

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Lisa Lee Smith, Special Referee

Appellate Case No. 2017-002608

RECEIVED
JUN 04 2018
SC Court of Appeals

Federal National Mortgage Association ("Fannie Mae"),
a corporation organized and existing under
the laws of the United States of America,

Respondent,

v.

D. Randolph Whitt and Pearce W. Fleming,

Defendants,

Of whom D. Randolph Whitt is the,

Appellant.

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

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

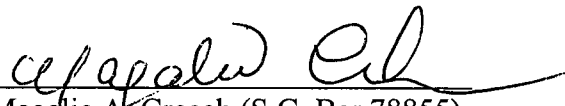
1. Lis Pendens, Summons, Complaint, and Notice of Foreclosure Intervention in Civil Action No. 2014-CP-32-02795, filed August 1, 2014;
2. Denial of Foreclosure Intervention pursuant to S.C. Supreme Court Administrative Order 2011-05-02-01, filed January 26, 2015.
3. Certificate of Compliance with S.C. Supreme Court Administrative Order 2011-05-02-01, filed March 2, 2015;
4. Answer, served February 2, 2015;
5. Amended Answer and Counterclaim, served March 27, 2015;
6. Reply, filed April 6, 2015;
7. Motion to Strike Jury Demand and for Mandatory Order of Reference, served April 6, 2016;
8. Order Granting Motion to Strike Jury Demand and for Mandatory Reference, filed June 11, 2015;
9. Certificate of Service for Order Granting Motion to Strike Jury Demand and for Mandatory Reference, filed August 24, 2015;

10. Judgment and Order of Foreclosure and Sale, filed May 6, 2016;
11. Order to Vacate and Reschedule, filed August 3, 2016;
12. Motion for Summary Judgment, filed August 29, 2016;
13. Memorandum and Affidavit in Opposition to Summary Judgment, filed November 16, 2016;
14. Order Granting Partial Summary Judgment, filed April 10, 2017;
15. Special Referee letter setting matter for trial, dated August 8, 2017;
16. Motion to Transfer to Jury Roster, filed September 6, 2017;
17. Response to the Motion to Transfer, filed September 14, 2017;
18. Reply to Response to Motion to Transfer, filed September 15, 2017;
19. Order Denying Motion to Transfer, filed November 27, 2017;
20. Notice of Appeal, filed December 23, 2017.

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

Respectfully submitted,

FINKEL LAW FIRM LLC


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Attorneys for Respondent

May 31, 2018

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Defendants,

Of whom D. Randolph Whitt is the,

Appellant.

PROOF OF SERVICE

I certify that I have served the *Respondent's Initial Brief and Designation of Matter* by depositing a copy of same in the United States Mail, postage prepaid, on May 31, 2018, addressed to Appellant, D. Randolph Whitt, at 344 Blossom View Ct., West Columbia, South Carolina 29170 and to Defendant, Pearce W. Fleming, at 3723 Linwood Rd., Columbia, South Carolina 29205-2545.


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MAGALIE A. CREECH
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REPLY TO:
CHARLESTON LITIGATION

May 31, 2018

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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JUN 04 2018
SC Court of Appeals

RE: Federal National Mortgage Association v. D. Randolph Whitt, et al.
Appellate Case No.: 2017-002608
Our File No.: 66040.49237

Dear Ms. Kitchings:

Enclosed for filing is the *Respondent's Initial Brief and Designation of Matter* and related *Proof of Service* in the above-referenced case, which we kindly ask you to file and return in the attached, self-addressed, stamped envelope.

Should you have any questions concerning this matter, please do not hesitate to contact our office at your earliest convenience.

With kind personal regards, we are

Yours very truly,

FINKEL LAW FIRM

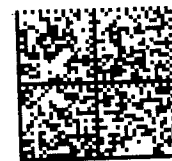
Magalie A. Creech

CC: D. Randolph Whitt, Esquire
Pearce W, Fleming, Esquire

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FINKEL
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DEC.

The Honorable Jenny Abbott Kitchings
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