

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
The Honorable Mikell R. Scarborough, Master in Equity

Appellate Case No. 2018-001971

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SC Court of Appeals

RS Custom Homes, n/k/a RS General Contracting, LLC, Respondent

v.

Matthew David DeNapoli, Lindsay Ann DeNapoli, and Branch Banking & Trust, and
Mortgage Electronic Registration Systems, Inc., Defendants.

Of whom Matthew David DeNapoli and Lindsay Ann DeNapoli are Appellants.

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

Ronald G. Tate, Jr. (S.C. Bar No. 5475)
GALLIVAN, WHITE & BOYD, P.A.
Post Office Box 10589 (29603)
55 Beattie Place, Suite 1200
Greenville, SC 29601
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Attorneys for Respondent

In addition to the items designated by the Appellants, the Respondent proposes that the following also be included in the record on appeal:

1. Mechanic's lien filed February 9, 2015.
2. Plaintiff's Memorandum in Opposition to Defendants' Motion to Reconsider dated August 13, 2018.
3. Plaintiff's Return to Defendants' Motion to Alter and Amend and/or Reconsider dated November 30, 2018.
4. Form 4 Order dated December 18, 2018 and filed December 27, 2018.
5. Transcript of trial commencing January 30, 2018:
 - a) Pages 508 through 515;
 - b) Pages 542 through 547;
 - c) Pages 557 through 559;
 - d) Pages 574 through 576.
6. Plaintiff's Exhibit 5 (Change Order 1).
7. Plaintiff's Exhibit 17 (portion, one page email of 10/22/14).
8. Plaintiff's Exhibit 20 (CV).
9. Plaintiff's Exhibit 21 (Summary Spreadsheet).
10. Plaintiff's Exhibit 25 (Entire).
11. Plaintiff's Exhibit 26 (Entire).
12. Defendants' Exhibit 40 (Email dated 11/17/14).

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

SIGNATURE ON FOLLOWING PAGE



Ronald G. Tate, Jr. (S.C. Bar No. 5475)
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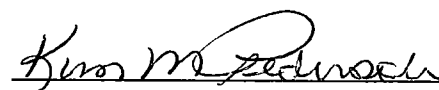
PROOF OF SERVICE

I, Kim Pedersoli, the undersigned employee of Gallivan, White & Boyd, P.A., attorneys for Respondent, do hereby certify that I have served a copy of Respondent's Initial Brief and Respondent's Designation of Matter to be Included in the Record on Appeal in connection with the above-referenced case by mailing a copy of the same on July 11, 2019, by United States Mail, postage prepaid, to the following addresses:

Thomas James Rode
15 Mid Atlantic Wharf
Charleston, SC 29401

Jeffrey A. Ross
1100 Queensborough Blvd., Suite 201
Mount Pleasant, SC 29464-3626

Greenville, South Carolina



Kim M. Pedersoli
Assistant to Ronald G. Tate, Jr.

July 11, 2019

Via Federal Express

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1015 Sumter Street, Suite 5
Columbia, SC 29201

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Re: RS Custom Homes v. Matthew David Denapoli, et al.
C.A. No.: 2018-001971

Dear Ms. Kitchings:

Please find enclosed for filing the original and one copy of the following:

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

I would appreciate your returning a filed copy to my office in the return envelope provided.

Thank you for your attention to this matter. If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards,

Sincerely yours,

GALLIVAN, WHITE & BOYD, P.A.


Ronald G. Tate, Jr.

RGT/kmp
Enclosures
cc: All Counsel of Record



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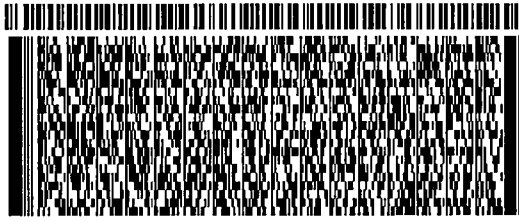
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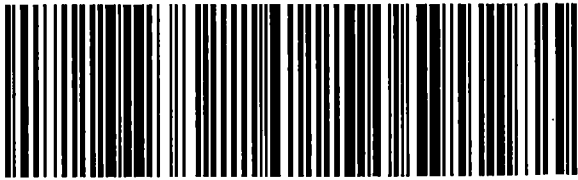
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SC Court of Appeals

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