

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM RICHLAND COUNTY  
G. Thomas Cooper, Jr., Circuit Court Judge

---

Appellate Case No. 2018-000723  
Case No. 2017-CP-40-4437

---

**RECEIVED**  
FEB 11 2019  
SC Court of Appeals

James R. Zedosky, Lenore K. Zedosky, Douglas Shea,  
and Sally Shea, ..... Respondents,

v.

D.R. Horton, Inc. and Town of Blythewood, ..... Defendants,

Of Which, D.R. Horton, Inc. is the ..... Appellant,

And Town of Blythewood is a ..... Respondents.

---

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

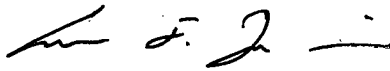
---

The Respondent Town of Blythewood proposes that the following be  
included in the Record on Appeal:

- (1) Town of Blythewood's Answer to D.R. Horton's Cross-Claims filed October 10, 2017
- (2) First Amended and Restated Declaration of Covenants, Conditions and Restrictions for Cobblestone Park

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

LINDEMANN, DAVIS & HUGHES P.A.

BY:   
ANDREW F. LINDEMANN #13030  
5 Calendar Court, Suite 202  
Post Office Box 6923  
Columbia, South Carolina 29260  
(803) 881-8920

-and-

MICHAEL W. TIGHE #5574  
CALLISON TIGHE & ROBINSON, LLC  
1812 Lincoln Street  
Post Office Box 1390  
Columbia, South Carolina 29202  
(803) 404-6900

*Counsel for Respondent Town of Blythewood*

February 8, 2019

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
G. Thomas Cooper, Jr., Circuit Court Judge

Appellate Case No. 2018-000723  
Case No. 2017-CP-40-4437

**RECEIVED**  
FEB 11 2019  
SC Court of Appeals

James R. Zedosky, Lenore K. Zedosky, Douglas Shea, and  
Sally Shea, ..... Respondents,

v.

D.R. Horton, Inc. and Town of Blythewood, ..... Defendants,

Of Which, D.R. Horton, Inc. is the ..... Appellant,

And Town of Blythewood is a ..... Respondents.

**CERTIFICATE OF SERVICE**

The undersigned employee of Lindemann, Davis & Hughes, P.A., counsel for the Respondent Town of Blythewood, does hereby certify that service of the **Initial Brief of Respondent Town of Blythewood and Respondent Town of Blythewood's Designation of Matter to be Included in the Record on Appeal** in the above-captioned matter was made upon all counsel of record by placing copies

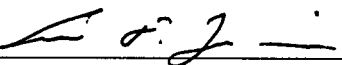
in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 8th day of February 2019:

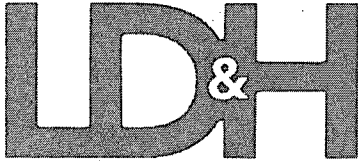
M. Alan Peace, Esquire  
Taylor A. Peace, Esquire  
Harrell, Martin & Peace, P.A.  
Post Office Box 1000  
Chapin, South Carolina 29036

Brian C. Gambrell, Esquire  
The Law Offices of Jason E. Taylor, P.C.  
810 Dutch Square Boulevard, Suite 112  
Columbia, South Carolina 29210

T. McRoy Shelley, III, Esquire  
Rogers Townsend & Thomas, P.C.  
Post Office Box 100200  
Columbia, South Carolina 29202-3200

Michael W. Tighe, Esquire  
Callison Tighe & Robinson, LLC  
Post Office Box 1390  
Columbia, South Carolina 29202-1390

  
\_\_\_\_\_



LINDEMANN  
DAVIS &  
HUGHES

Telephone (803) 881-8920  
Facsimile (803) 862-1181

5 Calendar Court, Suite 202 (29206)  
Post Office Box 6923  
Columbia, South Carolina 29260

ANDREW F. LINDEMANN\*  
Direct Dial: (803) 881-8921  
Email: [andrew@ldh-law.com](mailto:andrew@ldh-law.com)

JAMES M. DAVIS, JR.†  
Direct Dial: (803) 881-8922  
Email: [jim@ldh-law.com](mailto:jim@ldh-law.com)

JOEL S. HUGHES†  
Direct Dial: (803) 881-8923  
Email: [joel@ldh-law.com](mailto:joel@ldh-law.com)

\*Also Admitted in North Carolina  
†Certified Mediator

February 8, 2019

RECEIVED

FEB 11 2019

SC Court of Appeals

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

RE: James R. Zedosky, Lenore K. Zedosky, Douglas Shea, and Sally Shea v. D.R. Horton, Inc.  
and Town of Blythewood  
Appellate Case Number: 2018-000723  
Civil Action Number: 2017-CP-40-4437  
Claim Numbers: SF-17-0775-0001, 0002, 0003, 0004, 0005, 0006 and 0007  
Our File Number: 321.10317

Dear Ms. Kitchings:

Please find enclosed for filing the originals and one copy each of the **Initial Brief of Respondent Town of Blythewood** and **Respondent Town of Blythewood's Designation of Matter to be Included in the Record on Appeal** in the above referenced matter. I would appreciate you filing the originals and returning a clocked in copy of each document to me in the enclosed envelope.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter.

Sincerely,

LINDEMANN, DAVIS & HUGHES, P.A.

Andrew F. Lindemann

AFL/jmb  
Enclosures

The Honorable Jenny Abbott Kitchings  
February 8, 2019  
Page Two

---

cc: (w/ Enclosures)

M. Alan Peace, Esquire  
Taylor A. Peace, Esquire  
Harrell, Martin & Peace, P.A.  
Post Office Box 1000  
Chapin, South Carolina 29036

Brian C. Gambrell, Esquire  
The Law Offices of Jason E. Taylor, P.C.  
810 Dutch Square Boulevard, Suite 112  
Columbia, South Carolina 29210

T. McRoy Shelley, III, Esquire  
Rogers Townsend & Thomas, P.C.  
Post Office Box 100200  
Columbia, South Carolina 29202-3200

Michael W. Tighe, Esquire  
Callison Tighe & Robinson, LLC  
Post Office Box 1390  
Columbia, South Carolina 29202-1390



Post Office Box 6923  
Columbia, South Carolina 29260

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

RECEIVED  
FEB 11 2019  
SC Court of Appeals