

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Apr 24 2020

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Case No.: 2019-002038

John H. Attridge and Janet L. Attridge, Robert W. Bankov, Virginia J. Bankov, Tom Bolton, Guy I. Collier, Nancy L. Collier, Richard Jay Coleman, Marlene Coleman, Russell G. Dimke, Sandra A. Dimke, James G. Goodwin, Jr., Carol A. Goodwin, George J. Lovett, Wilna W. Lovett, Peter Marzluff, Deborah C. Marzluff, Gary Okey, Nancy Okey, Michael Pellecchia, Janice S. Pellecchia, Frank H. Roberts, Sr., Richard Swilpa, Michele Gallant, Phyllis A. Kaupp-Seas, Robert P. Brendza, and Robin E. Brendza individually and in their derivative capacity on behalf of Bull Point Plantation Property Owners Association

..... Respondents,

vs

The Board of Directors of Bull Point Plantation Property Owners Association, Inc., Bull Point Plantation Property Owners Association, Inc., Bull Point SC, LLC, William E. Gavigan, Michael Carey, Christopher J. Quick, James Riordan; DB Aster, LLC; and GSI, LLC, Defendants/Counterclaimants,

Of which Bull Point SC, LLC, William E. Gavigan, Michael Carey, Christopher J. Quick; James Riordan; and GSI, LLC are

..... Appellants

And

Bull Point, SC, LLC, and William E. Gavigan,

..... Third-Party Plaintiffs/Appellants,

vs

Joseph P. D'Ambrosio, Mary D'Ambrosio, Michael Powers, Harriett Bosiack, Robert Wolfson, James Hayes, Steve Andrews, Ron Lambe, Dave Prezvy, Rivers Reach at Pocotaligo, LLC, Rivers Reach Realty, LLC, and Jon Does 1-10, Third-Party Defendants.

DESIGNATION OF MATTER

Appellants propose the following be included in the Record on Appeal:

1. Amended Complaint effective June 13, 2019;
2. Answer to Amended Complaint dated July 15, 2019;
3. Plaintiffs' Motion for Partial Summary Judgment, along with supporting memorandum and all exhibit, filed July 2, 2019;
4. Defendants' Response to Plaintiffs' Motion for Partial Summary Judgment, and Motion for Partial Summary Judgment, along with all exhibits, filed September 20, 2019.
5. Transcript of Hearing, October 15, 2019;
6. Order dated November 18, 2019;
7. Defendants' Motion to Alter or Amend Judgment, along with all exhibits, filed November 21, 2019;
8. Defendants' Amended Answer to the Amended Complaint, filed December 3, 2019;
9. Plaintiffs' Response to Defendant's Motion to Alter or Amend Judgment, filed December 4, 2019;
10. Transcript of Hearing, December 5, 2019;
11. Order Denying Motion to Alter or Amend Judgment, dated December 5, 2019;
12. Notice of Appeal, with Proof of Service, dated December 10, 2019; and
13. Amended Notice of Appeal, with Proof of Service, dated December 16, 2019.

Counsel for Appellants hereby certify that, pursuant to South Carolina Appellate Court Rule 209(c), only matters which are relevant to this appeal have been included in Appellant's Designation of Matters.

Respectfully Submitted,



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Attorneys for Appellants

April 24, 2020
Columbia, South Carolina

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C.A. No.: 2018-CP-07-02345

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And

Bull Point, SC, LLC, and William E. Gavigan,
..... Third-Party Plaintiffs/Appellants,

vs

Joseph P. D'Ambrosio, Mary D'Ambrosio, Michael Powers, Harriett Bosiack, Robert Wolfson, James Hayes, Steve Andrews, Ron Lambe, Dave Prezvys, Rivers Reach at Pocotaligo, LLC, Rivers Reach Realty, LLC, and Jon Does 1-10, Third-Party Defendants.

PROOF OF SERVICE

I, the undersigned employee of Richardson Plowden & Robinson, P.A., counsel for the Appellants do hereby swear that I have served a filed copy of the **Initial Brief of Appellant and Designation of Matter** by causing a copy of the same to be personally deposited in the United States mail, first class postage prepaid, addressed as indicated below on this the 24th day of April, 2020:

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Certified Specialist in Employment & Labor Law
by the Supreme Court of South Carolina

Licensed in South Carolina and North Carolina

April 24, 2020

Jenny Abbott Kitchings, Clerk
SC Court of Appeals
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Columbia, SC 29211

Re: Jon Attridge, et al vs The Board of Directors of Bull Point, et al
Appellate Case No. 2019-002038

Dear Ms. Kitchings:

Enclosed herewith for filing is the Initial Brief and Designation of Matter concerning the above referenced matter.

Please note, that in reviewing the court directed caption for this case, we noticed a couple of errors that we feel need to be addressed. First, D.B. Aster, LLC, was added to the caption as an Appellant. This is incorrect. D.B. Aster, LLC, is not a party to this appeal. Second, Bull Point SC, LLC, William E. Gavigan and Michael Carey were not added as Appellants in the caption. These three parties are key parties in this case and need to be added in order to correct the record.

We have therefore, corrected the caption as directed by the court previously, to what we believe should be the correct caption. Should you have any questions, please do not hesitate to let me know.

With kind regards, I am

Sincerely,

RICHARDSON PLOWDEN & ROBINSON, P.A.

Eugene H. Matthews

EHM/mjw

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