

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Jun 18 2021

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas Thomas A. Russo, Circuit Judge

Appellate Case No. 2020-000056

Sterling Hills Homeowners Association, Inc. ----- Respondent,

v.

Elliot Hayes, -----Appellant.

**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Respondent proposes the following be included in the Record on Appeal:

1. Order denying Motion to Reconsider, December 19, 2019;
2. Order dismissing Defendant's Motion for Summary Judgment, granting Plaintiff's Motion to Dismiss and Motion for Summary Judgment, and Order of Reference to Master-in-Equity, November 22, 2019;
3. Order granting Motion to Amend and Compelling Discovery, June 27, 2019;
4. Summons and Complaint;
5. Defendant's Answer and Counterclaim;
6. Plaintiff's Reply to Defendant's Answer and Counterclaims;
7. Amended complaint;
8. Defendant's Answer and Counterclaim to Amended Complaint;
9. Defendant's Motion for Summary Judgment as to Plaintiff's Claims (with exhibits (declaration of covenants and by-laws));
10. Reply to Defendant's answer and counterclaims to amended complaint;

11. Defendant's Demand for jury trial;
12. Plaintiff's Motion to Dismiss Defendant's Counterclaims and for Order of Reference to the Master-in-Equity;
13. Plaintiff's Motion for Summary Judgment as to Counterclaims;
14. Motion to Reconsider;
15. Plaintiff's Memo in opposition to Motion to Reconsider
16. Transcript of Oct. 14, 2019, hearing;
17. Defendant's responses to plaintiff's discovery requests (filed with motion to compel on Sept. 16, 2019);
18. Affidavit of Ella Calvert;
19. Affidavit of Kayla Stokes (with exhibit (13 pages of photographs));
20. Affidavit of Elliot Hayes (with exhibits (five photographs));
21. Affidavit of Andrew Radeker (with exhibit (recorded by-laws));
22. Filing of chart submitted at hearing (with exhibit (chart)).
23. Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Sterling Hills (hereinafter the "Declaration") made by The Mungo Company, Inc. and recorded May 31, 2000 in Deed Book R413 at Page 92;
24. Letter to Elliot Hayes re: Notice of Violation of Sterling Hills Declarations, dated February 13, 2018;
25. Letter to Elliot Hayes re: Notice of Violation of Sterling Hills Declarations, dated March 12, 2018;
26. Letter to Elliot Hayes re: possible rules violations, dated May 18, 2009
27. Letter to Elliot Hayes re: Letter to Elliot Hayes re: Fine Notice, dated July 24, 2012, dated June 4, 2009
28. Letters to Elliot Hayes re: rules violations from 2009 through 2016 (bate numbered PLT_000294 through PLT_000340)
29. Sterling Hills Homeowner Association Board Meeting minutes, November 11, 2013;
30. Richland County Sheriff's Incident Report, dated September 7, 2017.

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

Respectfully submitted,

MCCABE, TROTTER & BEVERLY, PC

/s/ Christian Saville

Christian Saville (Bar no. 103272)

4500 Fort Jackson Blvd., Suite 250 (29209)

P.O. Box 212069, Columbia, SC 29221

Phone: (803) 724-5000 Fax: (803) 724-5001

Email: Christian.Saville@mccabetrotter.com

ATTORNEY FOR RESPONDENT

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Columbia, South Carolina

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PROOF OF SERVICE

I certify that I served the foregoing Designation of Matter to be included in the Record on Appeal in this case by providing a copy of it by email to opposing counsel at the email address and on the date shown below:

Andrew S. Radeker
Drew@harrisonfirm.com

Respectfully submitted,

MCCABE, TROTTER & BEVERLY, PC

/s/ Christian Saville
Christian Saville (Bar no. 103272)
4500 Fort Jackson Blvd., Suite 250 (29209)
P.O. Box 212069, Columbia, SC 29221
Phone: (803) 724-5000 Fax: (803) 724-5001
Email: Christian.Saville@mccabetrotter.com

ATTORNEY FOR RESPONDENT

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Columbia, South Carolina