

STATE OF SOUTH CAROLINA
In the Court of Common Pleas

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Cynthia Graham Howe, Master-In-Equity

Appellate Case No.: 2018-001590

RECEIVED
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SC Court of Appeals

Andrew Waldo; Jane Zheng; and SC Coast Properties, LLC d/b/a
Keller Williams Realty Respondents

v.

Michael Cousins; Founders Five, LLC d/b/a Sperry Van Ness Founders
Group; and South Carolina Association of REALTORS Appellants,

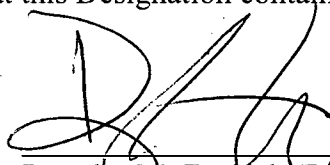
**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, the Respondents designate the following materials to be included in the Record on Appeal:

1. Appellant's Original Complaint, filed March 20, 2015;
2. Order – Form 4, filed September 24, 2015, dismissing Keller Williams Realty, without prejudice;
3. Order – filed January 11, 2016 dismissing case as to Defendant National Golf Management, LLC (Seller);
4. Request and Agreement to Arbitrate, dated September 21, 2016, submitted by Andres F. Waldo and Keller Williams Realty;
5. Response and Agreement to Arbitrate with statement and 12 Exhibits dated November 20, 2015, submitted by Michael Cousins and Sperry Van Ness;
6. Award of Arbitrators, dated February 2, 2016 awarding \$250,000 to Michael Cousins;
7. Decision of the Procedural Review Hearing Tribunal, dated May 2, 2016, affirming arbitration decision;
8. Cousins Motion to Confirm Arbitration Award, filed May 13, 2016;
9. Waldo's Appeal, filed May 17, 2016;
10. Cousins' Response to Notice of Appeal, filed May 25, 2016;
11. Consent Order of Reference to Master-In-Equity, filed April 3, 2017;
12. South Carolina Association of Realtors' Motion to Dismiss and Memorandum in Support, dated June 17, 2016, with supporting Affidavits and Exhibits;

13. Cousins' Supplemental Memorandum in Support of Defendants' Motion for Reconsideration, dated October 14, 2016 with attached Affidavit and Exhibit;
14. Order Vacating Arbitration Award, filed August 16, 2018;
15. Notice of Appeal, filed August 29, 2018.
16. Affidavit of Michael Cousins, filed November 16, 2015;
17. Affidavit of Jane Zheng, dated April 18, 2016;
18. Affidavit of Matthew Brittain, dated April 14, 2016;
19. Affidavit of Nick Dou, dated April 6, 2016;
20. Email Correspondence regarding Recording of Procedural Review Hearing, dated April 24, 2016;
21. Agreement of Sale, October 29, 2014;
22. Email Correspondence, dated December 3, 2014;
23. Audio of Arbitration Panel Hearing, February 2, 2016;
24. Buyer Agency Contracts, dated May 2, 2014 and September 22, 2014;
25. Excerpt of April 22, 2015 Agreement of Purchase and Sale;
26. Notice of Appeal, dated March 1, 2016;
27. Request for Procedural Review, dated February 24, 2016;
28. National Association of Realtors Code of Ethics and Arbitration Manual;
29. Policy of South Carolina Realtors Governing State Professional Standards Procedures;
30. Stipulation of Dismissal, June 29, 2015.

Counsel for Respondents certify that this Designation contains no matter that is irrelevant to this appeal.



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February 13, 2019

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

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SC Court of Appeals

Re: Andrew Waldo; Jane Zheng; and SC Coast Properties, LLC d/b/a Keller Williams Realty, *Respondents* v. Michael Cousins; Founders Fiver, LLC d/b/a Sperry Van Ness Founders Group; and South Carolina Association of REALTORS, *Appellants*
Appellate Case No.: 2018-001590

Dear Ms. Kitchings:

Enclosed herewith please find the originals and one copy of each of the Respondents' Initial Brief, Designation of Matter to Be Included in the Record on Appeal, and Proof of Service in the above-referenced matter. Please file the original documents and return the clocked copies to me in the self-addressed stamped envelope enclosed for your convenience.

If you have any questions or need additional information, please feel to contact me.

With kindest regards, I am

Yours very truly,

BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.

Douglas M. Zayicek

Enclosures as noted

cc: Client
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