

RECEIVED

Aug 09 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Charleston County  
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge  
Mikell R. Scarborough, Circuit Court Judge

Case No. 2016-CP-10-02955  
Appellate Case No. 2021-000272

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.

**DESIGNATION OF MATTERS TO BE INCLUDED IN THE  
RECORD ON APPEAL BY RESPONDENT BETTY L. BEATTY**

CLEMENT RIVERS, LLP  
Edward D. Buckley, Jr. (SC Bar No. 994)  
W. Siau Barr, Jr. (SC Bar No. 76353)  
Russell G. Hines (SC Bar No. 72100)  
William Cole Shannon (SC Bar No. 104250)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
(843) 720-5488  
*Attorneys for Respondent Betty L. Beatty*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

Respondent Betty L. Beatty proposes the following to be included in the Record on Appeal:

**Orders, Judgments, Decrees, or Decisions**

1. Judge Scarborough's Form 4 Order entering Betty L. Beatty's Attorney's Fee Award (February 22, 2021);

**Pleadings**

2. Betty L. Beatty's Answer to TCC of Charleston, Inc.'s Second Amended Verified Complaint (September 3, 2020);

**Other materials or documents**

3. TCC of Charleston, Inc.'s *Lis Pendens* (June 10, 2016);
4. TCC of Charleston, Inc.'s Amended *Lis Pendens* (June 16, 2016);
5. Counsel for TCC of Charleston, Inc.'s Letter to Betty L. Beatty serving Amended Summons and Complaint, Motion to Stay and Compel Arbitration, Amended *Lis Pendens*, and Amended Notice and Certificate of Mechanic's Lien (June 21, 2016);
6. John R. Gamble's Affidavit of Service on Betty L. Beatty (June 22, 2016);
7. Betty L. Beatty's Proposed Order Granting Partial Summary Judgment. (November 18, 2020);

I certify that this Designation of Matters contains no matter which is irrelevant to this appeal.

*(Signature on next page)*

*(Signature page for Designation of Matters to be Included in the  
Record on Appeal by Respondent Betty L. Beatty, Appellate Case No. 2021-000272)*

Respectfully Submitted,

CLEMENT RIVERS, LLP

By: *s/Edward D. Buckley, Jr.*

Edward D. Buckley, Jr. (SC Bar No. 994)

W. Siau Barr, Jr. (SC Bar No. 76353)

Russell G. Hines (SC Bar No. 72100)

William Cole Shannon (SC Bar No. 104250)

25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 720-5488

*Attorneys for Respondent Betty L. Beatty*

Charleston, South Carolina

Dated: August 9, 2021

**RECEIVED**

**Aug 09 2021**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

Appeal from Charleston County  
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge  
Mikell R. Scarborough, Circuit Court Judge

Case No. 2016-CP-10-02955  
Appellate Case No. 2021-000272

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.

**PROOF OF SERVICE**

CLEMENT RIVERS, LLP  
Edward D. Buckley, Jr. (SC Bar No. 994)  
W. Siau Barr, Jr. (SC Bar No. 76353)  
Russell G. Hines (SC Bar No. 72100)  
William Cole Shannon (SC Bar No. 104250)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
(843) 720-5488

*Attorneys for Respondent Betty L. Beatty*

I, Edward D. Buckley, Jr., of Clement Rivers, LLP, counsel for Respondent Betty L. Beatty, do hereby certify that the foregoing **DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL BY RESPONDENT BETTY L. BEATTY** was served on all other parties to this matter on August 9, 2021, via email (see attached) to their counsel of record:

Jaan G. Rannik, Esquire  
Epting & Rannik, LLC  
46A State Street  
Charleston, SC 29401  
[jgr@epting-law.com](mailto:jgr@epting-law.com)

*and*

Michelle N. Endemann, Esquire  
497 St. Andrews Blvd.  
Charleston, SC 29407  
[mendemann@clarksonwalsh.com](mailto:mendemann@clarksonwalsh.com)

*Attorneys for Appellant/Respondent*

F. Cordes Ford IV, Esquire  
[Cordes.Ford@wbd-us.com](mailto:Cordes.Ford@wbd-us.com)  
Henry E. Grimbball, Esquire  
[Henry.Grimball@wbd-us.com](mailto:Henry.Grimball@wbd-us.com)  
Robert Andrew Walden, Esquire  
[Andrew.Walden@wbd-us.com](mailto:Andrew.Walden@wbd-us.com)  
Womble Bond Dickinson (US) LLP  
P.O. Box 999  
Charleston, SC 29402

*Attorneys for Respondent/Appellant*

Respectfully submitted,

CLEMENT RIVERS, LLP

By: *s/Edward D. Buckley, Jr.*  
Edward D. Buckley, Jr. (SC Bar No. 994)

*Attorneys for Respondent Betty L. Beatty*

Charleston, South Carolina

Dated: August 9, 2021

## Bell, Pollyana (Polly)

---

**From:** Bell, Pollyana (Polly)  
**Sent:** Monday, August 9, 2021 3:56 PM  
**To:** 'Jaan Rannik (jgr@epring-law.com)'; 'mendemann@clarksonwalsh.com';  
'Cordes.Ford@wbd-us.com'; 'Henry.Grimball@wbd-us.com'; 'Andrew.Walden@wbd-us.com'  
**Cc:** Hines, Russell; Justman, Aimee; Buckley, Edward D. (Ed); Shannon, William Cole; DeMato, Amanda; Barr, Jr., W. Siau  
**Subject:** TCC of Charleston, Inc. v. Concord & Cumberland; Appellate Case No. 2021-000272  
**Attachments:** RDOM.pdf; RIB.pdf

Enclosed for service upon you in the above-referenced matter please find the Initial Brief and Designation of Matter of Respondent Betty L. Beatty which we intend to file today.

Thank you,  
Pollyana Bell  
Project Assistant  
Commercial Litigation Practice Group  
Phone:(843)720-5488 | Fax:(843)579-1369



**CLEMENT RIVERS, LLP**  
25 Calhoun Street • Suite 500 • Charleston, SC 29401  
FOR COUNSEL