

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Honorable Steven H. John, Circuit Court Judge

Appellate Case No. 2019-001446

Case No. 2016-CP-22-00961

The Gulfstream Café, Inc.,.....Respondent,

v.

J. Mark Lawhon, Individually, and
Palmetto Industrial Development, LLC,..... Appellants.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

J. Mark Lawhon and Palmetto Industrial Development, LLC, pursuant to Rule 209, SCACR, designate the following material to be included in the Record on Appeal:

Orders, Judgments, Decrees, or Decisions

1. November 17, 2016 Order
2. November 23, 2016 Order
3. December 5, 2016 Order
4. August 24, 2017 Order
5. August 25, 2017 Order
6. September 28, 2017 Order

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7. June 21, 2018 Order
8. July 27, 2018 Order
9. November 14, 2018 Order
10. August 7, 2019 Order

Pleadings

11. Complaint, with Exhibits (filed Nov. 16, 2016)
12. Amended Answer and Counterclaims (filed Oct. 2, 2017)

Transcripts

13. December 5, 2016 Hearing Transcript
14. September 28, 2017 Hearing Transcript
15. November 14, 2018 Hearing Transcript

Other Materials or Documents

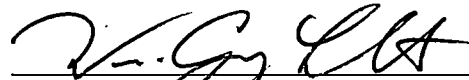
16. Easement at Book 234, Page 790 (located at Pl.'s Mot. for Summ. J. Ex. B) (filed Jan. 13, 2018)
17. Easement at Book 234, Page 797 (located at Pl.'s Mot. for Summ. J. Ex. C) (filed Jan. 13, 2018)
18. Easement at Book 234, Page 803 (located at Pl.'s Mot. for Summ. J. Ex. D) (filed Jan. 13, 2018)
19. Motion for Temporary Restraining Order (filed Nov. 16, 2016)
20. Memorandum in Support of Motion for Temporary Injunction (filed Dec. 16, 2016)
21. Opposition to Motion for Temporary Injunction, with Exhibits (filed Dec. 12, 2016)
22. Motion for Contempt, with Exhibits (filed May 24, 2017)
23. Supplement to Motion for Contempt, with Exhibit (filed June 22, 2017)

24. Opposition to Motion for Contempt, with Exhibits (filed June 23, 2017)
25. Motion to Reconsider Amended Order Granting Temporary Injunction, with Exhibits (filed Sept. 5, 2017)
26. Supplemental Affidavit of Mark Lawhon (filed Sept. 14, 2017)
27. Affidavit of Linda Barnaba (filed Sept. 25, 2017)
28. Affidavit of Jef Kirk (filed Sept. 25, 2017)
29. Second supplemental Affidavit of Mark Lawhon, with Exhibits (filed Sept. 26, 2017)
30. Affidavit of Charlie Weaver (filed May 30, 2018)
31. Verdict Form (filed June 12, 2018)
32. Punitive Damages Verdict Form (filed June 12, 2018)
33. Affidavit of Jef Kirk (filed July 19, 2018)
34. Motion for Contempt, with Exhibits (filed July 20, 2018)
35. Opposition to Motion for Contempt, with Exhibits (filed Aug. 20, 2018)
36. Supplemental Opposition to Motion for Contempt, with Exhibits (filed Nov. 7, 2018)
37. Reply in Support of Motion for Contempt (filed Nov. 7, 2018)
38. Affidavit of Jef Kirk, with Exhibits (filed Nov. 7, 2018)
39. Affidavit of Chris Lawhon, with Exhibit (filed Nov. 12, 2018)
40. Motion to Alter or Amend November 14, 2018 Order, with Exhibits (filed Nov. 21, 2018)
41. Email thread between trial counsels and court (first email dated Dec. 12, 2018 and last email dated July 24, 2019)
42. Partial Satisfaction of Judgment (filed June 5, 2019)

43. Defendants' July 1, 2019 Brief, with Exhibits (emailed to Judge John on July 1, 2019)
44. Plaintiff's July 1, 2019 Brief (emailed to Judge John on July 1, 2019)
45. Motion for Contempt (filed Aug. 5, 2019)
46. Withdrawal of Motion for Contempt (filed Oct. 16, 2019)
47. Notice of Appeal (filed Aug. 28, 2019)

Counsel for the Appellants hereby certifies that this Designation contains no matter which is irrelevant to the appeal.

Respectfully Submitted,



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The Gulfstream Café, Inc., Respondent,

v.

J. Mark Lawhon, Individually, and
Palmetto Industrial Development, LLC, Appellants.

CERTIFICATE OF SERVICE

I certify that this DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL was served on counsel via first class U.S. Mail for the
Respondent on November 25, 2019:

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November 25, 2019

VIA HAND DELIVERY

Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
1220 Senate Street
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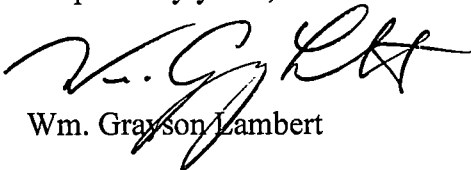
**Re: The Gulfstream Cafe, Inc. v. Palmetto Industrial Development, LLC
Case No. 2019-001446**

Dear Ms. Kitchings:

Enclosed herewith for filing please find the original and four copies of the Designation of Matter to be Included in the Record on Appeal and the Initial Brief of Appellants in the captioned matter. Please file the original and return stamped copies to our courier.

If you have any questions, please do not hesitate to contact me.

Respectfully yours,



Wm. Grayson Lambert

WGL:lg

Enclosures

cc: Simon H. Bloom (w/enc.)
George W. Redman, III (w/enc.)