

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

Appeal from Horry County  
Court of Common Pleas

William H. Seals Jr., Circuit Court Judge

Case No. 2015-CP-26-05573

**RECEIVED**

APR 25 2019

SC Court of Appeals

K.A. Diehl and Associates, Inc.,

Respondent,

v.

James Perkins, Colleen Franke a/k/a Colleen Franke Perkins,  
Mark Dos Santos, William Moore, Steven Dame  
and Errol Dos Santos,

Defendants,

Of whom Mark Dos Santos is the

Appellant.

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

YOUNG CLEMENT RIVERS, LLP  
D. Jay Davis Jr. (SC Bar No. 12084)  
Russell G. Hines (SC Bar No. 72100)  
Perry M. Buckner IV (SC Bar No. 100031)  
J. Joseph Owens (SC Bar No. 102794)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 577-4000

*Attorneys for Appellant*

Appellant, Mark dos Santos, proposes the following to be included in the Record on Appeal (including all attachments, unless duplicative):

**Orders, Judgments, Decrees, or Decisions**

1. Form 4 Order filed January 5, 2018, continuing hearing on Plaintiff's Motion to Enforce Settlement;
2. Form 4 Order filed March 19, 2018, regarding Plaintiff's Motion to Enforce Settlement and various motions to be relieved as counsel;
3. Order filed March 21, 2018, granting Plaintiff's Motion to Enforce Settlement;
4. Form 4 Order filed October 9, 2018, denying Defendant dos Santos's Motion to Alter, Amend, and/or Reconsider Order Granting Plaintiff's Motion to Enforce Settlement;

**Pleadings**

5. Summons and Complaint filed July 23, 2015;
6. Defendants' Amended Answer and Counterclaim filed February 2, 2016;

**Transcripts**

7. Transcript of Hearing held March 12, 2018;
8. Transcript of Hearing held October 8, 2018;

**Other materials or documents**

9. Proof of ADR filed May 22, 2017;
10. Amended Proof of ADR filed June 21, 2017;
11. Plaintiff's Motion to Enforce Settlement filed October 18, 2017;
12. Motion for Continuance filed January 2, 2018;

13. Collins & Lacey Motion to be Relieved as Counsel filed January 26, 2018;
14. Clawson and Staubes Motion to be Relieved as Counsel filed February 13, 2018
15. Brittain Motion to be Relieved as Counsel filed February 14, 2018;
16. Defendant dos Santos's Memo in Opposition to Plaintiffs' Motion to Enforce Settlement filed March 10, 2018;
17. Defendant dos Santos's Motion to Motion to Alter, Amend, and/or Reconsider Order Granting Plaintiff's Motion to Enforce Settlement filed March 31, 2018; and
18. Notice of Appeal.

I certify that this Designation of Matter contains no matter which is irrelevant to this appeal.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

D. Jay Davis Jr. (SC Bar No. 12084)

Russell G. Hines (SC Bar No. 72100)

Perry M. Buckner IV (SC Bar No. 100031)

J. Joseph Owens (SC Bar No. 102794)

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*Attorneys for Appellant*

Charleston, South Carolina

Dated: 4/22/19

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and Errol Dos Santos,

Defendants,

Of whom Mark Dos Santos is the

Appellant.

**PROOF OF SERVICE**

YOUNG CLEMENT RIVERS, LLP  
D. Jay Davis Jr. (SC Bar No. 12084)  
Russell G. Hines (SC Bar No. 72100)  
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*Attorneys for Appellant*

I, Russell G. Hines, of Young Clement Rivers, LLP, attorney for Appellant, hereby certify that the foregoing **APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on April 22, 2019, properly posted for delivery to the following addressees:

Henrietta U. Golding, Esquire  
Alicia E. Thompson, Esquire  
Burr & Forman, LLP  
P.O. Box 336  
Myrtle Beach, SC 29578


Jackson H. Daniel, III, Esquire  
Carlock Copeland & Stair, LLP  
40 Calhoun Street, Suite 400  
Charleston, SC 29401  
*Attorney for Mark dos Santos*

*and*

Wm. Grayson Lambert, Esquire  
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P.O. Box 11390  
Columbia, SC 29211

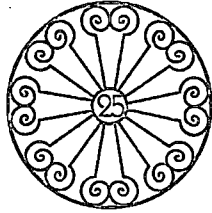
*Attorneys for Respondent  
K.A. Diehl and Associates, Inc.*

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

By:   
\_\_\_\_\_  
Russell G. Hines (SC Bar No. 72100)  
*Attorneys for Appellant*

Charleston, South Carolina

Dated: 4/22/19



# YCR LAW

Kathleen B. Barnes  
Secretary

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April 22, 2019

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APR 25 2019

**SC Court of Appeals**

Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: K.A. Diehl and Associates, Inc. v. James Perkins, Colleen Franke, a/k/a Colleen Franke Perkins, Mark Dos Santos, Nancy Moore, William Moore, Steven Dame, and Errol Dos Santos  
Appellate Case No.: 2018-002009  
Case No.: 2015-CP-26-05573  
YCR File: 14168-20180194

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced matter, please find the original and One (1) copy of the Initial Brief of Appellant and the original and One (1) copy of the Proof of Service of same. Please file the originals and return one court-stamped copy of each to me in the pre-stamped envelope provided.

As always, thank you for your assistance. If you have any questions or concerns, please do not hesitate to contact me. With best wishes and kindest regards, I am

Sincerely,

YCR LAW, LLP

Kathleen B. Barnes  
Secretary

Enclosures

cc: Henrietta U. Golding, Esquire, Burr & Forman, LLP  
Alicia E. Thompson, Esquire, Burr & Forman, LLP  
Wm. Grayson Lambert, Esquire, Burr & Forman, LLP  
Jackson H. Daniel, III, Esquire, Carlock Copeland & Stair, LLP

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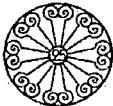
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