

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Roger M. Young Sr., Circuit Court Judge

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Case No. 2014-CP-08-02757

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**RECEIVED**  
**Sep 28 2020**  
**SC Court of Appeals**

Portrait Homes - South Carolina, LLC and  
Portrait Homes - Persimmon Hill, LLC, .....Plaintiffs,

v.

Pennsylvania National Mutual Casualty Insurance Company  
and The Persimmon Hill Homeowners Association, Inc., ..... Defendants,

AND

The Persimmon Hill Homeowners Association, Inc., .....Third-Party Plaintiff,

v.

Jose Castillo d/b/a JJA Framing and  
JJA Construction, Inc. d/b/a/ JJA Framing, .....Third-Party Defendants,

Of which Pennsylvania National Mutual Casualty Insurance Company is the Appellant,

And

Portrait Homes - South Carolina, LLC, Portrait Homes - Persimmon Hill, LLC,  
and The Persimmon Hill Homeowners Association, Inc. are the Respondents.

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RESPONDENTS PORTRAIT HOMES - SOUTH CAROLINA, LLC  
AND PORTRAIT HOMES - PERSIMMON HILL, LLC'S  
DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

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Respondents Portrait Homes - South Carolina, LLC and Portrait Homes - Persimmon Hill, LLC propose the following be included in the Record on Appeal:

A. Trial Transcript I

1-12  
73-74  
76  
85-87  
106-110  
113-120  
139-142  
183-184  
189  
206-208  
298-299  
301-303  
434  
445-446  
448-456  
458-460  
462-463  
471-477  
482  
511  
513-514

B. Trial Transcript II

1-6  
99-101  
118  
172-173  
352  
357-358  
366  
370  
379-380  
520

C. Plaintiff's Exhibits

Exhibit 1  
Exhibit 2  
Exhibit 3

Exhibit 4  
Exhibit 5  
Exhibit 6  
Exhibit 7  
Exhibit 8  
Exhibit 9  
Exhibit 12  
Exhibit 13  
Exhibit 13A  
Exhibit 14  
Exhibit 15  
Exhibit 16  
Exhibit 17  
Exhibit 18  
Exhibit 19  
Exhibit 21  
Exhibit 24  
Exhibit 25  
Exhibit 26  
Exhibit 27  
Exhibit 28  
Exhibit 29  
Exhibit 30  
Exhibit 33  
Exhibit 34  
Exhibit 37  
Exhibit 38  
Exhibit 41  
Exhibit 42  
Exhibit 43  
Exhibit 44  
Exhibit 45  
Exhibit 54  
Exhibit 64

D. Defendant's Exhibits

Exhibit 40  
Exhibit 41  
Exhibit 62  
Exhibit 78

E. HOA's Exhibit 4

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

s/Stanley C. Rodgers  
Stanley C. Rodgers, Esquire  
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Attorney for Respondents  
Portrait Homes - South Carolina, LLC and  
Portrait Homes - Persimmon Hill, LLC

September 28, 2020

Charleston, SC

THE STATE OF SOUTH CAROLINA  
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v.

Pennsylvania National Mutual Casualty Insurance Company  
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AND

The Persimmon Hill Homeowners Association, Inc., .....Third-Party Plaintiff,

v.

Jose Castillo d/b/a JJA Framing and  
JJA Construction, Inc. d/b/a/ JJA Framing, .....Third-Party Defendants,

Of which Pennsylvania National Mutual Casualty Insurance Company is the Appellant,

And

Portrait Homes - South Carolina, LLC, Portrait Homes - Persimmon Hill, LLC,  
and The Persimmon Hill Homeowners Association, Inc. are the Respondents.

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PROOF OF SERVICE

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I certify that I have served the Respondents Portrait Homes - South Carolina, LLC and Portrait Homes - Persimmon Hill, LLC's Designation of Matter to be Included in the Record on Appeal on Appellant Pennsylvania National Mutual Casualty Insurance Company via email and by depositing a copy of the same in the United States Mail, postage prepaid, on September 28, 2020,

addressed to its counsel of record as follows:

John I. Malone, Esquire  
David L. Brown, Esquire  
Goldberg Segalla LLP  
800 Green Valley Road, Suite 302  
Greensboro, NC 27408

And to Respondent Persimmon Hill Homeowners Association, Inc. via email and by depositing a copy of the same in the United States Mail, postage prepaid, on September 28, 2020, addressed to its counsel of record as follows:

John T. Chakeris, Esquire  
Alicia D. Petit, Esquire  
Chakeris Law Firm  
231 Calhoun Street  
Charleston, SC 29401

Phillip W. Segui, Esquire  
Segui Law Firm  
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s/Stanley C. Rodgers  
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Attorney for Respondents  
Portrait Homes - South Carolina, LLC and  
Portrait Homes - Persimmon Hill, LLC

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**SC Court of Appeals**

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September 28, 2020

VIA EMAIL ONLY

ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: Portrait Homes - South Carolina, LLC and Portrait Homes - Persimmon Hill, LLC v. Pennsylvania National Mutual Casualty Insurance Co. and The Persimmon Hill HOA  
Appellate Case No. 2020-000735

Dear Ms. Kitchings:

Pursuant to Rule 208, SCACR, I am enclosing the Initial Brief of Respondents Portrait Homes - South Carolina, LLC and Portrait Homes - Persimmon Hill, LLC. Pursuant to Rule 209, SCACR, I am enclosing Respondents Portrait Homes - South Carolina, LLC and Portrait Homes - Persimmon Hill, LLC's Designation of Matter to be Included in the Record on Appeal. I am also enclosing the Proof of Service relating to each document.

With best regards, I remain

Very truly yours,

LAW OFFICE OF STANLEY C. RODGERS, LLC

s/Stanley C. Rodgers  
Stanley C. Rodgers

SCR/hht

cc: John I. Malone, Esquire (via email and US Mail)  
David L. Brown, Esquire (via email and US Mail)  
John T. Chakeris, Esquire (via email and US Mail)  
Alicia D. Petit, Esquire (via email and US Mail)  
Phillip W. Segui, Esquire (via email and US Mail)