

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Daniel W. Stacy, Jr., Special Referee

Case No.: 2016-CP-22-00334

RECEIVED
OCT 07 2019
SC Court of Appeals

The Bank of New York Respondent
Mellon, f/k/a The Bank of
New York, as trustee for
The Certificateholders of
the CWABS, Inc., Asset-Backed
Certificates, Series 2005-16

v.

Janet M. Smith, Portfolio Appellant.
Recovery Associates, LLC
and James E. Byrdic

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

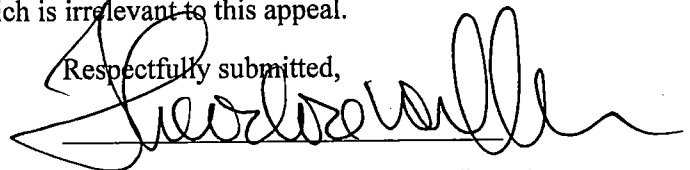
Respondent proposes the following to be included in the Record on Appeal:

1. Summons & Complaint filed in case 2014-CP-45-00445.
2. The Judgment of Foreclosure and Sale dated April 8, 2015 in case 2014-CP-45-00445.
3. Order Setting Aside Judgment dated December 5, 2018 in case 2014-CP-45-00445.
4. Summons & Complaint filed in case 2016-CP-22-00334.
5. Order of Reference filed September 20, 2016 in case 2016-CP-22-00334.
6. Special Referee's Order of Foreclosure and Sale filed September 20, 2016 in case 2016-CP-22-00334.
7. Special Referee's Amended Notice of Sale filed January 16, 2019 in case 2016-CP-22-00334.

8. Special Referee's Report of Sale and Order Confirming Sale filed January 16, 2019 in case 2016-CP-22-00334.
9. Special Referee's Order for Writ of Assistance filed January 16, 2019 in case 2016-CP-22-00334.
10. Order Setting Aside Sale, Vacating Judgment and Dismissing Case filed January 16, 2019 in case 2016-CP-22-00334.
11. Motion to Vacate with exhibits and affidavit filed February 22, 2019 in case 2016-CP-22-00334.
12. Affidavit of Randall Jackson filed April 16, 2019 in case 2016-CP-22-00334.
13. Memorandum of Authorities In Opposition To Motion To Set Aside Order Vacating Judgment with affidavit and exhibits filed April 18, 2019 in case 2016-CP-22-00334.
14. Supplemental Memorandum In Opposition To Motion To Set Aside Judgment filed April 18, 2019 in case 2016-CP-22-00334.
15. Order Denying Motion to Set Aside Order Vacating Judgment filed May 6, 2019 in case 2016-CP-22-00334.
16. Notice of Intent to Appeal filed June 5, 2019 in case 2016-CP-22-00334.
17. Summons and Complaint filed November 13, 2018 in case 2018-CP-45-00472.
18. Answer and Counterclaim filed December 18, 2018 in case 2018-CP-45-00472.
19. Reply filed January 16, 2019 in case 2018-CP-45-00472.

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

Respectfully submitted,



B. Lindsay Crawford, III SC Bar # 6510
Theodore von Keller SC Bar #5718
Sara C. Hutchins SC Bar #72879
B. Lindsay Crawford, IV SC Bar #101707
Crawford & von Keller LLC
Post Office Box 4216
Columbia, South Carolina 29240
803-790-2626
Attorneys for the Respondent

October 7, 2019

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Daniel W. Stacy, Jr., Special Referee

Case No.: 2016-CP-22-00334

RECEIVED
OCT 07 2019
SC Court of Appeals

The Bank of New York Respondent
Mellon, f/k/a The Bank of
New York, as trustee for
The Certificateholders of
the CWABS, Inc., Asset-Backed
Certificates, Series 2005-16

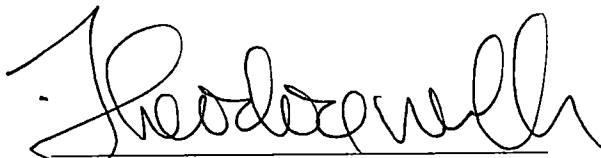
v.

Janet M. Smith, Portfolio Appellant.
Recovery Associates, LLC
And James E. Byrdic

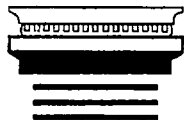
PROOF OF SERVICE

I certify that I served the foregoing Designation of Matter and File Respondent's Initial Brief in this case by depositing a copy of it in the United States Mail, postage prepaid, on October 7, 2019, addressed to her attorney of record, Jon Ozolins, 1201 B Creel Street, Wing A-1, Conway, SC 29527.

October 7, 2019



B. LINDSAY CRAWFORD III, SC BAR # 6510
THEODORE VON KELLER SC BAR # 5718
SARA C. HUTCHINS SC BAR # 72879
B. LINDSAY CRAWFORD IV, SC BAR #101707
CRAWFORD & VON KELLER, LLC
POST OFFICE BOX 4216
COLUMBIA, SOUTH CAROLINA 29240
(803) 790-2626
ATTORNEYS FOR RESPONDENT



CRAWFORD & VON KELLER, LLC

October 7, 2019

RECEIVED
OCT 07 2019
SC Court of Appeals

VIA HAND DELIVERY

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

**RE: The Bank of New York Mellon, f/k/a The Bank of New York, as trustee for
The Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series
2005-16
Case No.: 2016-CP-22-00334
Our File No.: 2900.0007**

Dear Ms. Kitchings:

Enclosed please find the original and 2 copies of Appellant's Initial Brief, Designation of Matter to be Included in the Record on Appeal, and Proof of Service. Please file the original and return 2 clocked copies of the same.

Should you require anything further please do not hesitate to contact me.

Sincerely,



Theodore von Keller

Enclosure(s)

cc: Jon Ozolins (w/enclosures)