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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2018-CP-10-02764
Appellate Case No. 2021-001395

Snee Farm Homeowner’s Association, Inc., individually and on behalf of those similarly situated.....Appellant,

v.

The Commission of Public Works for the Town of Mount Pleasant d/b/a Mount Pleasant Waterworks.....Respondent,

RESPONDENT’S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD OF APPEAL

Respondent The Commission of Public Works for the Town of Mount Pleasant d/b/a Mount Pleasant Waterworks propose the following matter to be included in the Record on Appeal:

Orders:

1. Form 4 Order Denying Respondent’s Motion to Dismiss
2. Order Granting Appellant’s Motion for Class Certification
3. Order Denying Respondent’s Motion to Alter or Amend Class Certification Order
4. Order Granting Appellant’s Motion to Dismiss

5. Order Designating Case as Complex
6. Order Amending Class Definition and Approving Form of Notice and Notice Plan
7. Order Granting Respondent's Motion for Summary Judgment
8. Order Denying Appellant's Motion to Alter or Amend

Pleadings:

1. Appellant's Summons and Class Action Complaint
2. Respondent's Motion to Dismiss
3. Appellant's Motion for Class Certification
4. Respondent's Motion to Alter or Amend Class Certification Order
5. Respondent's Notice of Appeal of Class Certification Order
6. Appellant's Motion to Dismiss
7. Appellant's Amended Summons and Complaint
8. Appellant's Motion to Amend Class Definition and to Approve Form of Notice and Notice Plan
9. Proof of ADR
10. Respondent's Motion for Summary Judgment
11. Appellant's Memorandum in Opposition to Motion for Summary Judgment with Exhibits:
 - a. Exhibit A: Appellant's Master Deed and By-Laws
 - b. Exhibit B: MPW Cost Recovery Policy
 - c. Exhibit C: Raftelis Engagement Letter and CDM Smith Memorandum
 - d. Exhibit D: Sheryl Smith Deposition Excerpts
 - e. Exhibit E: MPW 2015 REU Audit and Communications Plan

- f. Exhibit F: MPW 2015 REU Audit Customer List
 - g. Exhibit G: BFC Refund Settlement Agreement and Associated Documents
 - h. Exhibit H: MPW 2018 REU Audit Letter to Appellant
 - i. Exhibit I: MPW Impact Fee Handbook
 - j. Exhibit J: MPW 2018 REU Audit Communications Plan
 - k. Exhibit K: MPW 2018 REU Audit (All Commercial Customers)
 - l. Exhibit L: MPW 2018 REU Audit (REU Adjustment Spreadsheet)
 - m. Exhibit M: MPW 2018 REU Audit (Oversized Accounts and REU Reductions)
 - n. Exhibit N: Emails regarding MPW's BFC Position
 - o. Exhibit O: Emails regarding Capacity Reservation Fee Appropriateness
 - p. Exhibit P: MPW Fiscal Year 2021 Budget
 - q. Exhibit Q: Mark Coffin Deposition Excerpts
 - r. Exhibit R: Brunswick-Glynn Joint Water and Sewer Commission Strategic Plan
 - s. Exhibit S: MPW Policies 5.3.2 and 5.3.3
 - t. Exhibit T: Dorothy Yager Deposition Excerpts
 - u. Exhibit U: MPW Website (Billing Statement Details)
 - v. Exhibit V: E-Mails re: Capacity Reservation Fee Equity
 - w. Exhibit W: George Raftelis Deposition Excerpts
 - x. Exhibit X: Appellant Bills
 - y. Exhibit Y: Bryan Mantz Draft Opinion
 - z. Exhibit Z: Clay Duffie Deposition Excerpts
12. Respondent's Reply to Response to Motion for Summary Judgment with Exhibits
- a. Exhibit A: 12 McMillian Mun. Corp. § 35:57 (3d ed.)

- b. Exhibit B: Bryan Mantz Deposition Excerpts 1.20.21
- c. Exhibit C: Bryan Mantz Deposition Excerpts 1.13.21
- d. Exhibit D: William Zieburtz Report
- e. Exhibit E: Raftelis_002124-002125 (E-Mails re: Capacity Reservation Fee)
- f. Exhibit F: Lona Vest Deposition Excerpts
- g. Exhibit G: Snee Farms Water Bill 11.14.18
- h. Exhibit H: MPW Policy 5.3.3

13. Appellant's Motion to Alter or Amend

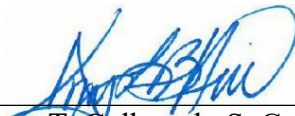
Transcripts:

- 1. Transcript of Record from April 16, 2021 Circuit Court Hearing

Other Materials and Documents:

- 1. William Zieburtz Deposition Excerpts
- 2. Bryan Mantz Deposition Excerpts
- 3. Clay Duffie Deposition Excerpts
- 4. Lona Vest Deposition Excerpts
- 5. Report of William Zieburtz Excerpts

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



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