC; and MW-MAGPIG, LLC, Appellants** **RECEIVED**
Appellate Case No. 2017-000180

OCT 16 2017

Dear Jessica:

SC Court of Appeals

Enclosed for filing is an original and six copies of an Initial Brief of Respondent and Respondent's Designation of Matter to be included in the Record of Appeal in the above-referenced case.

Please forward the filed copies to our office in the enclosed self-addressed UPS overnight envelope.

Thank you.

Very truly yours,



David H. Simpkins

Other Counsel of Record:
Robert D. Dodson, Esq.
Robert Dodson, P.A.
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Columbia, SC 29201

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SC Court of Appeals



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