

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

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APPEAL FROM RICHLAND COUNTY  
COURT OF COMMON PLEAS  
THE HONORABLE JOCELYN NEWMAN  
CIRCUIT COURT JUDGE

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APPELLATE CASE NO. 2019-001438  
CIVIL ACTION NO. 2018-CP-40-06469

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Gary Washington, Michele Washington, Carolina Procurement Institute, Inc., Carolina Encouragement Center, Gervais Professional Suites, LLC, Wellsfargo Bank, FRU, Haynsworth Sinkler Boyd, P.A., Edgefield Holdings, LLC, (Assignee), Liberty Solutions, US Department of Treasury, Fannie MAE and Freddie MAC, First Palmetto Savings Bank, F.S.B., Branch Banking and Trust Company of South Carolina, Palmetto Health Alliance, State of South Carolina Department of Revenue, and Seturas Mortgage Company,

Of whom Gary Washington, Michele Washington, and Carolina Procurement Institute, Inc. are the,

South Carolina Community Bank a.k.a  
SC Community Bank a.k.a. SCCB,  
OPTUS Bank,

versus

**RECEIVED**  
**Jun 11 2020**  
**SC Court of Appeals**

**PLAINTIFFS,**

**APPELLANTS,**

**RESPONDENT.**

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**DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL**

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South Carolina Community Bank, Respondent in the above referenced matter, proposes the following be included in the Record on Appeal:

1. Complaint, filed December 11, 2018 with all exhibits including:

1. the Deed regarding title to the properties at issue;
2. the Affidavit of Steven N. Siegler, FRICS, ASA dated February 19, 2016 regarding valuation of the Properties;
3. a memorandum regarding the Financial Institutions Reform, Recovery, and Enforcement Act of 1989;
4. a portion of transcript testimony before the Bankruptcy Court in the Bankruptcy Proceeding;
5. Appraisals of the Properties including:
  - (a) The McKinney Appraisal dated April 2, 2014 with a valuation of \$450,000;
  - (b) an Appraisal prepared by Carter Commercial Appraisal Group, Inc. dated October 2, 2002 with a valuation of \$450,000.00; and
  - (c) the Crider Appraisal Report prepared for the Washingtons dated March 12, 2015 with a valuation of \$557,000;
6. Motions filed before the Bankruptcy Court in the Bankruptcy Proceeding including:
  - (a) Carolina Procurement's Motion for Reconsideration and Joinder in Debtors' Motion for Reconsideration filed on December 28, 2015; and
  - (b) The Washingtons' Motion for Reconsideration filed on December 14, 2015;
7. a letter dated February 24, 2015 from Appellants to United States Trustee Linda K. Barr regarding equity of the Properties in the Bankruptcy Proceeding; and
8. Correspondence from the Federal Deposit of Insurance Corporation ("FDIC") dated October 19, 2018 to Gary Washington and correspondence from SCCB to the FDIC dated October 2, 2018 with the following attachments:
  - a. Order Granting Relief From Stay filed February 26, 2015 by the Bankruptcy Court in the Bankruptcy Proceeding;

- b. Order Denying Motion to Alter or Amend filed April 8, 2015 by the Bankruptcy Court in the Bankruptcy Proceeding;
  - c. Order Denying Motion to Reconsider filed December 30, 2015 by the Bankruptcy Court in the Bankruptcy Proceeding; and
  - d. Third Supplemental Order to the Master-in-Equity's Order and Judgment of Foreclosure and Sale filed July 17, 2015 in the State Foreclosure Proceeding with the attached Master-In-Equity's Report and Judgment of Foreclosure filed October 8, 2009;
2. Amended Complaint, filed December 18, 2018;
3. Notice of Motion and Motion to Dismiss in Lieu of Answer, filed January 10, 2019;
4. Memorandum in Support of Motion to Dismiss in Lieu of Answer, filed April 11, 2019 and all attached exhibits **(1-24)**;
5. Transcript of Hearing held on April 12, 2019 before The Honorable Jocelyn Newman;
6. Form 4 Order, filed April 15, 2019;
7. Memorandum in Opposition to Defendant's Motion to Dismiss in Lieu of Answer, filed April 24, 2019;
8. Reply to Plaintiff's Memorandum in Opposition to Defendant's Motion to Dismiss in Lieu of Answer, filed April 29, 2019;
9. Order Granting Defendant's Motion to Dismiss in Lieu of Answer, filed August 1, 2019; and
10. Notice of Appeal, filed on August 27, 2019.

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

*[signature on following page]*

Respectfully submitted,

s/ Carmen V. Ganjehsani

Carmen V. Ganjehsani

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**ATTORNEYS FOR RESPONDENT  
SOUTH CAROLINA COMMUNITY  
BANK**

June 11, 2020.

**CERTIFICATE OF SERVICE**

I, Carmen V. Ganjehsani, an attorney practicing with Richardson Plowden & Robinson, P.A., certify that on this day, June 11, 2020, pursuant to Section (g)(3) of the Supreme Court’s Amended Order dated May 29, 2020, I served this *Designation of Matter to be Included in the Record on Appeal* on the following counsel of record using the primary email addresses listed in the Attorney Information System (if applicable):

David Melynk  
Melynk Law Firm, P.C.  
P.O. Box 687  
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**Attorneys for Appellants**



A copy of the sent email is enclosed with this Certificate of Service.

s/ Carmen V. Ganjehsani  
Carmen V. Ganjehsani  
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**ATTORNEYS FOR RESPONDENT  
SOUTH CAROLINA COMMUNITY  
BANK**

Dated: June 11, 2020.


## Carmen Ganjehsani

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**From:** Carmen Ganjehsani  
**Sent:** Thursday, June 11, 2020 10:13 AM  
**To:** 'david@melynklawfirm.com'; 'arobinson@arobinsonlawfirm.com'  
**Cc:** 'cwebb@webblawsc.com'  
**Subject:** Washington v. SC Community Bank Case No. 2019-001438  
**Attachments:** 2019-001438 Initial Respondent's Brief (Washington v. SCCB).pdf; 2019-001438 Designations (Washington v. SCCB).pdf

Attached please find the Initial Respondent's Brief and Designation of Matter to be Included in the Record on Appeal being served upon you today.

Thank you,  
Carmen Ganjehsani

<a href="#">HOME</a>	<a href="#">VCARD</a>	<a href="#">LOCATION</a>
	<b>Carmen V. Ganjehsani</b> Special Counsel <a href="mailto:Cganjehsani@RichardsonPlowden.com">Cganjehsani@RichardsonPlowden.com</a>	<b>Richardson Plowden &amp; Robinson, P.A.</b> 1900 Barnwell Street Columbia, SC 29201 Tel: 803.253.8692 Fax: 803.779.0016 <a href="http://www.RichardsonPlowden.com">www.RichardsonPlowden.com</a>

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**Jun 11 2020**  
**SC Court of Appeals**

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