

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No.: 2015-CP-10-00955
Appellate Case No: 2019-001520

RECEIVED
JUL 29 2020
SC Court of Appeals

Palmetto Pointe At Peas Island Condominium Property Owners Association, Inc. and
Jack Love, Trustee On Behalf Of The Love-Mckim Living Trust Plaintiff(s)

v.

Island Pointe, LLC; Complete Building Corporation; Tri-County Roofing, Inc.; Creekside, Inc.; American Residential Services, LLC d/b/a ARS/Rescue Rooter Charleston; Andersen Windows, Inc.; Atlantic Building Construction Services, Inc. a/k/a Atlantic Construction Services, Inc.; Tallent And Sons, Inc.; W C Services, Inc., Kelly Flooring Products, Inc., d/b/a Carpet Baggers; Miracle Siding, LLC and Wilson Lucas Sales d/b/a Miracle Siding, LLC; Mark Palpoint a/k/a Micah Palpoint; Elroy Alonzo Vasquez; Chris a/k/a John Doe 61 Stanley's Vinyl Fence Designs; Mosley Concrete; JMC Construction, Inc.; JMC Construction, LLC; Victor Hugo Hernandez; Hernandez Electric, LLC; Liliana Rojas Flores; Martin Barr d/b/a Port City Structured Wiring; Keller Electric, Llc; John Toolin D/B/A John F. Toolin Heat And Air; Russell "Rusty" Hill D/B/A Rusty's Heating & Air; Warren Anderson; And John Doe 10-15 Defendant(s)

-of whom-

Palmetto Pointe At Peas Island Condominium Property Owners Association, Inc. and
Jack Love, Trustee On Behalf Of The Love-Mckim Living Trust Appellants,

vs.

W C Services, Inc.

Respondent

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

In addition to the Appellants' June 25, 2020 Designation of Matter, Respondent proposes the following also be included in the Record on Appeal:

Pleadings

1. Respondent's Answer to Second Amended Complaint, filed November 9, 2017.

Transcripts

2. Trial Transcript (Week 1), pp.:
182 – 183, 188 [Portion Appellants' Opening],
413 – 415 [Re: Pfs' Ex. 1044],
453 – 454 [Portion R. Mease]
631 – 632 [Portion J. Handegan].
3. Trial transcript (Week 2), pp.:
73-74 [Portion A. Schweickhardt],
82-784 [Portion Appellants' Closing].

Trial Exhibits

4. Court's Exhibits:
3 [Pfs' Ex. 764]
10 [Pfs' Ex. 10]
5. Defendant's Exhibits:
4 [Christopher Constantine to Chad Christopher 6/20/2006 Memo]
5 [FSS Certificate of Compliance/Specification Sheet]

(signature on following page)

Respondent's counsel certifies that this Designation contains no matter that is irrelevant to this appeal.

CLAWSON and STAUBES, LLC

s/ James A. Atkins
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Charleston, South Carolina
July 27, 2020

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-of whom-

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Jack Love, Trustee On Behalf Of The Love-Mckim Living Trust Appellants,

vs.

W C Services, Inc.

Respondent

PROOF OF SERVICE

James A. Atkins (SC Bar No. 436)
CLAWSON AND STAUBES, LLC
126 Seven Farms Dr., Ste. 200
Charleston, SC 29492
Attorney for Respondent
WC Services, Inc.

I, James A. Atkins, counsel for Respondent, W C Services, Inc., certify that the **DESIGNATION OF MATTER** was served on all other parties to this appeal on July 27, 2020, via email and with a copy thereof deposited in the U.S. Mail properly posted for delivery to the following addressees:

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Joshua F. Evans, Esquire
Sohayla R. Townes, Esquire
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JMC Construction, Inc.,
and JMC Construction, LLC

(Signature on Following Page)

Respectfully Submitted,

s/ James A. Atkins

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Attorney for Respondent W.C. Services, Inc.

Dated: July 27, 2020
Charleston, South Carolina

CLAWSON AND STAUBES LLC

James A. Atkins
Licensed in SC and NC
jatkins@clawsonandstaubes.com

July 27, 2020

File No.: 20171071.000

Via Email and US Mail

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

Re: Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc.
et al vs Island Pointe, LLC et al
Case No.: 2015-CP-10-00955

Dear Ms. Kitchings:

Enclosed please find the originals and one (1) copy of the following documents:

- (1) Initial Brief of Respondent;
- (2) Proof of Service of the Initial Brief;
- (3) Designation of Matter of Respondent; and
- (4) Proof of Service of Designation of Matter.

Please file the originals and clock and return stamped copies in the envelope provided.

Thank you very much for your attention to the above.

Very truly yours,

CLAWSON and STAUBES, LLC


James A. Atkins

JAA/kch

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Page 2

Enclosure

cc: Justin O. Lucey, Esq.
Joshua F. Evans, Esq.
Sohayla R. Townes, Esq.
Edward D. Buckley, Esq.
Andrew N. Cole, Esq.

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