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**Jan 22 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

James E. Chellis, Master in Equity

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Case No. 2020-001168

NCP PILGRIM, LLC

Respondent,

v.

MARY LOU CERCOPELY, DAVID S. CLANCY, SOUTH CAROLINA FEDERAL  
CREDIT UNION, SOUTHCOAST COMMUNITY BANK, JOAN GEANURACOS and  
DAVID SEAN CLANCY,

Of whom MARY LOU CERCOPELY, DAVID S. CLANCY,  
And DAVID SEAN CLANCY are the

Appellants.

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RESPONDENT NCP PILGRIM, LLC'S DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL

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Respondent, NCP Pilgrim, LLC ("NCP"), proposes the following to be included in the Record on Appeal:

1. NCP's Lis Pendens, Summons, and Complaint, dated November 15, 2018;
2. Order of Reference, dated January 4, 2019;
3. Answer and Counterclaims of Appellants, dated January 23, 2019;
4. Order of the Honorable James E. Chellis Denying Appellants' Demand for a Jury Trial, Granting NCP's Motion to Amend, and Denying NCP's Motion to Appoint a Receiver, dated April 4, 2019;
5. NCP's Amended Summons and Complaint, dated April 5, 2019;
6. Answer to Amended Complaint and Counterclaims of Appellants, dated April 22, 2019;

7. NCP's Post-Trial Memorandum of Law, dated February 11, 2020;
8. Appellants' Post-Trial Memorandum, dated February 26, 2020;
9. NCP's Response to Defendants' Post-Trial Memorandum, dated March 25, 2020;
10. The Honorable James E. Chellis' Decree of Sale and Foreclosure, dated July 13, 2020;
11. Notice of Motion and Appellants' Motion to Reconsider, dated July 23, 2020;
12. Appellants' Notice of Motion and Emergency Motion for Stay of Proceedings to Enforce Judgment or for Supersedeas Bond and to Impose Bond on Plaintiff, dated July 14, 2020;
13. Order of the Honorable James E. Chellis Denying Appellants' Motion to Reconsider, dated August 5, 2020;
14. The Honorable James E. Chellis' Supplemental Decree of Sale and Foreclosure, dated August 5, 2020;
15. Order of the Honorable James E. Chellis Denying Appellants' Motion to Stay, dated August 5, 2020;
16. Appellants' Notice of Appeal, dated August 18, 2020;
17. Appellants' Second Notice of Motion and Emergency Motion for Stay of Proceedings to Enforce Judgment or for Supersedeas Bond and to Impose Bond on Plaintiff, dated August 25, 2020;
18. Amended Order of the Honorable James E. Chellis Imposing Supersedeas Bond, dated October 15, 2020; and
19. Transcript from January 28, 2020 Trial and Plaintiffs Exhibits 1-8 and 17-19.

Additionally, NCP objects to Appellants' designation of the following documents listed in their Designation of Matter because they were not entered into evidence at Trial as required by Rules 209(c) and 210(c), SCACR: (1) Assignment, Agreement; (2) Promissory Note; and (3) POA Agreement.

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

RUSSELL P. PATTERSON, P.A.

By: /s/ Lauren P. Williams

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Hilton Head Island, South Carolina  
January 22, 2021

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

**SC Court of Appeals**

James E. Chellis, Master in Equity

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Case No. 2020-001567

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NCP Pilgrim, LLC,

Respondent,

v.

Mary Lou Cercopely; David S. Clancy; South Carolina  
Federal Credit Union; Southcoast Community Bank;  
Joan Geanuracos; David Sean Clancy, Defendants

Of whom Mary Lou Cercopely, David Clancy, and David  
Sean Clancy are

Petitioners

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CERTIFICATE OF SERVICE

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The undersigned hereby certifies that on the date indicated below counsel for Appellants was served with a copy of Respondent NCP Pilgrim, LLC's Initial Brief and its Designation of the Matter to be Included in the Record on Appeal by mailing a copy of the same via E-Mail and First Class, U.S. Mail, postage-paid on the date set forth below.

Robert Bratton Varnado, Esquire  
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P.O. Box 1127  
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*Attorney for Appellants,  
Mary Lou Cercopely, David Clancy,  
and David Sean Clancy*

Respectfully submitted,

By: /s/ Lauren P. Williams  
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