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Aug 17 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable Bentley D. Price, Circuit Court Judge

Appellate Case No. 2020-001403
Lower Court Case No. 2019-CP-10-00105

Endre Tomaschek and Evan Tomaschek,

Appellants

v.

Edith C. Miller; Don L. Sumter; Carolina Elite Real Estate, LLC; Christopher Gibbs; Buzz Off TPC, LLC d/b/a Buzzoff Termite & Pest Control, LLC; GWS, Inc.; Gaynelle Whittle-Shipp; Stucco Inspector, LLC; Solid Ground Home Inspections, LLC; Jerry L. Anderson d/b/a "Anderson Roofing"; Delano M. Francis; and Robert Oliver d/b/a "Home Repair by Robert,"

Of Whom Solid Ground Home Inspections, LLC is the Respondent.

**DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL
ON BEHALF OF RESPONDENT SOLID GROUND HOME INSPECTIONS, LLC**

Pursuant to Rule 209, SCACR, Respondent Solid Ground Home Inspections, LLC designates the following items for inclusion in the Record on Appeal:

ORDERS:

1. February 20, 2020 Order Denying Respondent's Motion to Dismiss;
2. July 22, 2020 Form 4 Order Denying Respondent's Motion for Summary Judgment; and
3. September 30, 2020 Form 4 Order Granting Respondent's Motion for Reconsideration.

PLEADINGS AND MOTIONS:

4. Complaint, filed January 9, 2019;
5. First Amended Complaint, filed January 17, 2019;
6. All exhibits filed with the First Amended Complaint, filed January 17, 2019;
7. Solid Ground's Motion to Dismiss, filed April 29, 2019;
8. Solid Ground's Motion for Summary Judgment, filed November 13, 2019;
9. Solid Ground's Motion for Summary Judgment, and, in the alternative, Request for Declaratory Relief, filed February 19, 2020;
10. Solid Ground's Memorandum in Support of its Motion for Summary Judgment and, in the alternative, Request for Declaratory Relief, filed February 19, 2020;
11. All exhibits filed with Solid Ground's Memorandum in Support of its Motion for Summary Judgment and, in the alternative, Request for Declaratory Relief, filed February 19, 2020;
12. Hearing, Transcript, July 16, 2020;
13. Second Amended Complaint, filed July 24, 2020;
14. All exhibits filed with the Second Amended Complaint, filed July 24, 2020;
15. Solid Ground's Motion to Reconsider, filed August 4, 2020;
16. Hearing, Transcript, September 23, 2020;
17. Any attachments filed with the above designated matters;
18. The Charleston County Clerk's Office Public Index of docket entries for Case Number 2019-CP-10-00105; and

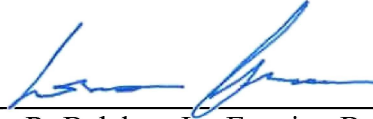
OTHER:

19. The Deposition Transcript of Christopher Gibbs, October 2, 2019.

(signature page to follow)

I certify that this designation of matter to be included in the record on appeal contains no matter which is irrelevant to this appeal.

Respectfully submitted,



Alan R. Belcher, Jr., Esquire, Bar No. 71686
Connor E. Johnson, Esquire, Bar No. 103111
111 Coleman Boulevard, Suite 301
Mount Pleasant, South Carolina 29464
Telephone: (843) 720-3460
alan.belcher@hallboothsmith.com
cjohnson@hallboothsmith.com

*Attorneys for Respondent-Petitioner Solid Ground
Home Inspections, LLC*

This 17th day of August, 2021.

COUNSEL OF RECORD:

Frederick Elliott Quinn, IV, Esquire
103 Grandview Drive, Suite A
Summerville, SC 29483
843-871-6522

Ryan Christopher Andrews, Esquire
222 W. Coleman Blvd.
Mt. Pleasant, SC 29464
843-936-667

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Of Whom Solid Ground Home Inspections, LLC is the Respondent.

PROOF OF SERVICE

I certify that I have served the Designation of Matter to be Included in the Record on Appeal upon the Appellants by U.S. Mail and/or electronic on August 17, 2021, addressed to attorneys of record, Frederick Elliotte Quinn, IV, Esquire, 103 Grandview Drive, Suite A, Summerville, SC 29483 and Ryan Christopher Andrews, Esquire, 222 W. Coleman Blvd., Mt. Pleasant, SC 29464.

HALL BOOTH SMITH, P.C.

By: /s/ Bonnie Ellenberger
Bonnie Ellenberger
Legal Assistant

COUNSEL OF RECORD:

Frederick Elliotte Quinn, IV, Esquire
The Steinberg Law Firm, LLP
103 Grandview Drive, Suite A
Summerville, SC 29483
843-871-6522
equinn@steinberglawfirm.com

Ryan C. Andrews, Esquire
Cobb Dill & Hammett, LLC
222 W. Coleman Blvd.
Mt. Pleasant, SC 29464
843-936-6674
randrews@cdhlawfirm.com

Attorneys for Appellants