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SC Court of Appeals

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

Appeal from Dorchester County
Court of Common Pleas

Robert Bonds, Circuit Court Judge
R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2021-CP-18-01030
Appellate Case No. 2022-001807

Tammy China,
as Personal Representative of the
Estate of Emma Lee James,

Respondent,

v.

Palmetto Hallmark Operating, LLC
d/b/a Hallmark Healthcare Center, and
Elite Patient Care of South Carolina, PC,

Defendants,

Of which Palmetto Hallmark Operating, LLC
d/b/a Hallmark Healthcare Center is

Appellant.

**APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

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)
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Attorneys for Appellant

Appellant, Palmetto Hallmark Operating, LLC d/b/a Hallmark Healthcare Center, proposes the following to be included in the Record on Appeal (with any duplicative matter to appear in the record only once):

Orders

1. Order filed May 4, 2022;
2. Form 4 Order filed November 28, 2022;
3. Form 4 Order filed December 28, 2022;

Pleadings

4. Summons and Complaint, filed June 9, 2021;
 - a. Exhibit 1, Affidavit of Dorothy Weir;
5. Defendant Palmetto Hallmark Operating, LLC d/b/a Hallmark Healthcare Center's Answer to Plaintiff's Complaint, filed August 16, 2021;
6. Defendant THI of South Carolina, LLC's Answer to Plaintiff's

Transcripts

7. Transcript of Record, April 13, 2022;
8. Transcript of Record, November 17, 2022;
9. Transcript of Record, December 19, 2022;

Other Materials

10. Defendant Palmetto Hallmark Operating, LLC d/b/a Hallmark Healthcare Center's Motion to Compel Arbitration, filed January 21, 2022;
 - a. Arbitration Agreement;

11. Defendant Palmetto Hallmark Operating, LLC d/b/a Hallmark Healthcare Center's Memorandum in Support of Its Motion to Compel Arbitration, filed April 8, 2022;
 - a. Exhibit 1, Admission Agreement;
 - b. Exhibit 2, Arbitration Agreement;
 - c. Exhibit 3, SC Health Care POA;
12. Plaintiff's Memorandum in Opposition to Defendant's Motion to Compel Arbitration, filed April 11, 2022;
13. Motion to Alter, Amend, and/or Reconsider Order Denying Motion to Compel Arbitration, filed May 16, 2022;
14. Motion to Alter, Amend, and/or Reconsider Order (filed November 28, 2022), filed December 8, 2022;
15. Notice of Appeal (appealed orders omitted), with Proof of Service.

I certify that this Designation of Matters contains no matter that is irrelevant to this appeal.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
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May 11, 2023