

**RECEIVED**

**Aug 29 2022**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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Appeal from Greenville County  
Court of Common Pleas

Alex Kinlaw, Jr., Circuit Court Judge

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Case No. 2020-CP-23-01728  
Appellate Case No. 2022-000398

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Debbie Stroud,  
Guardian ad Litem for James C. Stroud,

Respondent,

v.

THI of South Carolina at Greenville, LLC  
d/b/a Magnolia Manor-Greenville,  
THI of Baltimore, Inc., and  
THI of South Carolina, LLC,

Appellants.

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**APPELLANTS' DESIGNATION OF MATTER**

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CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
Matthew O. Riddle (SC Bar No. 76650)  
Russell G. Hines (SC Bar No. 72100)  
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*Attorneys for Appellants*

Appellants, THI of South Carolina at Greenville, LLC d/b/a Magnolia Manor-Greenville (the “Facility”), THI of Baltimore, Inc. (“THIB”), and THI of South Carolina, LLC (“THISC”), designate the following matter for inclusion in the Record on Appeal, with any duplicative matter (e.g., the Durable Power of Attorney, which is attached as an exhibit to both the Facility’s Motion to Compel Arbitration and to the Facility’s Memo in Support of its Motion to Compel arbitration) to appear in the Record on Appeal only once:

**Orders**

1. Order Directing the Parties to Submit Proposed Orders Within 30 Days, filed June 30, 2020;
2. Order Denying the Facility’s Motion to Compel Arbitration and THIB and THISC’s Motions to Stay, filed August 17, 2021;
3. Order Denying Defendants’ Motion to Alter, Amend or Reconsider, filed March 1, 2022;

**Pleadings**

4. Summons and Complaint, filed March 19, 2020;
5. The Facility’s Answer, filed May 22, 2020;
6. THIB’s Answer, filed May 22, 2020;
7. THISC’s Answer, filed May 22, 2020;

## **Transcript**

8. Transcript of Motion Hearing held June 29, 2021;

## **Other Material**

9. The Facility's Motion to Compel Arbitration, filed February 12, 2021;
  - a. Exhibit A, 2017 Arbitration Agreement; and
  - b. Exhibit B, Durable Power of Attorney;
10. THIB's Motion to Stay, filed February 12, 2021;
11. THISC's Motion to Stay, filed February 12, 2021;
12. Plaintiff's Memo in Opposition to the Facility's Motion to Compel Arbitration, filed April 4, 2021;
13. The Facility's Memo in Support of its Motion to Compel Arbitration, filed June 28, 2021;
  - a. Exhibit 1, Durable Power of Attorney;
  - b. Exhibit 2, 2017 Admission Agreement;
  - c. Exhibit 3, 2018 Admission Agreement;
  - d. Exhibit 4, 2017 Arbitration Agreement;
  - e. Exhibit 5, 2018 Arbitration Agreement;
14. Plaintiff's Proposed Order, submitted July 30, 2021;
15. Defendants' Proposed Order, submitted July 30, 2021;
16. Motion to Alter, Amend, and/or Reconsider Order Denying

Defendants' Respective Motions to Compel Arbitration and to Stay,  
filed August 27, 2021; and

17. Notice of Appeal and Proof of Service (omitting the orders attached to the Notice of Appeal, as they are already separately designated for inclusion in the Record on Appeal above), served and filed March 30, 2022.

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

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
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August 29, 2022