

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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**RECEIVED**

**Aug 15 2022**

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

**SC Court of Appeals**

J. Mark Hayes, II, Circuit Court Judge

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Case No. 2021-CP-42-03439

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The Estate of Mary Ellen Williams, through the duly appointed Personal Representative, Benjamin Meador, individually and on behalf of statutory beneficiaries, . . . . . Respondents,

v.

Pacifica Skylyn, LLC, d/b/a Pacifica Senior Living Skylyn, and James A. Clements in his capacity as Administrator of Pacifica Skylyn, LLC, . . . . . Appellants.

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NOTICE OF APPEAL

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Defendants, Pacifica Skylyn, LLC d/b/a Pacifica Senior Living Skylyn and James A. Clements sued in his capacity as Administrator of Pacifica Skylyn, LLC (hereafter “Pacifica”), hereby appeal the Order filed July 15, 2022, denying Pacifica’s Rule 59(e), SCRCP, Motion to Reconsider, and the Order filed April 19, 2022, denying Pacifica’s Motion to Stay Litigation and Compel Arbitration. Pacifica received written notice of the entry of the Order denying Pacifica’s Rule 59(e) Motion to Reconsider on or about July 15, 2022.

August 15, 2022

s/Jonathan G. Roquemore  
Jonathan G. Roquemore (SC Bar No. 68274)  
Joshua D. Shaw (SC Bar No. 77835)  
Paul E. Allen, Jr. (SC Bar No.: 104062)  
Hedrick Gardner Kincheloe & Garofalo LLP  
1230 Main Street, Suite 325  
Columbia, SC 29201

**Other Counsel of Record:**

Gary Poliakoff, Esq.

[atty@gpoliakoff.com](mailto:atty@gpoliakoff.com)

Ray Mullman, Esq.

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215 Magnolia Street

Spartanburg, SC 29306

*Attorneys for Plaintiffs/Respondents*

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CERTIFICATE OF SERVICE

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It is hereby certified that the foregoing Notice of Appeal in the above-captioned case has been served on the following parties via e-mail, on August 15, 2022, pursuant to the South Carolina Supreme Court Order No. 2020-000447, as amended on May 5, 2022:

Gary Poliakoff, Esq.  
[atty@gpoliakoff.com](mailto:atty@gpoliakoff.com)  
Ray Mullman, Esq.  
[rmullmanjr@gmail.com](mailto:rmullmanjr@gmail.com)  
215 Magnolia Street  
Spartanburg, SC 29306  
*Attorneys for Plaintiffs/Respondents*

*s/Paul E. Allen Jr.*  
Paul E. Allen, Jr.

August 15, 2022

**From:** [Paul E. Allen, Jr](#)  
**To:** [rmullmanjr@gmail.com](mailto:rmullmanjr@gmail.com); [atty@gpoliakoff.com](mailto:atty@gpoliakoff.com)  
**Cc:** [Joshua D. Shaw](#); [Jonathan G. Roquemore](#); [Laurin M. Stevens](#)  
**Subject:** Estate of Mary Ellen Williams v. Pacifica Skylyn, LLC et al. (Case No. 2021-CP-42-03439) - Notice of Appeal  
**Date:** Monday, August 15, 2022 2:13:00 PM  
**Attachments:** [Notice of Appeal.PDF](#)

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Ray,

Please see the attached Notice of Appeal in the above-referenced case. Pursuant to South Carolina Supreme Court Order No. 2020-000447, as amended on May 5, 2022, we are serving the attached Notice of Appeal on the primary e-mail address available on AIS. We intend to file the attached Notice of Appeal at the Court of Appeals this week.

Best regards,

Paul Allen



Charlotte • Raleigh • Wilmington • Columbia • Asheville

August 15, 2022

RECEIVED

Aug 15 2022

SC Court of Appeals

**Via e-mail**

South Carolina Court of Appeals  
Honorable Jenny Kitchings  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)  
1220 Senate Street  
Columbia, SC 29201

**Reply To:**

Paul E. Allen, Jr.  
1230 Main Street, Suite 325  
Columbia, SC 29201  
Direct: 803-274-3102  
Fax: 803-727-1259  
Email: [pallen@hedrickgardner.com](mailto:pallen@hedrickgardner.com)

**RE: The Estate of Mary Ellen Williams, through the duly appointed PR, Benjamin Meador, Individually and on behalf of statutory beneficiaries, v. Pacifica Skylyn, LLC, et al.**  
**Civil Action No: 2021-CP-42-03439**

Dear Ms. Kitchings:

Enclosed for filing is the Notice of Appeal in the above captioned case, along with the following:

- (1) Proof of service of the Notice of Appeal on the Respondents, including a copy of the e-mail serving the Notice of Appeal; and
- (2) A copy of the orders to be challenged on appeal.

The \$250.00 filing fee will be submitted under separate cover within five (5) days of the filing of the Notice of Appeal.

Very truly yours,

*s/ Paul E. Allen, Jr.*

Paul E. Allen, Jr.

PEA/pea

Enclosure(s)