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**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM HORRY COUNTY
COURT OF COMMON PLEAS
THE HONORABLE BENJAMIN H. CULBERTSON
CIRCUIT COURT JUDGE

RECEIVED
APR 27 2020
SC Court of Appeals

APPELLATE CASE NO. 2019-000964
CIVIL ACTION NO. 2016-CP-26-06495

Cornell Patton, Melissa Patton, Chad Webb and Amy Webb,

APPELLANTS,

versus

Prestwick Land Limited Partnership; Prestwick Homeowners Association, Inc.; Jackson Companies; City of Myrtle Beach; South Carolina Department of Transportation; Horry County; Myrtle Beach Air Force Base Redevelopment Authority; Nelson L. Hardwick & Associates, Inc.; Bermuda Gardens Homeowners' Association d/b/a Homeowners of Ocean Walk Property Owners Association; Campgrounds, Inc.; and Prestwick Property Owners Associations, Inc.,

DEFENDANTS,

Of which Prestwick Land Limited Partnership, Jackson Companies, and Campgrounds, Inc. are the

RESPONDENTS.

City of Myrtle Beach,

THIRD-PARTY PLAINTIFF,

versus

Phil Eaves and Elizabeth Eaves,

**THIRD-PARTY DEFENDANTS,
COUNTERCLAIMANTS/CROSS
CLAIMANTS, APPELLANTS.**

CONSENT MOTION TO FILE SUPPLEMENTAL RECORD ON APPEAL

Pursuant to Rule 212(b), SCACR, Respondents and Appellants in the above-captioned action hereby move to file a Supplemental Record on Appeal. These items were inadvertently either undesignated or omitted from the Record on Appeal:

1. Form 4 Order Denying Myrtle Beach Air Force Base Redevelopment Authority Motion for Summary Judgment, filed October 11, 2018;
2. The Respondents' Answer to the Eaves' Cross-claim, filed June 9, 2017;
3. October 1, 2018 Letter to Court from counsel for Myrtle Beach Air Force Base Redevelopment Authority submitting exhibits to Motion for Summary Judgment; and
4. A complete copy of the Settlement Agreement entered in Case Nos. 2000-CP-26-765 (*Patton*) and 2000-CP-26-780 (*Eaves*).

The proposed Supplemental Record on Appeal has been filed concurrently with this Consent Motion. Accordingly, the parties respectfully move for an Order² permitting the filing of the Supplemental Record on Appeal to include the above-referenced items.

Respectfully submitted,



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**ATTORNEYS FOR RESPONDENTS
PRESTWICK LAND LIMITED
PARTNERSHIP, JACKSON
COMPANIES, AND CAMPGROUNDS,
INC.**

(signature of Appellants' counsel on following page)

Gene Connell signed w/ express

Gene M. Connell
KELAHER, CONNELL & CONNOR, P.C.
The Courtyard, Suite 209
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*perman-3,
CV6*

April 23, 2020.

(Signature to Consent Motion to File Supplemental Record on Appeal)

EXHIBIT "A"

Carmen Ganjehsani

From: Gene Connell <gconnell@classactlaw.net>
Sent: Wednesday, April 22, 2020 10:37 AM
To: Carmen Ganjehsani
Cc: Shelia Mccumbee
Subject: RE: Patton, et al. v. Prestwick, et al. - Supplemental ROA

Yes of course

From: Carmen Ganjehsani <CGanjehsani@RichardsonPlowden.com>
Sent: Wednesday, April 22, 2020 10:35 AM
To: Gene Connell <gconnell@classactlaw.net>
Subject: RE: Patton, et al. v. Prestwick, et al. - Supplemental ROA

OK – I was on calls all morning and could not answer your call. I will be happy to include these. I will send you a revised Supp ROA as soon as I get it done.

Do I take it I can have your consent to sign the motion to supplement the record?

From: Gene Connell [<mailto:gconnell@classactlaw.net>]
Sent: Wednesday, April 22, 2020 10:04 AM
To: Carmen Ganjehsani
Subject: RE: Patton, et al. v. Prestwick, et al. - Supplemental ROA

I would like the attached documents also added to the Supplemental ROA:

1. Letter from Lisa Thomas to Court 10-1-18 adding Exhibit B to Defendant's Motion for SJ
2. Form 4 Order 10-11-18 Denying Defendant's Motion for SJ

From: Carmen Ganjehsani <CGanjehsani@RichardsonPlowden.com>
Sent: Tuesday, April 21, 2020 5:25 PM
To: Gene Connell <gconnell@classactlaw.net>
Subject: RE: Patton, et al. v. Prestwick, et al. - APPEAL

Gene,

I went ahead and attached a draft Consent Motion and Supplemental Record on Appeal that I plan to file on Thursday with my Final Brief.

Let me know if I can have your consent; otherwise, I will just file a motion on my behalf.

Thanks,
Carmen

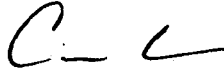
From: Carmen Ganjehsani
Sent: Tuesday, April 21, 2020 11:42 AM
To: Gene Connell
Subject: RE: Patton, et al. v. Prestwick, et al. - APPEAL

CERTIFICATE OF SERVICE

I, the undersigned, attorney Respondents, Prestwick Land Limited Partnership, Jackson Companies, and Campgrounds, Inc., do hereby certify that I have this date served the foregoing Consent Motion to File Supplemental Record on Appeal, dated April 23, 2020, by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, addressed to counsel of record as indicated below:

Gene M. Connell, Jr.
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PARTNERSHIP, JACKSON COMPANIES,
AND CAMPGROUNDS, INC.**

Dated: April 23, 2020.