

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Court of Common Pleas
The Honorable Marvin H. Dukes, III, Master in Equity

Case No. 2014-CP-07-0052
Appellate Case No. 2018-001969

Lady Beaufort, LLC & Tideland Realty, Inc.,..... *Respondents/Appellants,*

v.

Hird Island Investments, Inc., Sherwood N. Fender, Addison D. Fender, Martha B. Fender, William B. Bowen, Lady Kemmerlin, LLC, Brickyard Holdings, Inc., and A&K Holding Co., LLC, Defendants,

AND

William M. Bowen, Third-Party Plaintiff,

v.

James S. Kerr and Matt Trumps, Third-Party Defendants,

Of Which Hird Island Investments, Inc. and Sherwood N. Fender are the Appellants/Respondents.

**RESPONDENTS/APPELLANTS’
DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

Respondents/Appellants assert the following documents should be included in the Record on Appeal:

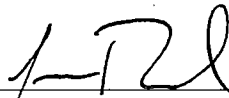
1. Order Granting in Part and Denying in Part Defendants’ Motion to Reconsider filed February 14, 2018;

2. Order Amending Judgment filed October 26, 2018;
3. Judgment and Order filed May 11, 2017;
4. Complaint dated January 7, 2014;
5. Amended Complaint dated May 29, 2014;
6. Second Amended Complaint dated November 11, 2014;
7. Defendants' Motion to Reconsider Order Dated May 11, 2017 filed May 19, 2017;
8. Notice of Appeal dated November 5, 2018;
9. Notice of Cross-Appeal dated November 15, 2018;
10. July 23, 2018 Hearing Transcript;
11. March 1, 2017 Hearing Transcript;
12. Contract between Lady Beaufort, LLC and Hird Island Investments, Inc. dated August 19, 2013.

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

Respectfully Submitted by:

ANDREW K. EPTING, JR., LLC



Andrew K. Epting, Jr.

Jaan G. Rannik

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ATTORNEYS FOR RESPONDENTS/APPELLANTS

Dated this 17th day of December, 2018
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

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LLC, Defendants,

AND

William M. Bowen, Third-Party Plaintiff,

v.

James S. Kerr and Matt Trumps, Third-Party Defendants,

*Of Which Hird Island Investments, Inc. and Sherwood N. Fender are the
Appellants/Respondents.*

PROOF OF SERVICE

I certify that I have served the Respondents/Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal by depositing a copy in the United States Mail, Postage prepaid, on December 17, 2018, addressed to Appellants/Respondents' attorneys of record as follows:

H. Fred Kuhn, Jr., Esquire
P.O. Drawer 507
Beaufort, SC 29901

and

William M. Bowen, Esquire
WILLIAM M. BOWEN, P. A.
P.O. Drawer 6128
Hilton Head Island, SC 29938

ANDREW K. EPTING, JR., LLC

By  _____

Andrew K. Epting, Jr.

Jaan G. Rannik

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SC Court of Appeals

December 17, 2018

VIA FEDEX

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

RE: *Lady Beaufort, LLC & Tideland Realty, Inc. v. Hird Island Investments, Inc. and
Sherwood Fender*
Case No.: 2014-CP-07-0052
Appellate Case No.: 2018-001969

Dear Ms. Kitchings:

Enclosed please find the original and one copy of Respondent/Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal together with a Proof of Service. I would greatly appreciate your filing the originals and returning the file-stamped copies to me in the self-addressed, stamped envelope provided. Thank you.

With kind regards,

ANDREW K. EPTING, JR., LLC

s/ *Angela*

Angela Gross
Legal Assistant to Jaan G. Rannik
/agg

Enclosures – as stated

cc: William M. Bowen, Esquire
Fred H. Kuhn, Jr., Esquire

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ANDREW K. EPTING, JR.
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46A STATE STREET

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UNITED STATES US

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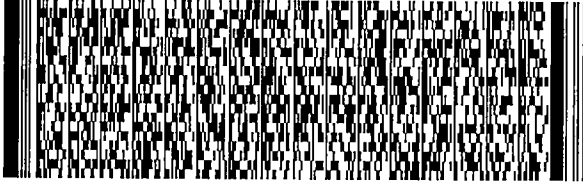
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SC Court of Appeals



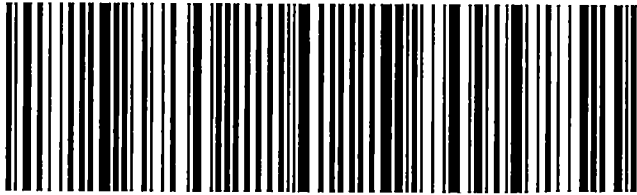
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