

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE BEAUFORT COUNTY  
COURT OF COMMON PLEAS

HONORABLE MARVIN H. DUKES, III  
BEAUFORT COUNTY MASTER-IN-EQUITY AND  
SPECIAL CIRCUIT COURT JUDGE

**RECEIVED**

SEP 30 2019

SC Court of Appeals

CASE NO.: 2014-CP-07-0052  
APPELLATE CASE NO.: 2019-0001270

Lady Beaufort, LLC &  
Tideland Realty, Inc.

Appellants,

vs.

Hird Island Investments, Inc., Sherwood N. Fender, Addison D. Fender,  
Martha B. Fender, William B. Bowen, Lady Kemmerlin, LLC,  
Brickyard Holdings, Inc. and A&K Holding Co., LLC,

Defendants,

AND

William M. Bowen,

Third-Party Plaintiff,

v.

James S. Kerr and Matt Trumps,

Third-Party  
Defendants,

Of Which Sherwood N. Fender is

Respondent.

DESIGNATION OF MATTER TO BE INCLUDED  
IN RECORD ON APPEAL

H. Fred Kuhn, Jr., Esquire  
Moss, Kuhn & Fleming, P.A.  
1501 North Street  
Post Office Drawer 507  
Beaufort, South Carolina 29901  
843-524-3373 - telephone  
843-524-1302 - facsimile

Attorneys for the Respondent

The Respondent hereby designate the following documents to be included in the Record on Appeal:

1. Summons and Complaint filed on January 7, 2014.
2. Answer and Counterclaim of Inverness filed on May 11, 2014.
3. Answer and Counterclaim of Hird Island filed on May 11, 2014.
4. Amended Complaint filed on May 29, 2014.
5. Answer and Counterclaim of Hird Island to the Amended Complaint filed on June 11, 2014.
6. Second Amended Complaint filed on November 24, 2014.
7. Answer to Second Amended Complaint of Hird Island and Sherwood Fender filed on November 13, 2014.
8. Order of the Honorable Marvin H. Dukes, III filed on May 11, 2017.
9. Motion to Reconsider filed by Hird Island on May 11, 2017.
10. The Honorable Marvin H. Dukes, III's Order Granting in Part and Denying in Part Hird Island's Motion to Reconsider dated February 14, 2018.
11. Order of the Honorable Marvin H. Dukes, III dated October 26, 2018.
12. Motion to Post Bond dated June 20, 2019.
13. Response to Motion to Post Bond dated June 25, 2019.
14. Order of the Honorable Marvin H, Dukes, III July 30, 2019.
15. Transcript of hearing held July 9, 2019.

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

MOSS, KUHN & FLEMING, P.A.

By: 

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Beaufort, South Carolina  
September 27, 2019

Attorneys for the Respondent

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM THE BEAUFORT COUNTY  
COURT OF COMMON PLEAS

HONORABLE MARVIN H. DUKES, III  
BEAUFORT COUNTY MASTER-IN-EQUITY AND  
SPECIAL CIRCUIT COURT JUDGE

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CASE NO.: 2014-CP-07-0052  
APPELLATE CASE NO.: 2018-001969

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SFP 30 2019

**SC Court of Appeals**

Lady Beaufort, LLC &  
Tideland Realty, Inc.

Appellants,

vs.

Hird Island Investments, Inc., Sherwood N. Fender,  
Addison D. Fender, Martha B. Fender, William B. Bowen,  
Lady Kemmerlin, LLC, Brickyard Holdings, Inc. and  
A&K Holding Co., LLC,

Defendants,

AND

William M. Bowen,

Third-Party Plaintiff,

v.

James S. Kerr and Matt Trumps,

Third-Party Defendants,

Of Which Sherwood N. Fender is

Respondent.

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CERTIFICATE OF SERVICE

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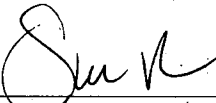
Undersigned certifies that the **Designation of Matter to be Included in the Record on Appeal** to which this certificate is affixed, was served upon the party (s) to this action by hand

delivery or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

Andrew K. Epting, Jr., Esquire  
Jaan G. Rannik, Esquire  
46A State Street  
Charleston, South Carolina 29401  
Attorneys for the Respondent  
Lady of Beaufort, LLC

in a post office or official depository under the exclusive care and custody of the United States Postal Service, on September 27, 2019.

By: \_\_\_\_\_

  
Sue Radford

LAW OFFICES

MOSS, KUHN & FLEMING P.A.

JAMES H. MOSS  
H. FRED KUHN, JR.  
CORY H. FLEMING\*

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September 27, 2019

**RECEIVED**

SEP 30 2019

**SC Court of Appeals**

The Honorable Jenny Abbot Kitchings  
Clerk of Court, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Lady Beaufort, LLC & Tidelands Realty, Inc. v. Hird Island Investments, Inc. and  
Sherwood Fender  
Case No.: 2014-CP-07-0052  
Appellate Case No.: 2019-001270

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the Respondent's Initial Brief and Respondent's Designation of Matter to be Included in the Record on Appeal together with a Certificate of Service regarding the above-referenced matter. I would appreciate your filing the originals and returning the file-stamped copies to me in the envelope provided.

With kindest regards, I am

Very truly yours,

MOSS, KUHN & FLEMING, P.A.



H. Fred Kuhn, Jr.

HFKjr:sr  
Enclosures

cc: Andrew K. Epting, Esquire (w/enc.)  
Jaen G. Rannik, Esquire (w/enc.)



**MOSS, KUHN & FLEMING, P.A.**

ATTORNEYS AT LAW

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*HPK*

*Fender*

To:

The Honorable Jenny Abbot Kitchings  
Clerk of Court, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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