

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Court of Appeals No. 2019-000486

Florence Common Pleas No. 2018-CP-21-03238

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SC Court of Appeals

Nationstar Mortgage LLC.....Plaintiff,

v.

Barbara A. Gibbs, Melvin E. Gibbs, and
Westbrook Phase IV Homeowners Association.....Defendants,

Of whom Barbara A. Gibbs and Melvin E. Gibbs are the.....Appellants,

v.

Nationstar Mortgage LLC.....Respondent.

**RESPONDENT NATIONSTAR MORTGAGE LLC'S
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL**

Respondent Nationstar Mortgage LLC ("Nationstar"), hereby submits the following
Designation of Matter to be included in the Record on Appeal:

1. Nationstar's Complaint filed on October 23, 2013;
2. Affidavit of Service upon Barbara A. Gibbs filed on November 12, 2013;
3. Affidavit of Service upon Melvin E. Gibbs filed on November 12, 2013;
4. Nationstar's Notice of Motion and Motion for an Order of Reference filed on December 18, 2013;

5. Nationstar's Certification of Mortgagor Non-Compliance filed on December 18, 2013;
6. Notice of Hearing on Nationstar's Motion for an Order of Reference and Defendants' Motion to Dismiss & Request for Sanctions filed on February 26, 2014;
7. Appellant Melvin Gibbs's Answer and Demand for Jury Trial filed on March 20, 2014;¹
8. Nationstar's Certification of Mortgagor Non-Compliance filed on April 10, 2014;
9. Special Referee's Order of Recusal entered on May 19, 2014;
10. Special Referee's Order entered on May 30, 2014 in response to Appellant Melvin E. Gibbs's Reply to Order of Recusal;
11. S.C. Court of Appeals Order Dismissing Appeal No. 2014-000596;
12. Form 4 Judgment in a Civil Case Referring Action to Master-In-Equity for Horry County, SC entered on August 24, 2015;
13. S.C. Court of Appeals Order Dismissing Appeal No. 2015-001873;
14. Nationstar's Notice of Motion and Motion for Summary Judgment filed on April 27, 2017;
15. Nationstar's Memorandum in Support of Summary Judgment and Exhibits filed on April 27, 2017;
16. Certificate of Service by Mail of Plaintiff's Notice of, Memo in Support, Exhibits - Motion for Summary Judgment filed on April 27, 2017;
17. Motion to Recuse and Vacate Order of Reference filed on December 6, 2017;
18. Notice of Motion and Motion to Vacate Order of Reference and Return and Restore case to the Twelfth Circuit filed on March 16, 2018;
19. Notice of Motion and Motion for Change of Venue filed on July 12, 2018;
20. Nationstar's Affidavit of Attorney Fees filed on February 7, 2019;
21. Nationstar's Affidavit of Indebtedness and Exhibits filed on February 7, 2019;

¹Nationstar notes that Appellants misidentify the answer filed on March 20, 2014 as a pleading filed by both Appellants. This is an inaccurate reference because Appellant Melvin Gibbs was the only litigant in the case who filed and served an answer to Nationstar's complaint. To this end, Nationstar has accurately identified the pleading in its Designation.

22. Transcript of Motions Hearing held on February 20, 2019;
23. Nationstar's transmittal of supplemental affidavit in support of summary judgment to court on February 21, 2019;
24. Nationstar's transmittal of proposed order granting Nationstar's motion for summary judgment to court on February 22, 2019;
25. Appellants' transmittal of affidavits and proposed orders concerning summary judgment on February 27, 2019;
26. Appellant Melvin Gibbs's transmittal of amended affidavit concerning summary judgment on February 28, 2019; and
27. Order Denying Motion to Amend or Alter Judgment entered on March 14, 2019.

The undersigned counsel hereby certifies that this Designation contains no matter that is irrelevant to the appeal.

Respectfully submitted on November 26, 2019.



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Attorneys for Respondent Nationstar Mortgage LLC

CERTIFICATE OF SERVICE

The undersigned certifies that Respondent Nationstar Mortgage LLC's *Designation of Matter to be Included in the Record on Appeal* was served on the parties to this action by depositing a copy thereof in the United States Mail, first class, postage prepaid, on November 26, 2019, to the following:

Barbara Gibbs
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SC Court of Appeals



Brian A. Calub

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