

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE BEAUFORT COUNTY
COURT OF COMMON PLEAS

HONORABLE MARVIN H. DUKES, III
BEAUFORT COUNTY MASTER-IN-EQUITY AND
SPECIAL CIRCUIT COURT JUDGE

RECEIVED

DEC 31 2018

SC Court of Appeals

CASE NO.: 2014-CP-07-0052
APPELLATE CASE NO.: 2018-001969

Lady Beaufort, LLC &
Tideland Realty, Inc.

Respondents/Appellants,

vs.

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

Appellants/Respondents.

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

H. Fred Kuhn, Jr., Esquire
Moss, Kuhn & Fleming, P.A.
1501 North Street
Post Office Drawer 507
Beaufort, South Carolina 29901
843-524-3373 - telephone
843-524-1302 - facsimile

Attorneys for the Appellants/ Respondents

The Appellants/Respondents hereby designate the following documents to be included in the Record on Appeal:

1. Summons and Complaint filed on January 7, 2014.
2. Answer and Counterclaim of Inverness filed on May 11, 2014.
3. Answer and Counterclaim of Hird Island filed on May 11, 2014.
4. Amended Complaint filed on May 29, 2014.
5. Answer and Counterclaim of Hird Island to the Amended Complaint filed on June 11, 2014.
6. Second Amended Complaint filed on November 24, 2014.
7. Answer to Second Amended Complaint of Hird Island and Sherwood Fender filed on November 13, 2014.
8. Order of the Honorable Marvin H. Dukes, III filed on May 11, 2017.
9. Motion to Reconsider filed by Hird Island on May 11, 2017.
10. The Honorable Marvin H. Dukes, III's Order Granting in Part and Denying in Part Hird Island's Motion to Reconsider dated February 14, 2018.
11. Order of the Honorable Marvin H. Dukes, III dated October 26, 2018.
12. Hird Island and Sherwood Fender's Notice of Appeal dated November 6, 2018.
13. Transcript of Hearing held March 1, 2017, with Exhibits

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

MOSS, KUHN & FLEMING, P.A.

By: _____

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Beaufort, South Carolina
December 28, 2018

Attorneys for the Appellants/Respondents

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Of Which Hird Island Investments, Inc.
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Appellants/Respondents.

CERTIFICATE OF SERVICE

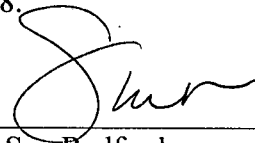
Undersigned certifies that the **Designation of Mater to be Included in Record on Appeal**, to which this certificate is affixed, was served upon the party (s) to this action by hand

delivery or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

Andrew K. Epting, Jr., Esquire
Jaan G. Rannik, Esquire
46A State Street
Charleston, South Carolina 29401
Attorneys for the Respondent
Lady of Beaufort, LLC

in a post office or official depository under the exclusive care and custody of the United States Postal Service, on December 28, 2018.

By: _____



Sue Radford

LAW OFFICES

MOSS, KUHN & FLEMING P.A.

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*ALSO MEMBER OF GA BAR

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SC Court of Appeals

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

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

Dear Mrs. Kitchings:

Enclosed please find the original and one (1) copy of the Initial Brief of Appellants/Respondents and Designation of Matter to be Included in Record on Appeal together with a Certificate of Service. Please file the originals and return stamped copies to me in the enclosed self-addressed stamped envelope.

With kindest regards, I am

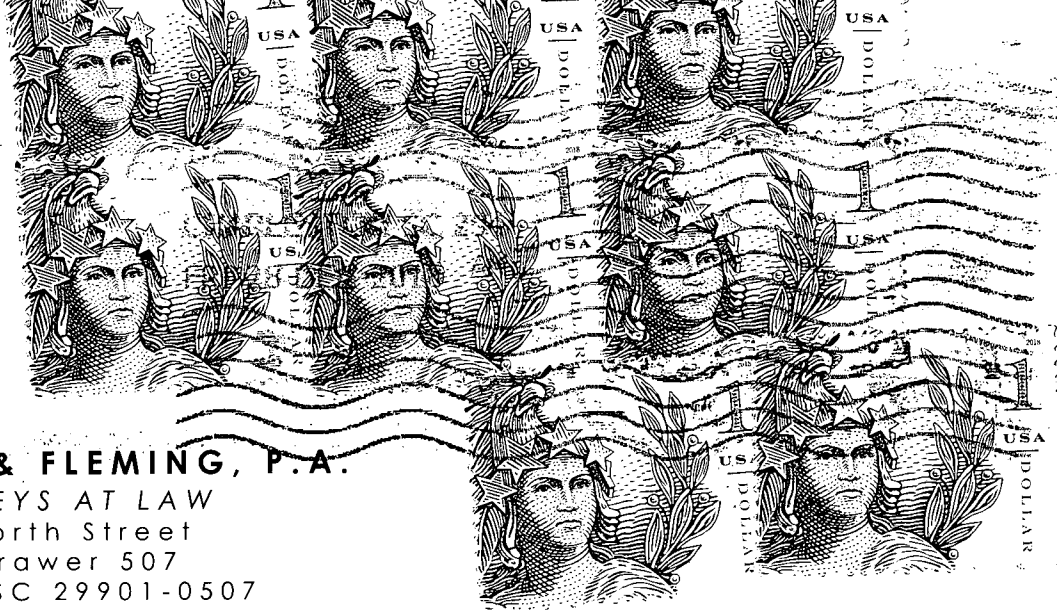
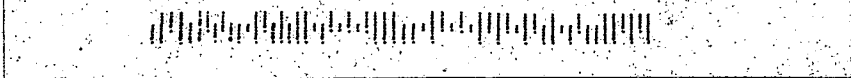
Very truly yours,

MOSS, KUHN & FLEMING P.A.

H. Fred Kuhn, Jr.

HFKjr:sr
Enclosures

cc: Andrew K. Epting, Jr., Esquire (w/enclosure)
Jaan G. Rannik, Esquire (w/enclosures)



MOSS, KUHN & FLEMING, P.A.
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To:

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