

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

MAR 26 2021

APPEAL FROM THE BEAUFORT COUNTY  
COURT OF COMMON PLEAS

**SC Court of Appeals**

HONORABLE BROOKS P. GOLDSMITH

CASE NO.: 2018-CP-07-00409

Gary-Victory,	Appellant,
vs.	
Wells Fargo Bank, NA and Mortgage Contracting Services, LLC,	Defendants.
Of Whom Mortgage Contracting Services, LLC is	Respondent.
and	
Mortgage Contracting Services, LLC,	Respondent,
v.	
Ryan Davis d/b/a Davis Home Preservation	Defendant.

DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

The Appellant hereby designate the following documents to be included in the Record on Appeal.

1. Summons and Complaint filed February 26, 2018.
2. Answer of Mortgage Contracting filed March 30, 2018.
3. Answer of Wells Fargo March 30, 2018.
4. Third Party Complaint of Mortgage Contracting filed November 1, 2018.
5. Third Party Complaint of Wells Fargo filed November 2, 2018.
6. Answer of Third-Party Defendant Davis filed December 27, 2018.
7. Motion for Summary Judgment by Wells Fargo filed on May 6, 2019.
8. Motion for Summary Judgement by Mortgage Contracting filed on June 21, 2019.

9. Motion to Amend Complaint by Appellant filed on July 23, 2019.
10. Return in Opposition of Wells Fargo' Motion for Summary Judgment filed by Appellant on July 23, 2019.
11. Memorandum in Support of Motion for Summary Judgment filed by Mortgage Contracting on July 24, 2019.
12. Return to Wells Fargo's Motion for Summary Judgment (Motion to Dismiss) filed by Appellant on July 29, 2019.
13. Supplement to Motion for Summary Judgment filed by Mortgage Contracting on July 29, 2019.
14. Motion for Summary Judgment by Third Party Defendant Davis filed on August 7, 2019.
15. Second Motion for Summary Judgment filed by Wells Fargo on October 12, 2019.
16. Memorandum in Support of Wells Fargo Motion for Summary Judgment filed by Davis on October 14, 2019.
17. Memorandum in Opposition to Wells Fargo's Motion for Summary Judgment filed by Mortgage Contractors on October 15, 2019.
18. Order granting the Respondents Motion for Summary Judgment dated October 29, 2019.
19. Motion for Reconsideration filed by Appellant on November 7, 2018.
20. Response to Motion for Reconsideration filed by Wells Fargo on November 22, 2019.
21. Response to Motion for Reconsideration filed by Mortgage Contracting on November 27, 2019.
22. Order denying Motion for Reconsideration dated January 10, 2020.
23. Transcript of Hearing held on October 16, 2019.

I certify that this designation of matter contains o matters which are irrelevant to this appeal.

MOSS, KUHN & FLEMING, P.A.



JAMES H. MOSS

SC Bar #4220

Attorney for the Plaintiff

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Beaufort, South Carolina

March 19, 2021

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM THE BEAUFORT COUNTY **SC Court of Appeals**  
COURT OF COMMON PLEAS

HONORABLE BROOKS P. GOLDSMITH

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CASE NO.: 2018-CP-07-00409

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Gary Victory,

Appellant,

vs.

Wells Fargo Bank, NA and  
Mortgage Contracting Services, LLC,

Defendants.

Of Whom Mortgage Contracting Services, LLC is

Respondent.

and

Mortgage Contracting Services, LLC,

Respondent,

v.

Ryan Davis d/b/a Davis Home Preservation

Defendant.

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CERTIFICATE OF SERVICE


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Undersigned certifies that the **Designation of Matter** to which this certificate is affixed, was served upon the party (s) to this action by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

Kristen B. Fehsenfeld, Esquire  
Amanda K. Dudgeon, Esquire  
Chandler & Dudgeon, LLC  
Post Office Box 547  
Charleston, South Carolina 29402

John P. Seibels, Jr., Esquire  
Seibels Law Firm, P.A.  
38 Broad Street, Suite 200  
Charleston, South Carolina 29401

in a post office or official depository under the exclusive care and custody of the United States  
Postal Service, on March 23, 2021.

By:   
Karen M. Cummins, MPS, SCCP, PP

LAW OFFICES  
MOSS, KUHN & FLEMING P.A.

JAMES H. MOSS  
H. FRED KUHN, JR.  
CORY H. FLEMING\*

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\*ALSO MEMBER OF GA BAR

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**SC Court of Appeals**

March 23, 2021

Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Gary Victory v. Mortgage Contracting Services, LLC  
Appellate Case No.: 2020-000128

Dear Mrs. Kitchings:

Unfortunately, the Designation of Matter was inadvertently left out of the envelope when we filed our Initial Brief on March 19, 2021.

Enclosed for filing is the original and one copy Appellant's Designation of Matter to be included in the Record on Appeal. Please file the enclosures and return a clocked copy of each to me in the enclosed self-addressed stamped envelope.

By copy of this letter, and the enclosures, I am serving a copy of the same on John P. Seibels, Jr., Esquire, Kristen B. Fehsenfeld, Esquire, and Amanda K. Dudgeon, Esquire.

With kindest regards, I am

Very truly yours,

MOSS, KUHN & FLEMING, P.A.

James H. Moss

JHM:kmc  
Enclosures

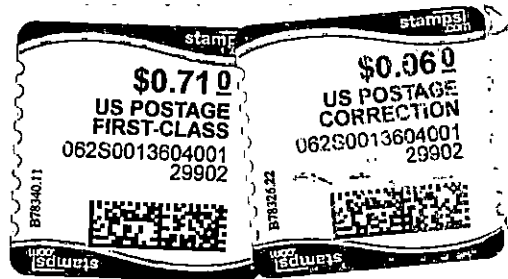
C: John P. Seibels, Jr., Esquire (w/enclosures)  
Kristen B. Fehsenfeld, Esquire (w/enclosures)  
Amanda K. Dudgeon, Esquire (w/enclosures)

MOSS, KUHN & FLEMING, P.A.

1501 North Street

P.O. Drawer 507

Beaufort, SC 29901-0507



Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
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