

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

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MIKELL R. SCARBOROUGH, Master in Equity

JAN 28 2020

SC Court of Appeals

Appellate Case No. 2019-001289

Raven's Run Homeowners Association, Inc., Appellant/Respondent,

v.

Crown Pointe Association, Inc., Lois K. Novak as Trustee of the Lois K. Novak Living Trust dated 10/14/2013, Laurie T. Herron and Mark D. Herron; James B. Kubu and Melissa F. Kubu; Leila June Johnson; Danny Ta and Anita McCauley; Robert E. Luby, Jr., and Barbara Luby; Joshua D. Coonce; Lucius Roy Junevicus, Katherine Kinlaw; Thomas K. Kuyk and Melissa Ward; Roland Franklin Wooten, III, and Teresa Key Wooten; Michael P. Horvath; Timothy E. Moylan and Karen G. Moylan; Carl A. Counasse and Maureen Counasse; David A. Frielinghaus and Holly C. Frielinghaus; Christopher S. Finley and Holly M. Finley; Shirley D. Springer a/k/a Shirly Deanna Springer, Deirdre C. Knight; Robert Shane Johnson; Eric R. Sigman; Lamar R. Graves, Jr. and Terry W. Graves; Mary Elizabeth Gladden; Philip Wallace and Naomi Grad; Thomas Edwin Davis and Luis Miguel Gonzalez Melchor; John R. Funkhouser and Jennifer L. Funkhouser; Gregory S. Cooper and Jane B. Cooper; Frank C. Jones, Jr. and Elise Ubele Jones; William P. Topping and Kris B. Topping; LaRhonda S. Ptichko; Kenneth L. Tully and Anna J. Tully; Defendants,

Of Whom James B. and Melissa F. Kubu, and
Leila June Johnson are the Respondents

And Katherine Kinlaw is the Respondent/Appellant.

APPELLANT/RESPONDENT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

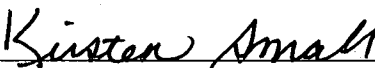
Appellant/Respondent Raven's Run Homeowners Association, Inc. proposes the following be included in the Record on Appeal:

1. Order of March 1, 2017
2. Order of September 22, 2017
3. Order of November 15, 2017
4. Order of November 8, 2018
5. Order of July 10, 2019
6. Complaint, including all exhibits, filed January 31, 2017
7. Affidavit of Jonathan Guerra and Affidavit of Joseph R. Pettit, Jr. (including exhibit), submitted in support of Plaintiff's Motion for Temporary and Permanent Injunction and Restraining Order, filed February 3, 2017
8. Answer of James B. Kubu and Melissa F. Kubu, filed March 6, 2017
9. Answer of Leila June Johnson, filed March 7, 2017
10. Answer of Katherine Kinlaw, filed March 16, 2017
11. Evidentiary Support for Kubu Motion to Dismiss, filed May 23, 2017
12. Amended Complaint, including all exhibits, filed March 13, 2018
13. Answer of Katherine Kinlaw to Amended Complaint, filed March 30, 2018
14. Answer of James B. and Melissa F. Kubu to Amended Complaint, filed April 25, 2018
15. Plaintiff's Motion for Summary Judgment, with exhibits, filed August 20, 2018
16. Exhibits 1-5, 10-12 submitted in support of Plaintiff's Motion for Summary Judgment, submitted at summary judgment hearing on August 28, 2018
17. Transcript of summary judgment hearing on August 28, 2018

18. Plaintiff's Motion to Reconsider, filed November 28, 2018
19. Affidavit of E.M. Seabrook, III, with exhibits, filed January 4, 2019
20. Affidavit of Robert A. Causey, with exhibits, filed January 4, 2019
21. Exhibits submitted in support of Motion to Reconsider, submitted at reconsideration hearing on January 8, 2019
22. Transcript of reconsideration hearing on January 8, 2019
23. Notice of Appeal, filed August 8, 2019
24. Order granting Motion to Amend Notice of Appeal, filed December 20, 2019

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


January 21, 2020


Kirsten E. Small (SC Bar No. 75681)
Nexsen Pruet, LLC
Post Office Drawer 10648
Greenville, SC 29603
(864) 370-2211

CERTIFICATE OF SERVICE

I certify that the foregoing document, **Appellant/Respondent's Designation of Matter to Be Included in the Record on Appeal**, was served on Respondents and Respondent/Appellant by depositing a copy of it in the United States Mail, postage prepaid, on January 21, 2020, addressed to their counsel of record as set forth below, and also by emailing it to counsel of record at the email addresses shown below.

January 21, 2020


Kirsten E. Small (SC Bar No. 75681)
Nexsen Pruet, LLC
Post Office Drawer 10648
Greenville, SC 29603
(864) 370-2211

Jeffrey T. Spell
JEFFREY T. SPELL, ATTORNEY AT LAW
1721 Ashley River Road
Charleston, SC 29407
jeff@jeffspell.com

Counsel of record for Respondent
Leila June Johnson

Harold Alan Oberman
OBERMAN & OBERMAN
60 Markfield Drive, Suite 2
Charleston, SC 29407
Obermanlaw@bellsouth.net

Counsel of record for Respondent/Appellant
Katherine Kinlaw

Edward K. Pritchard, Jr.
LAW OFFICES OF EDWARD K. PRITCHARD, JR.
2830 Middle St.
Sullivans Island, SC 29482
salliepritchard@icloud.com

Counsel of record for Respondents
James B. Kubu and Melissa F. Kubu

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SC Court of Appeals

Kirsten E. Small
Member
Admitted in SC, NC, MD

January 21, 2020

Hon. Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JAN 23 2020

SC Court of Appeals

Re: *Raven's Run Homeowners Association, Inc., Appellant/Respondent v. James B. and Melissa F. Kubu, Leila June Johnson, Respondents, and Katherine Kinlaw, Respondent/Appellant*
Appellate Case No. 2019-001289

Dear Ms. Kitchings:

Regarding the above-referenced case, enclosed please find the original and one copy of the Initial Opening Brief of Appellant/Respondent, as well as the original and one copy of Appellant/Respondent's Designation of Matter to Be Included in the Record on Appeal. Please file the originals and return one, file-stamped copy of each document in the enclosed, postage-paid envelope.

By copy of this letter, I have served counsel for Respondents and for Respondent/Appellant, as indicated in the Certificates of Service.

Very truly yours,



Kirsten E. Small

cc: Counsel of Record

- Charleston
- Charlotte
- Columbia
- Greensboro
- Greenville**
- Hilton Head
- Myrtle Beach
- Raleigh

Hasler

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Greenville SC 29603-0648

Hon. Jenny Abbott Kitchings, Clerk
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