

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
JUN 28 2019
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Henry W. Brown
Special Referee

APPELLATE CASE NO.: 2019-000513

Brown Contractors, LLC under S.C. Residential Builders License No. 20378,
.....Appellant/Respondent,

v.

Andrew Joseph McMarlin a/k/a Andrew Joseph McMarlin and Amy Salzhauer,
.....Respondents/Appellants,

And

Andrew McMarlin and Amy Salzhauer,
.....Respondents/Appellants,

v.

James Brown IV and Brown-Meihaus Construction, LLC,
.....Third-Party Defendants.

APPELLANT'S DESIGNATION OF MATTER

Appellant proposes the following to be included in the Record on Appeal:

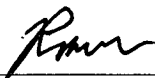
1. Amended Summons and Complaint
2. Amended Answer, Counterclaims and Third-Party Complaint

3. Order of Reference to Special Referee.
4. Motion to Amend
5. Plaintiff's Offer of Settlement
6. Defendants' Offer of Settlement
7. Order
8. Order Awarding Attorneys' Fees
9. Plaintiff's Rule 59(e) motion
10. Order Denying Rule 59(e) motions
11. Notice of Appeal.
12. Transcript of Trial
13. Plaintiff's Exhibits (all)
14. Defendants' Exhibit 8
15. Defendants' Exhibit 10
16. Defendants' Exhibit 12
17. Defendants' Exhibit 15
18. Defendants' Exhibit 16
19. Defendants' Exhibit 17
20. Defendants' Exhibit 18
21. *See Andrew and Kimberly McIntyre v. Sequest Development Co., Inc.*, 2016-CP-10-1833 (Charleston Co. Ct. Common Pleas, 2017) (Toal, J) (on appeal to the South Carolina Court of Appeals, Appellate Case No. 2017-001270)

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

Dated: June 24, 2019

(Signature on Following Page)



Robert B. Varnado (SC Bar # 0007085)

BROWN & VARNADO LLC

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*Attorneys for Appellant/Respondent and
Third-Party Defendants.*

June 24, 2019

Mt. Pleasant, South Carolina

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.....Third-Party Defendants.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the *Appellant's Designation of Matter* in the above referenced case has been served upon counsel of record by mailing a copy in an envelope properly addressed with postage prepaid on this date to the following:

Robert T. Lyles, Jr., Esquire
Lyles & Associates, LLC
342 East Bay Street
Charleston, South Carolina 29401

(Signature on Following Page)



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June 24, 2019

Mt. Pleasant, South Carolina

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June 24, 2019

VIA U.S. MAIL

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

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Re: *Brown Contractors, LLC v. Andrew McMarlin*
Appellate Case No.: 2019-00513
Our File No.: 6225.005

Dear Ms. Kitchings:

Enclosed find the *Appellant's Initial Brief* and *Designation of Matter*.

Thank you and with best regards, I remain

Very truly yours,

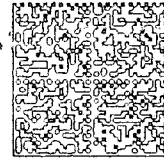
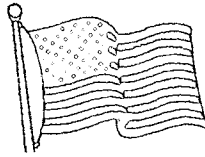
BROWN AND VARNADO LLC



Robert B. Varnado

RBV/am

cc: Robert T. Lyles, Jr., Esquire



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