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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Judge of the South Carolina Business Court

Case No. 2017-CP-26-04187

C. Barry Dykes and Barbara Eisenhardt, Individually and Derivatively On Behalf Of The Wild Wing Plantation Property Owners' Association, Inc.,.....Appellants,

v.

Wild Wing Company, LLC; Sunstar, LLC; Ralph R. Teal, Jr.; SLF IV/SBI Wild Wing, LLC; SLF IV/SBI JV, LLC; SLF IV/SBI Properties MM, LLC; SLF IV/SBI Development Holdings, LLC; Wild Wing Residential Development, LLC; Stratford Land Manager, L.P. d/b/a Stratford Land; Stratford Land Fund IV, L.P.; SB Investments LLC; Realstar Management, LLC; Graeme T. Black; H. Gilford Edwards; Founders Wild Wing, LLC; Founders Group International, LLC; Dan Liu; Xian "Nick" Dou; Rick Schultz; Rick Taylor And Thomas Plankers,Respondents,

Wild Wing Plantation Owners' Association, Inc.,.....Nominal Defendant.

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

Appellants propose that the following be included in the Record on Appeal:

1. Summons and Complaint filed June 30, 2017;
2. First Amended Complaint filed June 10, 2019;
3. Second Amended Complaint filed March 19, 2020;
4. Dykes letter dated January 23, 2017 to Board of Directors at Association (Exhibit A to Complaints);

5. Motion for Summary Judgment By Defendant Stratford Land Manager, LP And Stratford Land Fund IV, LP filed December 22, 2020;
6. Plaintiffs' Memorandum In Support Of Its Motions For Summary Judgment And Memorandums In Opposition To The Defendants Motions For Summary Judgment (including Exhibits A through S), filed March 5, 2021;
7. Defendants Wild Wing Company, LLC; Sunstar, LLC; SLF IV/SBI Wild Wing, LLC; SLF IV/SBI JV, LLC; SLF IV/SBI Properties MM, LLC; SLF IV/SBI Development Holdings, LLC; Wild Wing Residential Development, LLC; SB Investments, LLC; Realstar Management, LLC; Founders Wild Wing, LLC; Founders Group International, LLC; and Dan Liu's Memorandum In Response To Plaintiffs' Memorandum In Support Of Motions for Summary Judgment And Opposition To Defendants' Motions For Summary Judgment filed March 19, 2021;
8. Defendants Schultz, Taylor And Plankers' Brief In Response To Plaintiffs' Memorandum In Opposition to Defendants' Motion For Summary Judgment filed March 19, 2021;
9. Defendants Teal, Black, and Edwards' Response Memorandum In Opposition To Plaintiffs' Motion For Summary Judgment And In Support Of Their Motion For Summary Judgment filed March 22, 2021;
10. Plaintiffs' Reply Memorandum In Response To Defendants' Memorandums In Opposition filed April 6, 2021;
11. Lyles letter to Judge Dennis dated May 25, 2021 with Exhibit A – Elliott Davis Subpoena Response;
12. Order Granting Summary Judgment in Favor of Defendants Stratford Land Manager, LP and Stratford Land Fund IV, LP of the Honorable R. Markley Dennis, Jr., filed June 17, 2021;
13. Order Granting Summary Judgment for Defendants Wild Wing Company, LLC; Sunstar, LLC; SLF IV/SBI Wild Wing, LLC; SLF IV/SBI JV, LLC; SLF IV/SBI Properties MM, LLC; SLF IV/SBI Development Holdings, LLC; Wild Wing Residential Development, LLC, SB Investments, LLC; Realstar Management, LLC; Founders Wild Wing, LLC; Founders Group International, LLC; and Dan Liu of the Honorable R. Markley Dennis, Jr., filed July 12, 2021;
14. Order Granting Individual Defendants Schultz, Taylor and Plankers' Motion for Summary Judgment of the Honorable R. Markley Dennis, Jr., filed July 12, 2021;
15. Order Granting Defendants Teal, Black & Edwards' Motion for Summary Judgment of the Honorable R. Markley Dennis, Jr., filed July 12, 2021;

16. Amended Answer and Counterclaim on Behalf of Wild Wing Company, LLC; Sunstar, LLC; SLF IV/SBI Wild Wing, LLC; SLF IV/SBI JV, LLC; SLF IV/SBI Properties MM, LLC; SLF IV/SBI Development, LLC; Stratford Land Manager, L.P.; Stratford Land Fund IV, L.P.; SB Investments, LLC; Realstar Management, LLC; Founders Wild Wing, LLC; Founders Group International, LLC and Dan Liu filed April 16, 2020;
17. Defendants Wild Wing Company, LLC; Sunstar, LLC; SLF IV/SBI Wild Wing, LLC; SLF IV/SBI JV, LLC; SLF IV/SBI Properties MM, LLC; SLF IV/SBI Development Holdings, LLC; Wild Wing Residential Development, LLC; SB Investments, LLC; Realstar Management, LLC; Founders Wild Wing, LLC; Founders Group International, LLC; and Dan Liu's Motion for Partial Summary Judgment on the Business Judgment Rule filed October 29, 2020;
18. Defendants Wild Wing Company, LLC; Sunstar, LLC; SLF IV/SBI Wild Wing, LLC; SLF IV/SBI JV, LLC; SLF IV/SBI Properties MM, LLC; SLF IV/SBI Development Holdings, LLC; Wild Wing Residential Development, LLC; SB Investments, LLC; Realstar Management, LLC; Founders Wild Wing, LLC; Founders Group International, LLC; and Dan Liu's Motion for Partial Summary Judgment on the Validity of the Amendments filed October 29, 2020;
19. Transcript of Record for Hearing on May 4, 2021.

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

February 4, 2022

s/Robert T. Lyles, Jr.
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Wild Wing Plantation Owners’ Association, Inc.,.....Nominal Defendant.

PROOF OF SERVICE

I certify that I have served the Appellants’ Designation Of Matter To Be Included In The Record On Appeal to each of the following counsel of record by emailing a copy of it on February 4, 2022, as follows:

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MM, LLC; SLF IV/SBI Development Holdings,
LLC; Wild Wing Residential Development,
LLC; SB Investment, LLC; Realstar
Management, LLC; Founders Wild Wing, LLC;
Founders Group International, LLC; and Dan
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February 4, 2022

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