

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

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Clifton B. Newman, Circuit Court Judge

Case No. 2014-CP-08-02424
Appellate Case No. 2020-000415

RECEIVED

Sep 22 2020

SC Court of Appeals

Builders FirstSource-
Southeast Group, LLC,

Appellant,

v.

MI Windows and Doors, Inc.;
ECC Contracting, LLC;
Hurley Services, LLC; and
Charleston Exteriors, LLC,

Respondents.

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

Appellant proposes the following be included in the Record on Appeal:

1. *Patricia D'amico v. Lennar Carolinas, LLC et al.* Plaintiff's Complaint filed October 30, 2014 (Exhibit A to Charleston Exteriors, LLC Memorandum
2. *Patricia D'amico v. Lennar Carolinas, LLC et al.* Plaintiff's Amended Complaint filed November 23, 2015
3. *Patricia D'amico v. Lennar Carolinas, LLC et al.* Lennar Carolinas LLC Answer and Third-Party Complaint filed November 25, 2015.
4. *Patricia D'amico v. Lennar Carolinas, LLC et al.* Affidavit of Service on Builders First-Source Southeast Group dated December 3, 2015
5. Builders FirstSource-Southeast Group, LLC's Summons and Complaint filed December 21, 2018.

6. Charleston Exteriors, LLC's Motion for Summary Judgment filed August 20, 2019.
7. Transcript of October 18, 2019 Hearing on Motion for Summary Judgment before Judge Newman.
8. Charleston Exteriors, LLC's Letter to the Court with Motion for Summary Judgment Exhibits A-C, dated October 14, 2019.
9. Charleston Exteriors, LLC's Letter to the Court with Motion for Summary Judgment Exhibit D, dated October 25, 2019.
10. Order Granting Charleston Exteriors, LLC's and ECC Contracting, LLC Motion for Summary Judgment filed December 6, 2019.
11. Builders FirstSource-Southeast Group, LLC's Motion for Reconsideration filed December 16, 2019.
12. ECC's Memorandum in Opposition of Builders FirstSource-Southeast Group, LLC's Motion for Reconsideration.
13. Transcript of January 16, 2020 Hearing on Motion for Reconsideration before Judge Newman.
14. Builders FirstSource-Southeast Group, LLC's Letter to the Court in regard to its Motion for Reconsideration dated January 17, 2020.
15. Builders FirstSource-Southeast Group, LLC's Memorandum in Opposition to the Proposed Amended Order Granting Defendants' Motion for Summary Judgment filed January 29, 2020.
16. Amended Order Granting Charleston Exteriors, LLC's and ECC Contracting, LLC's Motion for Summary Judgment dated February 3, 2020.
17. Builders FirstSource-Southeast Group, LLC's Motion to Reconsider Amended Order dated February 3, 2020, filed February 13, 2020.
18. Order Denying Reconsideration filed March 5, 2020

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

September 21, 2020

/s/ C. Clay Olson
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PROOF OF SERVICE

I, C. Clay Olson, on behalf of Respondent, Charleston, Exteriors, LLC, hereby certify that a copy of *Respondent's Initial Brief and Designation Of Matters To Be Included In The Record On Appeal*, was sent to all counsel of record on September 21, 2020, via each counsel's designated AIS E-Mail address.

/s C. Clay Olson

C. Clay Olson, SC Bar No. 17007

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Charleston, South Carolina
September 21, 2020