

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Roger Young, Circuit Court Judge

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APR 02 2018

SC Court of Appeals

Case No. 2016-CP-07-00265
Appellate Case No.: 2017-002395

Alexander Burns Appellant,

vs.

Brays Island Plantation Colony, Inc. and Brays Island Realty, LLC., Respondents.

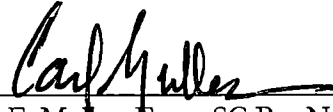
DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL

Respondent Brays Island Plantation Colony, Inc. proposes the following be included in the record on Appeal.

1. Notice of Appeal
2. Entire Transcript of Record dated August 22, 2017
3. Order Denying Plaintiff's Motion to Reconsider, signed October 16, 2017, filed October 24, 2017
4. Plaintiff's Notice and Motion for Reconsideration of Final Order and Stay Judgment or In the Alternative Vacate Judgment (Appellant)
5. Order Granting Defendant Bray's Island's Motion for Summary Judgment and Denying Plaintiff's Motion for Partial Summary Judgment
6. Plaintiff's Memorandum in Opposition of Motion for Summary Judgment (Appellant)
7. Plaintiff's Memorandum in Support of its Motion for Partial Summary Judgment (Appellant)
8. Memorandum Concerning Motions for Summary Judgment (Respondent)
9. Affidavit of Paul Burton, including exhibit
10. Affidavit of F. Douglas P. Evans

11. Affidavit of Kevin Rhatigan, including both exhibits (one of which is the Covenants, with amendments)
12. Motion for Summary Judgment (Respondent)
13. Plaintiff's Motion for Summary Judgment on the First Cause of Action Against Brays Island Plantation Colony, Inc. (Appellant)
14. Counterclaim Answer of Alexander Burns (Appellant)
15. Answer and Counterclaim of Brays Island Plantation Colony, Inc., including exhibit (Respondent)
16. Verification of William Fabian, including exhibit
17. Plaintiff's Memorandum in Opposition to Defendant's Motion to Dismiss Pursuant to SCRC12(b)(6)
18. Complaint, including exhibits

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



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Attorney for Respondent, Brays Island
Plantation Colony, Inc.

March 30, 2018

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Case No. 2016-CP-07-00265
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Alexander Burns Appellant,

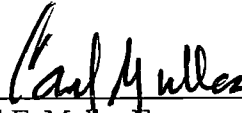
vs.

Brays Island Plantation Colony, Inc. and Brays Island Realty, LLC., Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below he served copies of the Initial Brief of Respondent Brays Island Plantation Colony, Inc. and Designation of Matter To Be Included In The Record on Appeal with Certificate of Counsel on Appellant by mailing a copy of the same via First Class, U.S. Mail, postage prepaid to him at:

Mr. Alexander Burns
934 Richter Way
Mt. Pleasant, SC 29464



Carl F. Muller Esq. SC Bar No.: 4131
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Attorney for Respondent, Brays Island Plantation
Colony, Inc.

March 30, 2018

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March 30, 2018

VIA FEDERAL EXPRESS

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

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APR 02 2018
SC Court of Appeals

Re: Alexander Burns, Appellant, vs. Brays Island Plantation Colony, Inc. and
Brays Island Realty, LLC, Respondents
Case No.: 2017-002395

Dear Ms. Kitchings:

Enclosed please find the original unbound and one copy of Respondent's Brief in the above matter, along with the original unbound and one copy of the Designation of Matters. By copy of this letter I herewith serve these documents on the Appellant.

Very truly yours,

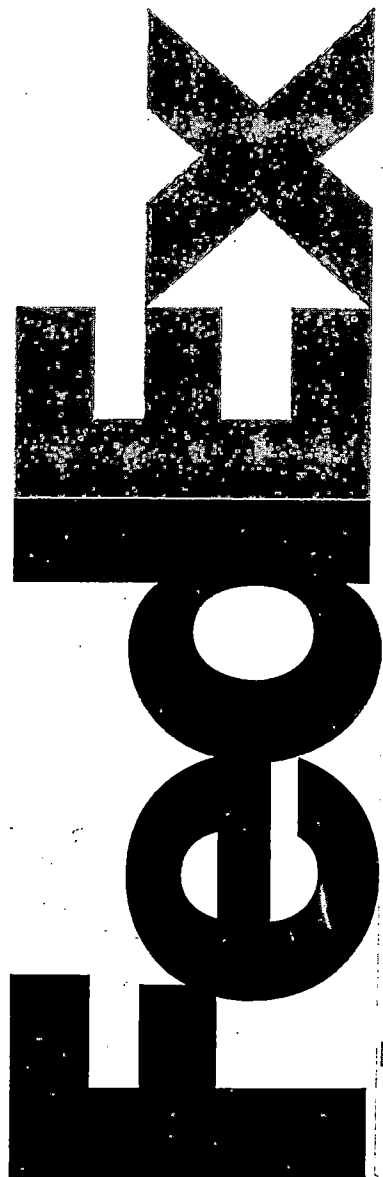

Carl F. Muller

CFM:dph

c: Mr. Alexander Burns
934 Richter Way
Mt. Pleasant, SC 29464

Enclosures

Initial



Express

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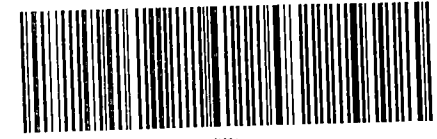
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