

**RECEIVED**

**May 05 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Mikell R. Scarborough, Master-in-Equity

---

Circuit Court Case No. 2020-CP-10-04185  
Court of Appeals Case No. 2021-001014

---

Bonnie Wall, individually and derivatively,  
and Walter B. Wall, Jr.....Appellants,

v.

Jonathan Dye, Shaun Dye, Shellmore Homeowners' Association, Inc., and  
John H. Chakides, Jr., individually and  
in his capacity as Director of Shellmore Homeowners' Association, Inc.,  
.....Respondents.

---

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

---

Appellants Bonnie Wall and Walter B. Wall, Jr., pursuant to Rule 209, SCACR,  
designate the following material to be included in the Record on Appeal:

**Orders and Judgments**

1. Form 4 Order Referring Case to Master (filed Sept. 30, 2020)
2. Form 4 Order on Preliminary Injunction (filed Oct. 2, 2020)
3. Form 4 Order Holding Motions in Abeyance (filed Nov. 3, 2020)

4. Form 4 Granting in Part and Denying in Part Motion for Summary Judgment (filed Nov. 19, 2020)
5. Form 4 Order Denying Motion to Stay (filed December 7, 2020)
6. Order Granting Defendants' Summary Judgment (filed July 28, 2021)
7. Order Denying Motion to Reconsider (filed Aug. 13, 2021)

### **Pleadings**

8. Amended Complaint with exhibits (filed Oct. 5, 2020)
9. Answer of Defendants Jonathan and Shaun Dye (filed Oct. 20, 2020)
10. Answer of Defendants Chakides and Shellmore Homeowners Assoc. (filed Oct. 23, 2020)

### **Motions and Exhibits**

11. Walls' Petition for Temporary Injunction (filed Sept. 23, 2020)
12. Walls' Memorandum in Support of Motion for Temporary Injunction, and Exhibits (filed Sept. 29, 2020)
13. Defendants' Response in Opposition to Motion for Temporary Injunction (filed Sept. 29, 2020)
14. Walls' Motion for Partial Summary Judgment, Memorandum in Support, and exhibits (filed Oct. 15, 2020)
15. Dyes' Motion for Summary Judgment (filed Oct. 15, 2020)
16. Walls' Reply to Defendants' Motion to Dissolve Temporary Injunction (filed Oct. 22, 2020)
17. Chakides' and Shellmore HOA Motion for Summary Judgment (filed Oct. 23, 2020)
18. Walls' Supplemental Memorandum in Support of Motion for Partial Summary Judgment and in Opposition to Defendants' Motions, and exhibits (filed Nov. 6, 2020)
19. Dyes' Supplemental Memorandum in Support of Motion for Summary Judgment (filed Nov. 6, 2020)
20. Walls' Motion to Stay and Memo in Support, and exhibits (filed Nov. 22, 2020)
21. Dyes' Response in Opposition to Motion to Stay (filed Dec. 1, 2020)
22. Dyes' Renewed Motion for Summary Judgment (filed Jan. 25, 2021)
23. Chakides and Shellmore HOA's Renewed Motion for Summary Judgment (filed Jan. 26, 2020)
24. Affidavit of H. L. Fritz (filed Oct. 15, 2020)
25. Affidavit of H. L. Fritz (filed Feb. 26, 2021)
26. Affidavit of H. D. Schweers (filed Feb. 26, 2021)
27. Affidavit of W. Wall (filed Feb. 26, 2021)
28. Walls' Renewed Motion for Partial Summary Judgment and in Opposition and exhibits (filed Feb. 26, 2021)

29. Walls' Motion to Compel Depositions and exhibits (filed Mar. 18, 2021)
30. Chakides and HOA's Motion for Protection from Discovery (Filed Mar. 18, 2021)
31. Dyes' Reply in Support of Summary Judgment (filed Mar. 18, 2021)
32. Walls' Exhibits (filed Mar. 24, 2021)
33. Walls' Motion Pursuant to Rule 59, SCRPC (filed Aug. 9, 2021)

### Transcripts

34. Transcript of hearing (Nov. 2, 2020)
35. Transcript of hearing (Mar. 22, 2021)

### Other Materials

36. Emails to Judge Scarborough, re: discovery and procedural posture (dated Feb. 11, 2021)
37. Connor email re: discovery (Jan. 26, 2021)
38. Emails to Judge Scarborough, re: Discovery Motions (Mar. 18, 2021)
39. Emails to Judge Scarborough with comments on proposed order (dated Apr. 28, 2021 and May 18, 2021)

Pursuant to Rule 209(c), SCACR, I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

FORD WALLACE THOMSON LLC

s/Ainsley F. Tillman

Ian S. Ford, S.C. Bar No. 12463

[Ian.Ford@FordWallace.com](mailto:Ian.Ford@FordWallace.com)

Ainsley F. Tillman, S.C. Bar No. 70551

[Ainsley.Tillman@FordWallace.com](mailto:Ainsley.Tillman@FordWallace.com)

715 King Street

Charleston, SC 29403

(843) 277-2011

*Attorneys for Appellants*

Charleston, South Carolina  
May 5, 2022