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Jul 12 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Maite Murphy, Circuit Court Judge

Appellate Case No. 2021-000501
Case No. 2017-CP-10-5493

Shem Creek Development Group, LLC,..... Respondent,

v.

The Town of Mount Pleasant, South Carolina,..... Appellant.

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

The Appellant the Town of Mount Pleasant, South Carolina proposes that the following be included in the Record on Appeal:

1. Final Order filed July 13, 2020
2. Order Denying Defendant’s Motions for New Trial and to Reconsider, Alter or Amend Order, filed September 17, 2020
3. Order Awarding Plaintiff Attorney Fees and Costs, filed January 11, 2021
4. Form 4 Order, filed April 12, 2021
5. Complaint, filed October 23, 2017
6. Answer, filed December 27, 2017

7. Affidavit of Attorneys' Fees and Costs, with attached Exhibit (filed August 11, 2020)
8. Defendant's Opposition to Attorney's Fee Award and Objections to Plaintiff's Attorney Fee Affidavit, filed August 24, 2020
9. Notice of Filing Affidavit of Attorneys' Fees and Costs, with attached Affidavit and Exhibit, filed September 17, 2020
10. Defendant's Motion to Vacate or Otherwise Alter or Amend Order filed January 21, 2021
11. Defendant's Reply Memorandum in Support of Motion to Vacate or Otherwise Alter or Amend Order filed February 9, 2021
12. Defendant's Motion to Alter or Amend Order filed April 22, 2021
13. Plaintiff's Trial Exhibit 7

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

LINDEMANN & DAVIS, P.A.

BY: s/ Andrew F. Lindemann

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CERTIFICATE OF SERVICE

Pursuant to Section (g)(3) of the Supreme Court’s Order Re: Operation of the Trial Courts During the Coronavirus Emergency (as amended May 29, 2020), the undersigned employee of Lindemann & Davis, P.A., counsel for the Appellant, does hereby certify that service of the **Initial Brief of Appellant** and **Appellant’s Designation of Matter to be Included in the Record on Appeal** was made upon all counsel of record by email only this the 12th day of July 2021:

E. Brandon Gaskins, Esquire
Moore & Van Allen, PLLC
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s/ Andrew F. Lindemann



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†Certified Mediator

July 12, 2021

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

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SC Court of Appeals

RE: Shem Creek Development Group, LLC v. The Town of Mount Pleasant, South Carolina
Appellate Case Number: 2021-000501 (Appeal 2)
Civil Action Number: 2017-CP-10-5493
Our File Number: 79.20381

Dear Ms. Kitching:

In accordance with Section (c)(5) of the Supreme Court's Order RE: Operation of the Appellate Courts During the Coronavirus Emergency (as amended May 29, 2020), please find enclosed for filing by email only the **Initial Brief of Appellant** and **Appellant's Designation of Matter to be Included in the Record on Appeal** in the above referenced matter. In accordance with Section (g)(3) of this same order, I am hereby serving copies on all counsel of record by email only. If you have any questions, please advise.

Sincerely,

LINDEMANN & DAVIS, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosures

cc: E. Brandon Gaskins, Esquire (w/ Enclosures, Via Email Only)
David G. Pagliarini, Esquire (w/ Enclosures, Via Email Only)