

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Roger M. Young, Sr., Circuit Court Judge

Case No.: 2014-CP-08-02757

RECEIVED

Sep 28 2020

SC Court of Appeals

Portrait Homes – South Carolina,
LLC; Portrait Homes – Persimmon
Hill, LLC; and The Persimmon Hill
Homeowners Association, Inc.,

Respondents,

v.

Pennsylvania National Mutual
Casualty Insurance Company

Appellant.

Appellate Case No. 2020-000735

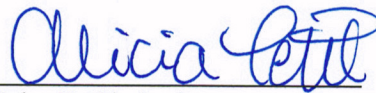
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent, The Persimmon Hill Homeowners Association, Inc., proposes the following
to be including in the Record on Appeal.

1. Trial Transcript, Volume 1 (February 4, 2019-February 7, 2019)
2. Trial Transcript, Volume 2 (May 7, 2019-May 9, 2019)
3. Portrait Homes Complaint
4. Portrait Homes Amended Complaint
5. HOA Answer to Complaint and Crossclaims
6. HOA Answer to Amended Complaint, Crossclaims, and Third-Party Complaint
7. Penn National's Answer to Portrait Homes' Amended Complaint
8. Penn National's Answer to Crossclaims and Third-Party Complaint

9. Order as to Persimmon Hill Homeowners Association, Inc.'s Claims of Bad Faith, Breach of Contract and Declaratory Judgment Against Pennsylvania National Mutual Casualty Insurance Company
10. Order Regarding Additional Insured Coverage
11. HOA's Punitive Damages PowerPoint filed on January 15, 2020
12. Post-Trial Motions and Punitive Damages Order
13. Notice of Appeal
14. Plaintiffs' Trial Exhibits
 - a. 1 (Underlying HOA Complaint)
 - b. 3 (Underlying HOA Amended Complaint)
 - c. 6 (June 5, 2013 Tender Letter)
 - d. 8 (May 23, 2014 Tender Letter)
 - e. 9 (September 30, 2014 Denial Letter)
 - f. 13A (2002-03 Penn National Policy)
 - g. 14 (2003-04 Penn National Policy)
 - h. 17 (2004-05 Penn National Policy)
 - i. 21 (2005-06 Penn National Policy)
 - j. 27 (2006-07 Penn National Policy)
 - k. 29 (2007-08 Penn National Policy)
 - l. 31 (Notice of Cancellation)
 - m. 33 (2008-09 Penn National Policy)
 - n. 34 (2009-10 Penn National Policy)
 - o. 35 (October 2, 2014 Letter)
 - p. 36 (October 2, 2014 Letter)
 - q. 58 (Unredacted Claims Log)
15. HOA's Exhibits
 - a. 4 (Redacted Claims Log)
 - b. 7 (April 11, 2014 Capstone ISG Report)
 - c. 8 (April 24, 2014 Letter to Penn National)
 - d. 9 (May 9, 2014 E-Mail from Greg Gross)
 - e. 10 (May 15, 2014 Capstone ISG Report)
 - f. 12 (July 1, 2015 Letter to Penn National with Default Order)
 - g. 13 (Damages Award entered on July 14, 2016)
 - h. 14 (September 21, 2013 ROR)
 - i. 15 (August 11, 2014 ROR)
 - j. 16 (July 23, 2013 E-Mail re Capstone Assignment)
16. Defendant's Exhibits
 - a. 16 (Certificates of Occupancy for Persimmon Hill Project)

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



John T. Chakeris
S.C. Bar No.: 7060
Alicia D. Petit
S.C. Bar No.: 102801
The Chakeris Law Firm
231 Calhoun Street
Charleston, SC 29401
(843) 853-5678

Phillip W. Segui, Jr.
S.C. Bar No.: 7029
Segui Law Firm, PC
720 S. Shelmore Blvd., Suite 100
Mt. Pleasant, SC 29464
(843) 884-1865

*Attorneys for Respondent The Persimmon Hill
Homeowners Association, Inc.*

September 28, 2020
Charleston, SC

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CERTIFICATE OF SERVICE

I, Christine M. M. Daniels, an employee of the Chakeris Law Firm, certify that I have served *Respondent The Persimmon Hill Homeowners Association, Inc. 's Designation of Matter to be Included in the Record on Appeal*, by electronic mail, on September 28, 2020, addressed to all attorneys of record, as follows:

Stanley C. Rodgers
LAW OFFICE OF STANLEY C. RODGERS, LLC
55 Broad Street, Suite 200
Charleston, SC 29401
scr@stanleyrodgers.com

John I. Malone, Jr.
David L. Brown, *pro hac vice*
GOLDBERG SEGALLA
701 Green Valley Road, Suite 310
Greensboro, NC 27408
jmalone@goldbergsegalla.com
dbrown@goldbergsegalla.com



Christine M. M. Daniels

CHAKERIS LAW FIRM

John T. Chakeris
Taso H. Chakeris
Alicia D. Petit

alicia@chakerislawfirm.com
Telephone: 843-853-5678
Facsimile: 843-853-5677

September 28, 2020

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SC Court of Appeals

Via E-Mail Only

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

RE: *Portrait Homes – South Carolina, LLC, et al. v. Pennsylvania National Mutual Casualty Insurance Company*
Appellate Case No.: 2020-000735

Dear Ms. Kitchings:

Attached please find Respondent Persimmon Hill Homeowners Association, Inc.'s Initial Brief, Designation of Matter to be Included in the Record on Appeal, and Certificates of Service for filing in the above-referenced matter.

With kind regards, I am

Sincerely,



Alicia D. Petit

ADP/cmmd

cc: John I. Malone, Jr. (*Via E-Mail Only*)
David L. Brown (*Via E-Mail Only*)
Stanley C. Rodgers (*Via E-Mail Only*)
Phillip W. Segui, Jr. (*Via E-Mail Only*)