

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable Roger M. Young, Sr., Circuit Court Judge

Appellate Case No. 2018-000906

RECEIVED
JUN 17 2019
SC Court of Appeals

Top of the Bay, Inc. d/b/a Club Light Fourth-Party Plaintiff, Respondent/Appellant,

v.

Yaschik Development Company, Inc.,
d/b/a Yaschik Enterprises Fourth-Party Defendant, Appellant/Respondent.

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

Appellant Yaschik Development Company, Inc. designates the following to be included in
the Record on Appeal:

1. Order on Yaschik's Post-Trial Motions filed May 7, 2018;
2. Order on Directed Verdict, Trial Tr. Vol. II, pp. 737-835;
3. Jury Verdict, February 5, 2018;
4. Sea Island Food Group, LLC d/b/a Squeeze Complaint filed April 6, 2018;
5. Michael J. Quillen Family limited Partnership ("FLP") Crossclaim filed September 10, 2014;
6. Sea Island Food Group, LLC d/b/a Squeeze Amended Complaint filed May 13, 2015;
7. Top of the Bay, Inc. d/b/a Club Light ("TOTB") Crossclaim filed August 21, 2018;
8. Yaschik's Answer to TOTB's Crossclaim filed September 17, 2015;

9. Yaschik's Post-Trial Motions filed February 12, 2018;
10. Yaschik's Notice of Appeal filed May 15, 2018;
11. Yaschik's Amended Notice of Appeal filed June 4, 2018;
12. Trial Transcript Volume I, pp. 285, 409-412, 457-458, 470, 471, 481, 490-492, 499-500, 501, 504, 523-524, 535, 537, 569, 588, 596, 616-617, 620, 621, 623-625, 632-634, 636-637, 639-641, 647, 652-653, 685, 706-707, 721, 722, 724-725, 753, 793, 841, 846;
13. Trial Transcript Volume II, pp. 53-54, 72, 74, 106-107, 184-185, 209, 234, 250-251, 258-260, 263-264, 352-356, 358, 370, 387, 388, 494, 666, 723;
14. Jury Charge, Court's Exhibit 8;
15. Yaschik's Exhibits 26, 78, 79, 84, 98, 105, 205;
16. FLP's Exhibits 93, 116, 150;
17. Squeeze's Exhibits 1, 2, 4, 7, 20, 23, 35, 38;
18. TOTB's Exhibit 2.

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



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June 14, 2019

Charleston, SC

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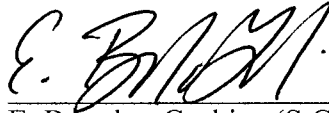
PROOF OF SERVICE

This is to certify that I have this day served counsel for the Respondent in the foregoing matter with a copy of the foregoing **INITIAL BRIEF OF APPELLANT** and **DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** by depositing the same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

William K. Swope, Esquire
The Swope Law Firm, PA
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**Re: Sea Island Food Group, LLC doing business as SQUEEZE v. Yaschik
Development Company, Inc., doing business as Yaschik Enterprises, et al.
Case No.: 2013-CP-10-7107
Appellate Case No.: 2018-000906
MVA File No.: 029018.23**

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Dear Madame Clerk:

Enclosed for filing, please find an original and one copy of the following:

1. Appellant's Initial Brief;
2. Appellant's Designation of Matter to be Included in the Record on Appeal; and
3. Proof of Service.

Please return a filed copy of each to this office in the enclosed stamped, self-addressed envelope.

Thank you for your assistance in this matter and please call me with any questions.

Sincerely,

Moore & Van Allen PLLC



E. Brandon Gaskins

EBG/ws

Enclosures as stated.

cc w/enc.: W. Tracy Brown, Esquire
William K. Swope, Esquire

Charlotte, NC
Research Triangle Park, NC
Charleston, SC

06/14/2019

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