

**RECEIVED**

**May 11 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM YORK COUNTY  
Court of Common Pleas

Daniel D. Hall, Circuit Court Judge

---

Appellate Case No. 2022-000290  
Case No. 2020-CP-46-02006

---

Eastwood Construction Partners, LLC and  
Eastwood Development Corporation, ..... Appellants,

v.

GHD Brooks Creek, a North Carolina Limited Liability Company, and AF-Brooks  
Creek, LLC, a North Carolina Limited Liability Company, GHD River Falls, a  
North Carolina Limited Liability Company, and AF-River Falls, LLC, a North  
Carolina Limited Liability Company, Greenhawk Corporation, Inc. and  
TRI Pointe Homes, Inc., ..... Respondents.

---

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

---

Appellants propose the following to be included in the Record on Appeal”

1. TRI Pointe Partial Summary Judgment Order;
2. Greenhawk Partial Summary Judgment Order;
3. Confidentiality Order, at 14;
4. Complaint;
5. Compl., Ex. C;
6. Compl., Ex. D, Combined Assignments;
7. First Am. Compl., Ex. L, Land Design Invoice;
8. First Am. Compl., Ex. J, Timeline Correspondence from Greenhawk;
9. Third Amended Complaint;

10. Combined Lis Pendens;
11. Eastwood Brief in Opposition to Summary Judgment;
12. Eastwood Brief in Opposition to Mots. to Lift Stay;
13. Combined Notices of Appeal;
14. Bradley Affidavit;
15. Bradley Aff., Ex. C, Eastwood Subpoena to Agarwal Family III, LLC;
16. Bradley Aff., Ex. D, Email from Will Walker to John Mabe;
17. Bradley Aff., Ex. F, Oct. 13, 2021 Letter to John Mabe;
18. Bradley Aff., Ex. G, Oct. 20, 2021 Letter from John Mabe;
19. Bradley Aff., Ex. H, October Email Chain between James Adams and John Mabe;
20. Bradley Aff., Exhibit I, Bates GHD\_18744;
21. Bradley Aff., Exhibit J, Bates GHD\_18773;
22. Greenhawk Motion to Reconsider Order;
23. TRI Pointe Motion to Reconsider Order;
24. Dority Dep., Exhibits 60; 61; 67; 68; 70, Tega Cay Contact Sheet;
25. Deposition Transcript of Eastwood 30(b)(6);
26. Deposition Transcript of Craig Briner;
27. Briner Deposition Exhibits 91 - 98; 105;
28. Deposition of Joseph Polite, at 34:1-5; 44:13-23, 45:5-12; 51:1-13; 167:8-24; 194:13-195:12; 234:6-9; 273:8-11;
29. Polite Dep. Exhibits 7, 9, 10, 12, 14-17, 23, 25-27, 29;
30. Deposition Transcript of Jeff White at 57:16-59:6;
31. Jeff White Deposition Exhibits. 149, 150, 151;
32. Deposition Transcript Jeremy Medlin at 114:18-116:9;
33. Jeremy Medlin, Deposition Exhibits 120; 121; 131; 134; 135;
34. Deposition Transcript Jackson 31-32; 156-61; 160-61;
35. Jackson Deposition Exhibits 138, 139; 146;
36. Consolidation Notice;
37. Helms Settlement Statement, BATES ECP\_ECP\_0012091;
38. Helms Purchase and Sales Agreement, BATES GHD\_0016151, ¶3;
39. Deed from Caroline Helms to Eastwood Development Corp;
40. June 10, 2014 Email from Joe Dority to Craig Briner, BATES ECP\_0013183;
41. Quitclaim Deed from Eastwood to Greenhawk, BATES ECP\_0005870;

42. Polite Nov. 6, 2018 Email re Brooks Creek;

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

Respectfully submitted,

MOORE BRADLEY MYERS LAW FIRM, P.A.

By: s/James Edward Bradley  
James Edward Bradley, SC Bar #66130  
1700 Sunset Blvd. (29169)  
P.O. Box 5709  
West Columbia, SC 29171  
(803) 796-9160  
[ward@mbmlawsc.com](mailto:ward@mbmlawsc.com)

James C. Adams, II (NC Bar 18063)  
Brooks Pierce McLendon & Leonard, LLP  
PO Box 26000  
Greensboro, NC 27420  
(336) 271-3117  
[jadams@brookspierce.com](mailto:jadams@brookspierce.com)  
*Admitted Pro Hac Vice*  
Attorneys for Appellants

West Columbia, South Carolina

May 11, 2022