

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

Sea Island Food Group, LLC, d/b/a Squeeze..... Plaintiff,

v.

Yaschik Development Company, Inc., d/b/a Yaschik Enterprises, Hilton Smith,
East Bay Company, Ltd., Michael J. Quillen Family Limited Partnership Defendants,

Michael J. Quillen Family Limited Partnership..... Third-Party Plaintiff,

v.

Top of the Bay, LLC..... Third-Party Defendant

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

v.

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

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

Appellant Yaschik Development Company, Inc., amends its Designation of Matter to be included in the Record on Appeal as follows:

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;

RECEIVED
OCT 02 2019
SC Court of Appeals

4. Sea Island Food Group, LLC d/b/a Squeeze Complaint filed April 6, 2018;
5. Sea Island Food Group, LLC d/b/a Squeeze Amended Complaint filed May 13, 2015;
6. Michael J. Quillen Family limited Partnership ("FLP") Crossclaim filed June 3, 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, 408-412, 457-458, 470-471, 474, 480-482, 490-492, 499-500, 501, 504, 523-525, 535, 537, 569, 588, 596, 616-617, 620-621, 623-625, 632-634, 636-637, 639-647, 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 Instructions, Trial Tr. Vol. II, pp. 935-936;
15. Jury Charge, Court's Exhibit 8;
16. Yaschik's Exhibits 26, 78, 79, 84, 98, 105, 205;
17. FLP's Exhibits 93, 116, 150;
18. Squeeze's Exhibits 1, 2, 4, 7, 20, 23, 35, 38;
19. TOTB's Exhibit 2.

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

E. Brandon Gaskins (S.C. Bar No. 72374)
MOORE & VAN ALLEN PLLC
78 Wentworth Street
P.O. Box 22828
Charleston, SC 29413-2828
Telephone: 843-579-7032
Facsimile: 843-579-8719
brandongaskins@mvalaw.com
charlesscarminach@mvalaw.com

*Attorney for Appellant/Respondent
Yaschik Development Company, Inc.,
d/b/a Yaschik Enterprises*

October 1, 2019

Charleston, SC

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

Sea Island Food Group, LLC, d/b/a Squeeze Plaintiff,

v.

Yaschik Development Company, Inc., d/b/a Yaschik Enterprises, Hilton Smith,
East Bay Company, Ltd., Michael J. Quillen Family Limited Partnership..... Defendants,

Michael J. Quillen Family Limited Partnership Third-Party Plaintiff,

v.

Top of the Bay, LLC Third-Party Defendant

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

v.

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

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 **AMENDED 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
1525 Sam Rittenburg Blvd., Ste. 208
Charleston, SC 29407

RECEIVED

OCT 02 2019

SC Court of Appeals

W. Tracy Brown, Esquire
The Brown Law Firm
110 N. Main Street
Summerville, SC 29483

Attorneys for Respondent/Appellant Top of the Bay, Inc. d/b/a Club Light

E. Brandon Gaskins

E. Brandon Gaskins (S.C. Bar No. 72374)
MOORE & VAN ALLEN PLLC
78 Wentworth Street
P.O. Box 22828
Charleston, SC 29413-2828
Telephone: 843-579-7032
Facsimile: 843-579-8719
brandongaskins@mvalaw.com

*Attorney for Appellant Yaschik Development
Company, Inc., d/b/a Yaschik Enterprises*

October 1, 2019

Charleston, SC

October 1, 2019

E. Brandon Gaskins
Attorney at Law

T 843 579 7038
F 843 579 8738
brandongaskins@mvalaw.com

VIA U.S. MAIL

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

RECEIVED
OCT 02 2019
SC Court of Appeals

Moore & Van Allen PLLC

78 Wentworth St.
Charleston, SC 29401-1428

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

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

Dear Ms. Kitchings:

With regard to the above referenced action, enclosed for filing please find the following:

1. The original and sixteen (16) copies of the **Final Brief of Appellant**, with the original being unbound;
2. The original and sixteen (16) copies of the **Final Reply Brief of Appellant**, with the original being unbound;
3. The original and sixteen (16) copies of the **Record on Appeal**, the original being unbound;
4. The original and one (1) copy of the **Certificate of Counsel** for the Record on Appeal;
5. The original and one (1) copy of the **Proof(s) of Service** as to each Brief, and the Record on Appeal;
6. The original and one (1) copy each of **Appellant's Certificate of Compliance with Rule 211(b)**, as to each Brief.
7. The original and one (1) copy of the **Amended Designation of Matter to be Included on the Record on Appeal, with Proof of Service**.

Please file the originals and return a clocked-in copy of each to me in the enclosed self-addressed, stamped envelope.

The Honorable Jenny Abbott Kitchings
October 1, 2019
Page 2

By copy of this letter, I am serving a copy of the foregoing upon counsel for the Respondent.

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

Sincerely,

Moore & Van Allen PLLC

A handwritten signature in black ink, appearing to read "E. B. Gaskins". The signature is written in a cursive, slightly stylized font.

E. Brandon Gaskins

EBG/wss

Enclosures: as stated

cc: W. Tracy Brown, Esquire
William K. Swope, Esquire