

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

MIKELL R. SCARBOROUGH, Master in Equity

RECEIVED
May 12 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
BY RESPONDENT TO BE INCLUDED IN THE RECORD ON APPEAL

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

Respondent, 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 Katherine Kinlaw, filed March 16, 2017
9. Amended Complaint, including all exhibits, filed March 13, 2018
10. Answer of Katherine Kinlaw to Amended Complaint, filed March 30, 2018
11. Plaintiff's Motion for Summary Judgment, with exhibits, filed August 20, 2018
12. Exhibits 1-5, 10-12 submitted in support of Plaintiff's Motion for Summary Judgment, submitted at summary judgment hearing on August 28, 2018
13. Deed from RAC Enterprises to East Crossing-Crown Pointe Association (Deed Book C392, Page 756)
14. Deed from East Crossing-Crown Pointe Association to Crown Pointe Association (Deed Book H394, Page 181)
15. All deeds and plats discussed during the summary judgment hearing or the hearing on Raven's Run's motion for reconsideration
16. Transcript of summary judgment hearing on August 28, 2018

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

May 11, 2020

s/Kirsten E. Small

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 by Respondent to Be Included in the Record on Appeal**, was served on Respondents and Respondent/Appellant by depositing a copy in the United States Mail, postage prepaid, on addressed to their counsel of record as set forth below, and also by transmitting a copy to counsel's AIS email addresses, in accordance with Supreme Court Order 2020-03-20-1 § g(3).

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s/Kirsten E. Small

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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

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

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

Counsel of record for Respondent/Appellant
Katherine Kinlaw

May 11, 2020

VIA EMAIL

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

RECEIVED
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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:

Charleston
Charlotte
Columbia
Greensboro
Greenville
Hilton Head
Myrtle Beach
Raleigh

Regarding the above-referenced case, pursuant to Supreme Court Order 2020-03-20-1, I am transmitting to you via email the Initial Respondent's Brief of Appellant/Respondent, as well as Appellant/Respondent's Designation of Matter of Respondent to Be Included in the Record on Appeal. These documents will also be uploaded to OneDrive, pursuant to the Court's instructions for appellate filings.

By copy of this email, I am also serving counsel for Respondents and for Respondent/Appellant via their AIS email addresses.

Very truly yours,

s/Kirsten E. Small

cc: Counsel of Record