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Oct 29 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

The Honorable Benjamin H. Culbertson, Circuit Court Judge

CASE NO. 20-CP-22-00930
CASE NO. 20-CP-22-00931
CASE NO. 20-CP-22-00932

M. Baron Stanton,Appellant,

v.

Town of Pawleys Island,.....Respondent.

and

Franklin D. Beattie, as trustee of the Franklin D. Beattie
Preservation Trust,Appellant,

v.

Town of Pawleys Island,.....Respondent.

and

Sunset Lodge, LLC,Appellant,

v.

Town of Pawleys Island,.....Respondent.

APPELLANTS'
DESIGNATION OF MATTER
TO BE INCLUDED IN THE
RECORD ON APPEAL
(Including Certificate of Counsel)

Appellants designate the following pursuant to Rule 209, SCACR, and their counsel hereby certifies by his signature, that this designation contains no matter which is irrelevant to the appeal:¹

Orders, Decrees, and Decisions

1. Order in each case granting motion to dismiss and for protection from discovery, dated April 22, 2021.
2. Form order in each case denying motion to reconsider, Dated June 3, 2021.

Pleadings

3. Complaint in each Challenge II action.
4. Amended Complaint in each Challenge II action.
5. Answer to Amended Complaints in each Challenge II action.

Transcripts

6. Transcript of Circuit Court hearing of motions (including motions to dismiss and for protection from discovery) occurring April 1, 2021.
7. Transcript of Circuit Court hearing of motion to reconsider occurring June 3, 2021.

Exhibits and Other Materials or Documents

8. Notice of abandonment in each case, dated February 10, 2021
9. Motion in each case for protection from discovery, dated March 3, 2021.
10. Motion in each case for judgment on the pleadings, dated March 5, 2021.
11. Brief in each case in opposition to motions to dismiss and protection, dated March 30, 2021 (filed March 31).

¹ Unless otherwise specified, all designations are with all exhibits, but without certificates of service, motion cover sheets, or civil cover sheets.

12. Brief in each case in support of motions to dismiss and protection, dated March 31, 2021.
13. Reply brief in each case in opposition to motions to dismiss and protection, dated March 31, 2021.
14. Motion in each case to reconsider, dated April 28, 2021.
15. Brief in each case in opposition to motion to reconsider, dated June 2, 2021.
16. Motion in each case to correct June 3, 2021 order, motion being dated June 14, 2021.

Not currently included, but suggested to Respondent's counsel, will be a stipulation that reference to a paper in one Challenge I case or Challenge II case to be taken as an accurate reference to the corresponding papers and passages in the other two Challenge I or Challenge II cases, a stipulation to including less than all the material designated herein, to wit, including, where substantially identical, one designated representative pleading, order, or other paper from each challenge case rather than all three, and a stipulation that either party may explicitly designate separate additional inclusion of the counterpart of such an item, or later supplement the record with the designated papers from the other two challenge cases if that party deems it desirable to do so.

s/M. Baron Stanton
M. Baron Stanton (S.C. Bar#7970)
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ATTORNEY FOR APPELLANTS

Date: _____

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CERTIFICATE OF SERVICE

I, M. Baron Stanton, do hereby certify that I have, on this date, served the foregoing **Appellants' Designation of Matter to be Included in the Record on Appeal** upon the Respondent by causing a copy to be e-mailed in accordance with current rules to will@belserpa.com . The postal mailing address of the above addressee is:

William C. Dillard, Jr., Esquire
Post Office Box 96
Columbia, SC 29202

s/M. Baron Stanton
M. Baron Stanton

Date: October 29, 2021