

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Master-In-Equity

The Honorable James O. Spence

Civil Action No. 2013-CP-32-01709

Appellate Case No. 2017-000874

**RECEIVED**

JAN 04 2018

SC Court of Appeals

The Bank of New York Mellon, f/k/a The Bank of New York as successor-in-interest to JPMorgan Chase Bank, N.A. as successor in interest by merger to Bank One, N.A. as Trustee for Structured Asset Mortgage Investments, Inc., Mortgage Pass-Through Certificates, Series 2002-AR4,.....

Respondent,

v.

Cathy C. Lanier; Branch Banking and Trust Company, Regions Bank, .....

Defendants,

Of Whom Cathy C. Lanier is the Appellant, .....

Appellant.

**Respondent's Designation of Matter**

Pursuant to Rule 209, SCACR, Respondent the Bank of New York Mellon, f/k/a The Bank of New York as successor-in-interest to JP Morgan Chase Bank, N.A. as successor in interest by merger to Bank One, N.A. as Trustee for Structured Asset Mortgage Investments, Inc., Mortgage Pass-Through Certificates, Series 2002-AR4 ("Respondent") designates 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. Supplemental Order dated December 15, 2015.
2. Order granting motion to strike, denying motion to dismiss and referral to the Master dated January 17, 2014
3. Order on Cross Motions for Summary Judgment dated November 5, 2015
4. Order denying Lanier's Motion to Reconsider dated March 22, 2017

**PLEADINGS**

5. Complaint
6. Answer dated June 20, 2013

**TRANSCRIPTS**

7. Transcript of Hearing dated October 29, 2015

**MISCELLANEOUS AND OTHER MOTIONS:**

8. Affidavit of Joseph Devine, Jr. with all exhibits
9. Lanier Motion to Dismiss
10. Bank's Motion to Strike Affirmative Defenses.
11. Lanier Motion for Summary Judgment
12. Bank's Motion and Memorandum for Summary Judgment dated October 19, 2015
13. Lanier Motion to Reconsider dated January 13, 2016
14. Notice of Appeal
15. Note and corresponding Allonges

***SIGNATURE PAGE ATTACHED***

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

B. Rush Smith III  
Sarah B. Nielsen  
1320 Main Street / 17th Floor  
Post Office Box 11070 (29211-1070)  
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803.799.2000

Attorneys for Respondent

Columbia, South Carolina

January 4, 2018

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Respondent,

v.

Cathy C. Lanier; Branch Banking and Trust Company, Regions Bank,.....

Defendants,

Of Whom Cathy C. Lanier is the Appellant, .....

Appellant.

**PROOF OF SERVICE**

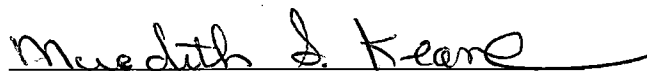
I, the undersigned Paralegal of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for JPMorgan Chase Bank, N.A., do hereby certify that I have served all counsel in this action with copies of the pleading(s) hereinbelow specified to the following address(es):

Pleadings: **Initial Brief of Respondent and Respondent's Designation of Matter**

Counsel Served:

**U.S. Mail**

S. Jahue Moore, Esquire  
John C. Bradley, Jr., Esquire  
Moore Taylor Law Firm  
1700 Sunset Blvd. (29169)  
Post Office Box 5709  
West Columbia, SC 29171



Meredith S. Keane  
Sr. Paralegal

January 4, 2018

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January 4, 2018

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SC Court of Appeals

**Hand Delivered**

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

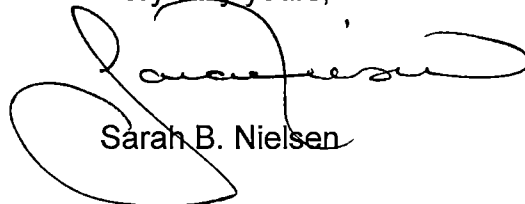
RE: The Bank of New York Mellon v. Cathy C. Lanier, et al.  
Civil Action No. 2013-CP-32-01709  
Appellate Case No. 2017-000874  
Our File No. 11281/02473

Dear Ms. Kitchings:

Enclosed for filing in the above-reference matter please find the original and one copy of the Initial Brief of Respondent and Respondent's Designation of Matter for the Record on Appeal. Please return a clocked-in copy of each to us via our courier.

By copy of this letter, we are serving all counsel with this document.

Very truly yours,



Sarah B. Nielsen

SBN:ckh

Enclosures

cc: S. Jahue Moore, Esquire  
John C. Bradley, Jr., Esquire