

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Mikell R. Scarborough, Master-In-Equity
Ninth Judicial Circuit

RECEIVED
MAY 14 2018
SC Court of Appeals

Case No. 2016-CP-10-1560
Appellate Case No. 2017-002546

CARPENTER BRASELTON, LLCAppellant,

vs.

ASHLEY ROBERTS, JEREMY COOK, and
SALAHEDDINE EZZAUDI, Respondents.

**RESPONDENTS' DESIGNATION OF MATTERS
TO BE INCLUDED IN THE RECORD ON APPEAL**

Respondents hereby designate the following matters to be included in the Record on Appeal:

1. Lis Pendens filed March 28, 2016.
2. Complaint filed March 28, 2016.
3. Defendant Salaheddine Ezzaoudi's Answer and Counterclaims filed June 20, 2016.
4. Defendants Ashley Roberts and Jeremy Cook's Answer and Counterclaims filed June 20, 2016.
5. Plaintiff's Reply to Counterclaims of Defendants Ashley Roberts and Jeremy Cook filed July 13, 2016.

6. Plaintiff's Reply to Counterclaims of Defendant Salaheddine Ezzaoudi filed July 13, 2016.
7. Consent Order of Reference filed May 30, 2017.
8. Amended Affidavit of F. Elliott Quinn, III filed July 27, 2017.
9. Defendants' Motion for Summary Judgment filed August 7, 2017.

Exhibits to Defendants' Motion for Summary Judgment:

10. Plat Recorded December 31, 1990, in the RMC Office for Charleston County in Plat Book CB at Page 130 (Exhibit 1).
11. Amended Affidavit of F. Elliott Quinn, III (Exhibit 2).
12. Defendants' First Requests to Admit including the Charleston County Planning documents attached thereto (Bates Labeled Chas. Planning Dept. FOIA Response 3/7/17 002-89); (Exhibit 3).
13. Plaintiff's responses to Defendants' First Requests to Admit admitting the Charleston County Planning documents are genuine and authentic (Exhibit 4).
14. Letter from the City of Charleston Planning Department dated July 30, 2007, providing approval for the construction on the lots owned by Ashley and Jeremy Cook (Exhibit 5).
15. City of Charleston Certificate of Occupancy issued to Ashley and Jeremy Cook dated February 5, 2009 (Exhibit 6).
16. Deposition of Edward L. Terry (excluding the Charleston County Planning Documents); (Exhibit 7).
17. Deed of Lot C-5 from Herbert Brown to Plaintiff dated November 10, 2014, and recorded November 12, 2014, in the RMC Office for Charleston County in Book 440 at Page 256 (Exhibit 8).
18. Deed of Lot C-5 from Virginia R. Brown a/k/a Virginia Roper Brown to Herbert Brown, dated February 22, 1995, and recorded February 22, 1995, in the RMC Office for Charleston County in Book U-252 at Page 034 (Exhibit 9).
19. Decree Quieting Title (Case No: 07-CP-10-1185) dated June 7, 2007, and filed in the Clerk of Court of Common Pleas on June 13, 2007 (Exhibit 10).
20. Confirmatory deed of Lot C-5 from Mikell R. Scarborough, Master-in-Equity for Charleston County, dated June 15, 2007, and recorded July 10, 2007, in the RMC Office for Charleston County in Book T-631 at Page 283 (Exhibit 11).

21. Deed of Lot C-4 from Perceil R. Delaine, James A. Roper, III, Mildred R Anderson, Ruby Roper and Raymond Roper to Defendant Salaheddine Ezzaoudi executed on various dates in 2013 and recorded August 1, 2013, in the RMC Office for Charleston County in Book 349 at Page 974 (Exhibit 12).
22. Confirmatory deed of Lot C-4 from Mikell R. Scarborough, Master-in-Equity for Charleston County, dated June 15, 2007, and recorded July 10, 2007, in the RMC Office of Charleston County in Book T631 at Page 287 (Exhibit 13).
23. Deed of Lot C-3 from Ruth R. Craig, by her attorney in fact Percile DeLaine, to Defendants Ashley Roberts and Jeremy Cook dated September 6, 2007, and recorded September 11, 2007, in the RMC Office for Charleston County in Book J638 at Page 712 (Exhibit 14).
24. Confirmatory deed of Lot C-3 from Mikell R. Scarborough, Master-in-Equity for Charleston County, dated June 15, 2007, and recorded July 10, 2007, in the RMC Office of Charleston County in Book T631 at Page 279 (Exhibit 15).
25. Deed of Lot C-2 from John W. Fleming to Defendants Ashley Roberts and Jeremy Cook dated September 6, 2007, and recorded September 11, 2007, in the RMC Office for Charleston County in Book J638 at Page 717 (Exhibit 16).
26. Confirmatory deed of Lot C-2 from Mikell R. Scarborough, Master-in-Equity for Charleston County, dated June 15, 2007, and recorded July 10, 2007, in the RMC Office of Charleston County in Book T631 at Page 275 (Exhibit 17).
27. Plaintiff's Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment filed September 20, 2017.

Exhibits to Plaintiff's Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment:

28. Deposition Transcript of Edward Lee Terry dated March 22, 2017 (Exhibit A); including those deposition exhibits identified as Defendants' Exhibits 1 to 11.
29. Chicago Title Insurance Company Binder/Title Commitment (Exhibit B).
30. Form 4 Order filed September 27, 2017, by Master granting Defendants' Motion for Summary Judgment.
31. Order Granting Defendants' Motion for Summary Judgment filed November 14, 2017.
32. Notice of Entry of Judgment (of Master's Order Granting Defendants' Motion for Summary Judgment) filed November 14, 2017.

33. Notice of Appeal dated December 12, 2017.
34. Transcript of Hearing on September 21, 2017, before the Honorable Mikell R. Scarborough.

Rule 209 (c), SCACR Certification

I certify the foregoing Designation of Matters to be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.

Respectfully submitted,



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ATTORNEYS FOR RESPONDENTS

May 14, 2018

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Carpenter Braselton, LLC,Appellant,

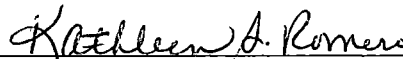
vs.

Ashley Roberts, Jeremy Cook, and Salaheddine Ezzaoudi, Respondents.

CERTIFICATE OF SERVICE

I, Kathleen S. Romero, an employee of Callison Tighe & Robinson LLC, Attorneys for the Respondents, do hereby certify that, on this date, I caused to be served a copy of the **Initial Brief of Respondents** and a copy of **Respondents' Designation of Matter to be Included in the Record on Appeal** upon Appellant's counsel, by depositing a copy of the same in the United States mail, with proper first-class postage affixed thereon, addressed as follows:

John E. Rosen, Esquire
Liam D. Duffy, Esquire
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Kathleen S. Romero

May 14, 2018