

STATE OF SOUTH CAROLINA
The South Carolina Court of Appeals

APPEAL FROM GREENVILLE COUNTY
The Honorable Robin B. Stilwell, Judge of Circuit Court

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APR 23 2020

SC Court of Appeals

Civil Action No. 2019-CP-23-00269
Appellate Case No. 2020-000438

Raymond A. Wedlake, as a Member of Woodington Homeowners' Association, Inc., Appellant,

v.

Christopher Edwards, Charles Koshis, Denis Esteve, Michael Keels and William Craigo in their capacity as Board of Directors of Woodington Homeowners' Association, Inc., Respondents.

DESIGNATION OF MATTER - FOR APPELLANT'S INITIAL BRIEF

Raymond A. Wedlake
703 Creekview Drive
Greenville, SC 29607
Tel: (864) 254-9262
wedlakera@mail.com
Appellant (*Pro Se*)

Emily O'Brian, Esq.
Campbell Teague, LLC
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Greenville, South Carolina 29601
Tel: (864) 326-4186
emily@campbellteague.com
Counsel for Respondents

INDEX

Orders

Order Form 4 filed 02/20/2020 [denying ... "Motion for a New Hearing"]

Order filed 11/25/2019 [granting Summary Judgment ...]

Order filed 11/08/2019 [Court of Appeals denial Respondents' Motion to Dismiss]

Order filed 01/23/2018 [Denying Motion to Dismiss, and in the Alternative Motion to Strike or for a More Definite Statement]

Pleadings

Appellants' Summons and Verified Complaint filed 01/17/2019
Verification
Civil Action Coversheet

Respondents' Answer to Complaint, filed 03/04/2019

Motions, Memoranda

Motion to Dismiss Defendants' Counterclaim by Plaintiff filed 10/18/2019

Memorandum in Opposition to Defendants' Motion for Summary Judgment
and to Extend ADR Deadline filed 10/23/2019

Plaintiff's Reply to Memorandum in Support of Motion for
Summary Judgment filed 10/25/2019

Motion for a New Hearing on Defendants' Motion for Summary Judgment
and to Extend ADR Deadline filed 11/18/2019

Motion to Compel ADR Mediation and Requesting Imposition of Sanctions filed 11/18/2019

Motion to Reconsider Order Granting Summary Judgment
and extending ADR Deadline filed 12/26/2019

Transcripts

Transcript of Record [October 28, 2019 Before The Honorable Robin B. Stilwell, Judge]

Exhibits, Figures, Attachments and Addendums

Plaintiff's Exhibits as attached to Summons and Verified Complaint

- Exhibit 1 npca-title33-chapter031-article16.pdf
- Exhibit 2 sent844ce+ck-ballot-procedure.pdf
- Exhibit 3 nostatute-found.pdf
- Exhibit 4 ballot2-paymentplan101518.pdf
- Exhibit 5 ballot-info122718rev2.pdf
- Exhibit 6 dca-1111rev2-attachments.pdf
- Exhibit 7 sent848ce+ck-ballot-copies.pdf

Plaintiff's Figures, Exhibits, and Attachment as attached to Motion for a New Hearing
on Defendants' Motion for Summary Judgment and to Extend ADR Deadline

Figure 1 Counsel's Letter to Judge

Figure 2 Apparent Error at Law + Lack of Consistent Judgment

Exhibit 1 All cases show similar captions

Exhibit 2 Transcript Excerpts [from Hearing] 01/03/2018

Figure 3 Hearing of 10/28 – Confirmation of Results ? Proposed Order ? But no Reply

Figure 4 No Response to Plaintiff's Question was Given

Attachment – Letter: Wedlake to Stilwell, 01 Nov, “RE: ... Apparent Error at Law ...”

Figure 1 [Wikipedia Mutual Benefit Nonprofit Corporation]

Figure 2 - “Exhibit 1” to Affidavit from Public Index, July 12, 2019

Figure 3 - “Exhibit 2” to Complaint from Public Index, January 17, 2019

Figure 4 - Excerpts from “Exhibit 5” to Complaint from Public Index, 01/17/19

Figure 5 South Carolina Lawyer's Oath

Figure 6 - “Exhibit C” to Affidavit from Public Index, July 12. 2019

Figure 5 - No Response to Plaintiff was Given

Figure 6 - Counsel was Informed of Intent to Request a New Hearing

Motion and Order Information Form and Coversheet

**Plaintiff's Exhibits as attached to Motion to Compel ADR Mediation
and Requesting Imposition of Sanctions**

Exhibit 1 – Notice to Counsel of ADR Deadline for November 13, 2019

Exhibit 2 – Mediator L.K. Wood is Available in July

Exhibit 3 - ? Cogent Rationale Why Mediation Should Not Happen ?

Exhibit 4 – Immediate Mediation Would Be Helpful

Exhibit 5 – South Carolina Lawyer's Oath

Exhibit 6 – Lawyer's Oath, plus Other Duties

Exhibit 7 – Mediation as Early as 15 Aug

Exhibit 8 - ? Suggestion for an Alternate Date for Mediation

Exhibit 9 – Possible Mediator for September Mediation

Exhibit 10 – Possible Mediator for October Mediation

Exhibit 11 – Replies Related to ADR Mediation

Motion and Order Information Form and Coversheet

**Plaintiff's Addenda as attached to Motion to Reconsider Order Granting Summary Judgment
and extending ADR Deadline**

Addendum [Motion and Order Information Form and Coversheet dated 11/18/2019]

Addendum 2 Order [Court of Appeals denial of Respondents' Motion to Dismiss]

Motion and Order Information Form and Coversheet dated 12/26/2019

Plaintiff's Exhibits as attached to Affidavit of Plaintiff Raymond A. Wedlake

Citing Additional Information not Provided by Defendants

Exhibit A - Resignation of [... Board members ...]

Exhibit B – Request for “... list of voters ...”

Exhibit C – Request for an Updated Member List February 15, 2019

Exhibit D – Request for a Timed-Agenda

Exhibit E – Request for Results of Ballot of February 22, 2019

Exhibit F – Board Error: 2019 Woodington HOA Dues \$200
Exhibit G – Request that Defendants: “... show good faith
and comply with By-Laws requirements
Exhibit H – Two questions: “... elect to ignore ...” and “...what proper-governance basis...”
Exhibit I – Simple, Requested Information which was not Supplied
Exhibit J – Request for an Appointed Board Member's E-Mail Address, etc.
Exhibit 1-July – Ballot of February 22, 2019
Exhibit 2-July – By-Laws Rev 3 [Article 5, Section 3 and Article 8, Section 2f]
Exhibit 3-July – RE: Board Letter to Members 04/13
Exhibit 4-July – Proposed Board Resolutions
Exhibit 5-July – Judge Confirms Duty to Fill Vacancies
Exhibit K – Request for: “... your plan to fill 2 remaining Board vacancies ...”

Appellant's Exhibits as attached to Notice of Appeal

Exhibit 1 [Order Form 4 filed 02/20/2020]
Exhibit 2 Affidavit in Support of Notice of Appeal, filed 03/12/2020
Verification
Figure 1 Counsel's Letter to Judge
Figure 2 Apparent Error at Law + Lack of Consistent Judgment
Exhibit 1 All cases show similar captions
Exhibit 2 Transcript Excerpts [from Hearing] 01/03/2018
Exhibit 3 RE: Order from 10/28/19 ... Wedlake to Stilwell Law Clerk,
sent 11/[20 and 24]/2019
Exhibit 4 RE: Order from 10/28/19 ... Wedlake to Stilwell Law Clerk, sent 11/25/2019
- Motion for a New Hearing was ignored?
Exhibit 5 [Order filed 01/23/2018]
Exhibit 6 [Order filed 11/08/2019]
Exhibit 7 [Order filed 11/25/2019]

Appellant's Exhibits as attached to Initial Brief

Exhibit 2 - “**Board of Directors**” as a Legitimate Party to a Judicial Action is a Proven Fact

Other Documents

Affidavit of Plaintiff Raymond A. Wedlake in Support of Verified Complaint filed 01/17/2019

Affidavit in Support of Memorandum in Opposition to Defendants'

Motion for Summary Judgment and to Extend ADR Deadline filed 10/23/2019

Verification

Affidavit in Support of Motion to Compel ADR Mediation
and Requesting Imposition of Sanctions filed 11/18/2019

Verification

Affidavit of Plaintiff Raymond A. Wedlake Citing Additional Information not Provided
by Defendants filed 07/12/2019
Verification

IRS Publication 557 Tax-Exempt Status for Your Organization
[excerpted to pages 1, 68, and 69]

Notice of Appeal, filed 03/12/2020 as amended 03/25/2020

Initial Brief of Appellant

Certification of Appellant

Raymond A. Wedlake

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Appellant (*Pro Se*)

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CERTIFICATE OF SERVICE

It is hereby certified that a copy of "Designation of Matter - For Appellant's Initial Brief", was served upon the following:

Emily O'Brian (SC Bar #101824)

Campbell Teague LLC

16 W. North St.

Greenville, South Carolina 29601

Attorney for Defendants

via US Priority Mail, Tracking Number: 9505 5265 1566 0111 2708 43

on April 20, 2020.

Raymond A. Wedlake

Raymond A. Wedlake - Appellant *Pro Se*
703 Creekview Drive, Greenville, SC 29607
(864) 254-9262 wedlakera@mail.com

703 Creekview Drive
Greenville, SC 29607
April 20, 2020

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SC Court of Appeals

The Honorable V. Claire Allen, Chief Deputy Clerk
P.O. Box 11629
Columbia, SC 29211

RE: 2020-000438 (2019-CP-23-00269)

Dear Ms. Allen:

Thank you for your letter of April 16, 2020, which informed me that a prior submission of "Designation of Matter" that was wrongly titled, needed to be resubmitted as is done here. A copy was served to Emily O'Brian, Esq., as attested via an enclosed Certificate of Service.

Thank you.

Sincerely,



Raymond A. Wedlake, Appellant *Pro Se*

864-254-9262

wedlakera@mail.com

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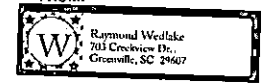


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SC Court of Appeals

TO:

The Hon. V. Claire Allen
Chief Deputy Clerk
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Columbia, SC 29211

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