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**May 03 2021**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LAURENS COUNTY  
EUGENE C. GRIFFITH, JR., CIRCUIT COURT JUDGE

Case No. 2019-CP-30-00140  
Appellate Case No. 2020-001472

Vidhyaben R. Patel, Individually and as Co-Personal  
Representative Of the Estate of Rameschandra Prabhudas  
Patel, and Darshak Kumar Patel, Individually and as  
Co-Personal Representative Of the Estate of  
Rameschandra Prabhudas Patel, .....Appellants/Respondents,

v.

Hardik R. Patel, Anal H. Patel and AAHARVID, LLC, .....Respondents/Appellants.

**RESPONDENT/APPELLANTS DESIGNATION OF MATTER**

Pursuant to Rule 209, SCACR, Respondent/Appellant proposes the following be included in the Record on Appeal for this consolidated appeal. Unless otherwise stated, all items designated include exhibits and exclude proof of service, cover sheets, motion forms, and notices. Respondent Appellant reserves the right to include additional designations in connection with its initial reply brief or otherwise.

In addition, Respondent/Appellant has made designations on the assumption that Appellant/Respondents Vidhya and Darshak Patel do not delete or amend any of the designations previously made by them in Designations filed on January 4, 2021.

## **ORDERS**

1. Order on Entry of Default on Counterclaims filed on May 28, 2019
2. Emergency Order to Escrow Funds dated November 25, 2019
3. Order Granting Motion to Compel filed January 31, 2020
4. Order filed August 28, 2020
5. Order Denying Motion for Attorney's Fees filed January 19, 2021
6. Order Denying Motion for Reconsideration filed January 22, 2021

## **PLEADINGS**

1. Complaint filed February 20, 2019
2. First Amended Answer, Affirmative Defenses, and Counterclaims filed April 22, 2019
3. Motion for Attorney Fees filed September 08, 2020
4. Reply Memorandum Defendants' Motion for Attorneys Fees filed January 07, 2021
5. Motion to Reconsider filed January 22, 2021

## **TRANSCRIPTS**

1. February 6 and 7, 2020 Trial Transcript
2. June 16 and 17, 2020 Trial Transcript

## **TRIAL EXHIBITS**

The following are all Defendant's Exhibits from the hearings held on February 6<sup>th</sup> and 7<sup>th</sup>, 2020 and again on June 16<sup>th</sup> and 17<sup>th</sup>, 2020<sup>1</sup>.

1. Ex 1 - Vidhya W-2s
2. Ex 2 - Contract between Sponsor and Household Member dated February 27, 2016

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<sup>1</sup> Hearing was initially scheduled for two (2) days in February, however, more time was required to hear matter to completion, so another two (2) day of hearings were scheduled in June.

3. Ex 3 - Mortgage of Real Estate Filed May 24, 2012
4. Ex 4 - Vidhya Photo
5. Ex 6 – October 12, 2018 Email from Prakash to Wells Fargo
6. Ex 7 – Patel Check to Up State Realty
7. Ex 8 – 207 K-1 for Anal Patel
8. Ex 10 - Articles of Organization filed June 08, 2007
9. Ex 11 – Check for gas station dated July 18, 2007
10. Ex 12 – Lease for Store dated August 2, 2008
11. Ex 13 – 2007 Promissory Note
12. Ex 14 - Contract to buy house dated March 12, 2009
13. Ex 15 – BBT Home Loan Closing documents
14. Ex 16 – Special Warranty Deed dated April 01, 2009
15. Ex 17 – Draft HUD for residence dated April 22, 2009
16. Ex 18 – Retail Note and Security Agreement dated April 23, 2009
17. Ex 19 – Pictures of Lottery Tickets
18. Ex 23 – Guaranty Agreement (Anal Patel) dated May 22, 2012
19. Ex 24 – Guaranty Agreement (Hardik Patel) dated May 22, 2012
20. Ex 26 – Settlement Statement dated May 24, 2012
21. Ex 32 – Shree Shree Hari Memo of Understanding dated July 10, 2013
22. Ex 35 – Lottery Retailer Contract dated July 03, 2018
23. Ex 36 – BB&T Cashier’s Check dated October 18, 2018
24. Ex 39 – 2019 Property Taxes for Clinton House
25. Ex 40 – 2018-2019 Utilities paid by Hardik Patel
26. Ex 41 – Confirmation of Employment dated January 01, 2019

27. Ex 42 – BB&T Loan Statement for store dated January 13, 2019
28. Ex 44 – SCDEW Subpoena Response dated June 26, 2019
29. Ex 45 – Email from Moore regarding Clinton House dated November 25, 2019
30. Ex 48 – 2020 Property Taxes for Clinton House
31. Ex 49 – Picture of Money

### **CORRESPONDENCE AND OTHER**

1. September 24, 2020 Email from Beth Cogan in response to Law Clerk for Judge Griffith
2. October 19, 2020 Email from Desa Ballard to Judge Griffith regarding Motion for Attorney Fees
3. November 6, 2020 Email from Judge Griffith Law Clerk to Desa Ballard requesting Ms. Ballard prepare proposed order.
4. December 9, 2020 Email from Jake Moore regarding Motion
5. December 16, 2020 Email from Desa Ballard to Judge Griffith with portion of latest Supreme Court Order regarding (4) Minimizing hearings on Motions.
6. December 22, 2020 Email from Judge Griffith requesting Brief or Memorandum from Moore and Price
7. November 9, 2020 Email from Beth Cogan with Proposed Order for Attorney Fees
8. December 18, 2020 Letter from Jake Moore requesting an extension and a hearing on Motion for Attorney Fees
9. January 6, 2021 Email from Lynn Ivey Emailing Memorandum in Opposition to Costs and Fees to Judge Griffith and his law clerk

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

Respectfully submitted,

/s/ Desa Ballard

Desa Ballard

Harvey M. Watson III

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