

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Cynthia Graham Howe, Master in Equity

Appellate Case No. 2012-213333

The St. Clements Homeowners  
Association, Inc.,

Appellant,

v.

BE-MI, Inc.,

Respondent.

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NOV 29 2012

SC COURT OF APPEALS

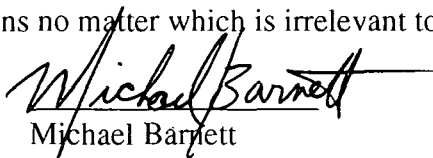
APPELLANT'S DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Order dated September 19, 2012;
2. Plaintiff's Motion to Alter or Amend dated January 7, 2011, including the redacted copies of Memoranda attached thereto and incorporated therein;
3. Final Order dated December 20, 2010;
4. Complaint;
5. Answer and Counterclaim;
6. Reply;
7. Transcript of Master's Hearing pp. 23 line 6 – 29 line 11; 30 line 17 – 37 line 14; 38 line 1 – 54 line 13; 55 line 16 – 57 line 1; 58 line 4 – 67 line 1; 68 line 3 – 71 line 1; 73 line 11 – 88 line 18; 89 line 20 – 103 line 12; 103 lines 22 - 24; 104 line 6 – 112 line 25; 117 line 24 – 129 line 8; 131 line 12 – 135 line 17; 136 line 7 – 137 line 5; 138 line 7 – 138 line 20; 139 line 25 – 141 line 14; 142 line 23 – 146 line 7; 148 line 11 – 182 line 23 [but redacting Goude street address p. 149, line 12]; 184 line 9 – 214 line 10; 216 line 11 – 224 line 2; 224 line 18 – 235 line 19; 236 line 25 – 245 line 5; 245 line 24 – 257 line 3; 257 line 23 – 272 line 6; and 320 line 17 – 322 line 11;
8. Plaintiff's Exhibits 1, 1A, 2, 3, 3A, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16; also Plaintiff's Exhibit 17 with one page of email letters dated 9/21/09 and one page of email letters dated 9/28/09 attached showing the admission of this Exhibit without objection.

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

November 28, 2012

A handwritten signature in black ink that reads "Michael Barnett". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Michael Barnett

S.C. Bar No. 531

McCrackin, Barnett & Richardson, LLP

Post Office Box 1182

Myrtle Beach, South Carolina 29578

(843) 448-8405

Attorney for Appellant

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM Horry COUNTY  
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Appellant Case No. 2012-213333

The St. Clements Homeowners  
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v.

BE-MI, Inc.,

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PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant and the Appellant's Designation of Matter to be Included in the Record on Appeal on BE-MI, Inc. by depositing copies of them in the United States Mail, postage prepaid, on November 28, 2012, addressed to its attorney of record, Fred B. Newby, Post Office Box 808, Myrtle Beach, South Carolina 29578.

November 28, 2012



Michael Barnett  
S.C. Bar No. 531  
McCrackin, Barnett & Richardson, LLP  
Post Office Box 1182  
Myrtle Beach, South Carolina 29578  
(843) 448-8405  
Attorney for Appellant

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NOV 29 2012

SC COURT OF APPEALS

LAW OFFICES  
**MCCRACKIN, BARNETT & RICHARDSON, L.L.P.**

POST OFFICE BOX 1182  
MYRTLE BEACH, SOUTH CAROLINA 29578  
(843) 448-8405

E. WINDELL MCCRACKIN  
MICHAEL J. BARNETT  
JOHN R. RICHARDSON

November 28, 2012  
(Via FEDEX)

OFFICES:  
1000 21ST AVENUE NORTH  
MYRTLE BEACH, SC 29577  
FAX (843) 448-5724

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter St.  
Columbia, South Carolina 29201

RE: The St. Clements HOA, Inc. v. BE-MI, Inc.  
Appellate Case No. 2012-213333

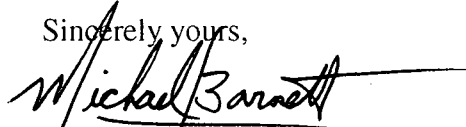
Dear Ms. Kitchings:

Enclosed for filing in the above case are the following:

- (1) Appellant's Initial Brief.
- (2) Appellant's Designation of Matter to be Included in the Record on Appeal.
- (3) Proof of Service of the above-referenced documents upon the Respondent.

By copy of this letter to the Respondent's attorney, I am serving him with copies of all three of the documents mentioned above.

Sincerely yours,



Michael Barnett  
SC Bar No. 531  
McCrackin, Barnett & Richardson, LLP  
Post Office Box 1182  
Myrtle Beach, South Carolina 29578  
(843) 448-8405  
Attorney for Appellant

MJB:mn

Encls.

cc w/encls. via US Mail:

Mr. Fred B. Newby  
Newby, Sartip, Masel & Casper, LLC  
Post Office Box 808  
Myrtle Beach, South Carolina 29578  
Attorney for Respondent  
(843) 449-9417

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**SC Court of Appeals**

The St. Clements HOA, Inc. (via email to Board)