



THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
Master-In-Equity

Hon. Deadra L. Jefferson, Circuit Court Judge  
Hon. Mikell R. Scarborough, Master-In-Equity

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Case No. 2016-CP-10-2955

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Appellate Case No. 2021-000272

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TCC of Charleston, Inc., Appellant/Respondent,

v.

Concord and Cumberland, LLC, Concord & Cumberland HPR, Leo Hall, Diane Hall, Bea H. Smith, Margaret C. Pope, William D. Foster, Jr., Gene G. Foster, Mattison J. MacGillivray, Teresa MacGillivray, Pamela L. Vaughn, Nelia A. Patricio, Trustee of the Nelia A. Patricio Revocable Trust Agreement, Stuart D. Reeves, Edward T. Strom, Barbara K. Henderson, James R. Clarke, Paul A. Brim, Robert K. Seidl, Jennifer M. Seidl, Robert Kenneth Seidl, II, M. Bert Storey, Thomas R. Mather, Edward T. Strom, 304 Concord & Cumberland, LLC, Marion M. Simpson f/k/a Marion Moore McDonald Simpson, Kathy Gardner, Gregory J. Gardner, Freeman Waterfront Properties, LLC, Jo-Ann Cooper, Betty Y. Segal, Robert M. Levin, and Bonita K. Levin, Donald D. Leonard, Betty L. Beatty, Mattellen, LLC, and Thomas R. Debnam, Trustee of the Trust Agreement of Thomas R. Debnam, Respondents

Of Which Concord & Cumberland HPR is the Respondent/Appellant.

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RESPONDENT/APPELLANT'S DESIGNATION OF MATTERS  
TO BE INCLUDED IN THE RECORD ON APPEAL

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Concord & Cumberland HPR proposes the following materials be included in the record  
on appeal:

### **Orders**

1. Judgment Awarding Attorneys' Fees to Concord & Cumberland HPR (March 3, 2021)
2. Judgment on the Arbitration Award of \$2,216,899.06 in favor of TCC (March 11, 2021)

### **Motions and Related Filings**

3. Concord and Cumberland HPR's Motion to Strike TCC's Omnibus Response and Objections to Filings and Submittals of Concord and Cumberland HPR (December 3, 2020)

### **Other Materials**

4. F. Cordes Ford IV's Affidavit of Attorneys' Fees (November 18, 2020)
5. Henry E. Grimball's Affidavit of Attorney's Fees (November 18, 2020)
6. R. Andrew Walden's Affidavit of Attorney's Fees (November 18, 2020)
7. Defendant Betty L. Beatty's letter to Judge Scarborough regarding TCC's Omnibus Response and Objections to Filings and Submittals of Betty Beatty (December 3, 2020)
8. Andrew Epting's letter to Judge Scarborough (December 4, 2020)
9. Concord & Cumberland HPR's letter to Judge Scarborough regarding proposed order resolving Motion to Deposit Funds (December 17, 2020)
10. Concord & Cumberland HPR's letter to Charleston County Clerk of Court depositing funds (April 22, 2021)

The undersigned certifies that the above designation contains no matter that is irrelevant to this appeal.

Respectfully submitted this 21<sup>st</sup> day of June, 2021.



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F. Cordes Ford IV (SC Bar No. 071644)  
Henry E. Grimball (SC Bar No. 002313)  
Robert Andrew Walden (SC Bar No. 101004)  
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Attorneys for All Respondents/Appellants  
Except for Betty Beatty

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Jun 21 2021

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Of Which Concord & Cumberland HPR is the Respondent/Appellant.

**PROOF OF SERVICE**

I, F. Cordes Ford IV, certify that I have served the foregoing Respondent/Appellant's **DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** on all other parties to this matter via electronic mail on June 21, 2021, addressed to their attorneys of record as follows, as evidenced by Exhibit "A" attached hereto:

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Epting & Rannik, LLC  
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*Attorneys for Respondent Betty L. Beatty*

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(843) 720-4631  
Attorneys for Respondent/Appellant

Charleston, South Carolina  
Dated: June 21, 2021

# **EXHIBIT “A”**

**From:** [Casey, Carol](#)  
**To:** ["jgr@epting-law.com"](#); ["ebuckley@ycrlaw.com"](#); ["sbarr@ycrlaw.com"](#); ["mendemann@clarksonwalsh.com"](#)  
**Cc:** [Ford, Cordes](#); [Grimball, Henry](#); [Walden, Andrew](#)  
**Bcc:** ["Concord\\_Cumberlan\\_88786\\_0001\\_1\\_Concord\\_Cumberland Homeowners" Association\\_Inc\\_v\\_Trident Construction\\_LLC\\_Email"](#)  
**Subject:** TCC of Charleston v. Concord & Cumberland - CC HPR Initial Brief of Respondent  
**Date:** Monday, June 21, 2021 3:10:03 PM  
**Attachments:** [Initial Brief of Respondent as the Respondent-Appellant.pdf](#)  
[Designation of Matter of Respondent Appellant.pdf](#)

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Dear Counsel:

Attached for service, please find Concord & Cumberland HPR's Initial Brief of Respondent as the Respondent/Appellant and Designation of Matter.

Thank you,  
Carol Casey