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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Kristi F. Curtis, Circuit Judge

Case No.: 2021-CP-26-01328
Appellate Case No.:

Jane Doe.....Respondent,

v.

Massage Envy Franchising, LLC, Palmetto Wellness Group, LLC,¹
PGD Investments, Inc.

Of Whom Palmetto Wellness Group, LLC is the Appellant.

NOTICE OF APPEAL

Pursuant to Rule 203, SCACR, Palmetto Wellness Group, LLC appeals the Honorable Kristi F. Curtis' Aug 24, 2022 Order denying the Motions to Stay Litigation and Compel Arbitration or Alternately Dismiss the Complaint and the Honorable Kristi F. Curtis' Aug 24, 2022 Order denying in part the Motion to Strike. Appellant received written notice of entry of these orders on August 24, 2022.

September 23, 2022

s/Jasmine D. Smith
J. Calhoun Watson (SC Bar No. 10089)
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Jasmine D. Smith (SC Bar No. 100758)
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Columbia, South Carolina 29211

¹ Palmetto Wellness Group, SC, LLC (incorrectly styled "Palmetto Wellness Group, SC, LLC d/b/a Massage Envy Grande Dunes" in the Complaint) was dismissed from this action on February 25, 2022.

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Group, LLC**

Other Counsel of Record:

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Attorneys for PGD Investments, Inc.

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v.

Massage Envy Franchising, LLC, Palmetto Wellness Group, LLC,
PGD Investments, Inc.

Of Whom Palmetto Wellness Group, LLC is the Appellant.

PROOF OF SERVICE

This is to certify that pursuant to the Amended Order of the Supreme Court dated May 6, 2022, the undersigned counsel has caused to be served this day (1) copy of the Notice of Appeal via electronic mail at the address as set forth below to the following:

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A copy of the email serving counsel for Respondents is attached hereto.

Respectfully Submitted,

s/ Jasmine D. Smith

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*Attorneys for Appellant Palmetto
Wellness Group, LLC*

September 23, 2022
Columbia, South Carolina

From: [Jasmine D. Smith](#)
To: scott@evansmoorelaw.com; [James B. Moore III](#); [Brian Kent](#); [Stewart Ryan](#)
Cc: cblackburn@nexsenpruet.com; rricard@nexsenpruet.com; ljoyner@GWBlawfirm.com; jlay@GWBlawfirm.com; pbrachman@paulweiss.com; [Cal Watson](#); [Christine Skalamera](#)
Subject: Jane Doe v. Massage Envy Franchising, LLC, et al Case No. 2021-CP-26-01328
Date: Friday, September 23, 2022 9:58:48 AM
Attachments: [image001.png](#)
[9.23.2022 Letter to Clerk of Court of Appeals - Palmetto Wellness Notice of Appeal\(38296368.1\).pdf](#)
[2022.9.23 FINAL Palmetto Wellness Notice of Appeal\(38296837.1\).pdf](#)

Scott, James, Brian, and Stewart,

As permitted by Supreme Court Order 2022-05-06-03, part (d)(1), and pursuant to Rule 203 of the South Carolina Appellate Court Rules, I am herewith serving via email Appellant Palmetto Wellness Group, LLC's Notice of Appeal in the above-captioned matter. Shortly, I will be filing these documents with the Court of Appeals as permitted by Order 2022-05-06-03, part (b)(2). I will attach this email to the Proof of Service.

Should you have any issues opening the attachments, please let me know.

Thank you,



JASMINE D. SMITH, Esq., Ed.S.

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September 23, 2022

Via Email

Ms. Jenny Abbott Kitchings
Clerk of Court South Carolina Court of Appeals
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ctappfilings@sccourts.org

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SC Court of Appeals

Re: Jane Doe v. Palmetto Wellness Group, LLC, Massage Envy Franchising, LLC et al.
Horry County, Civil Action No. 2021-CP-26-01328
RGSF File No. 7732/1501

Dear Ms. Kitchings:

Attached for electronic filing pursuant to South Carolina Supreme Court Order 2022-05-06-03, part (b)(2), and pursuant to Rule 203 of the South Carolina Appellate Court Rules, please find the Notice of Appeal of Appellant Palmetto Wellness Group, LLC in the above-captioned matter. As permitted by Order 2022-05-06-03, no other copies, whether paper or electronic, are being provided, unless requested by the Court.

By copy of this letter and as stated in the attached Proof of Service, we are serving counsel for Respondents, via email as permitted by Order 2022-05-06-03, part (d)(1).

Our firm's check in the amount of \$250.00 for payment of the filing fee will be delivered to the Court today via our courier.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Jasmine D. Smith

JDS:cls

Enclosures

cc: J. Calhoun Watson, Esquire (Via Email)
James B. Moore, III, Esquire (Via U.S. Mail & Email)
Scott C. Evans, Esquire (Via U.S. Mail & Email)
M. Stewart Ryan, Esquire (Via U.S. Mail & Email)
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Lindsay A. Joyner, Esquire (Via U.S. Mail & Email)



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September 23, 2022
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