

CLEMENT RIVERS, LLP

ATTORNEYS AT LAW

Russell G. Hines
Partner

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1327
E-mail: RHines@yrcrlaw.com

May 31, 2023

RECEIVED

May 31 2023

SC Court of Appeals

VIA EMAIL ONLY

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: The Estate of Jo Eva Rice v. Fundamental Clinical and Operational Services, LLC
Appellate Case No.: 2023-000432
Case No.: 2021-CP-42-03701
Claim No.: HBLM# 1923547
YCR File: 14347-20210593

Dear Ms. Kitchings:

I am in receipt of your letter of May 30, 2023, advising that the Court's records reflect that the time for serving and filing the appellants' initial brief and designation of matter has expired and setting a 10-day deadline for us to serve and file the appellants' initial brief and designation of matter, along with a motion requesting permission to serve and file them outside of the deadlines set by Rules 208 and 209, SCACR.

With my sincere apologies to the Court if I am mistaken in this regard, as explained below, it is my understanding that the time for serving and filing the appellants' initial brief and designation of matter has not yet begun to run under Rules 208 and 209, because we are still awaiting receipt of one of the transcripts necessary for this appeal.

We ordered two transcripts in the above-referenced matter on March 16, 2023. (See Exhibit A attached hereto.) The first hearing was held on April 1, 2022,¹ and the second hearing was held on February 21, 2023. On April 25, 2023, my staff was contacted by Michelle Farias of Escribers regarding the February 21, 2023, transcript only, stating the transcript was expected to be completed on or before June 24, 2023. (See Exhibit B attached hereto.) On May 1, 2023, Sallie B. Todd emailed my staff a copy of the April 1, 2022, transcript as well as an invoice for the same. (See Exhibit C attached hereto.) To date, we have yet to receive the February 21, 2023, transcript, but

¹ Through a scrivener's error, the letter ordering the transcript dates the hearing as April 1, 2023, but the transcript request form has the correct date on it.

Jenny Abbott Kitchings, Clerk of Court
May 31, 2023
Page 2 of 2

we were informed this morning by Escribers that the transcript is scheduled for completion by June 14, 2023.

Accordingly, and, again, with my sincere apologies to the Court if I am mistaken in this regard, it is my understanding that the time for serving and filing the appellants' initial brief and designation of matter has not yet begun to run under Rules 208 and 209.

I would very much appreciate you letting me know whether my understanding is correct. Of course, if I am mistaken, we will certainly proceed as directed by your letter of May 30, 2023. And, as always, thank you very much for your attention to this matter.

With best wishes and kindest regards, I am

Sincerely,

CLEMENT RIVERS, LLP

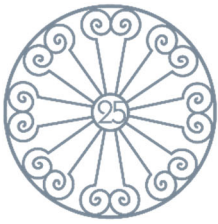
s/Russell G. Hines

Russell G. Hines

RGH/amj

Enclosures

cc: Tammie M. Holmes, South Carolina Court Administration
Matthew W. Christian, Christian & Christian, LLC
W. Harold Christian, Jr., Christian & Christian, LLC



CLEMENT RIVERS, LLP

ATTORNEYS AT LAW

Aimee M. Justman
Legal Assistant

Direct Dial: (843) 720-5460
Direct Fax: (843) 579-1385
E-Mail: Ajustman@ycrlaw.com

March 16, 2023

VIA EMAIL ONLY

Webex
1220 Senate Street, Suite 200
Columbia, SC 29201
transcripts@sccourts.org

RECEIVED
Mar 16 2023
SC Court of Appeals

Re: The Estate of Jo Eva Rice v. Fundamental Clinical and Operational Services, LLC
Appeal Case No.: 2023-000432
Underlying Case No.: 2021-CP-42-03701
Claim No.: HBLM# 1923547
YCR File: 14347-20210593

Dear Court Reporter:

This law firm represents Fundamental Clinical and Operational Services, LLC; Fundamental Administrative Services, LLC; and THI of South Carolina at Magnolia Place-Spartanburg, a/k/a Physical Rehab and Wellness of Spartanburg in the above-referenced matter. In that regard, pursuant to the attached transcript request form, I would like to request two hearing transcripts in the above-referenced matter. The first hearing was held on April 1, 2023 in front of the Honorable J. Durham Cole. The second hearing was held on February 21, 2023 also in front of the Honorable J. Durham Cole.

Please inform me if you require a deposit prior to mailing us a copy and we will send it immediately, otherwise we will remit payment upon receipt of your invoice. If you have any questions, please contact me at the telephone number listed above.

With best wishes and kindest regards, I am

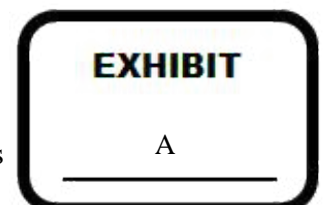
Sincerely,

CLEMENT RIVERS, LLP

Aimee M. Justman
Legal Assistant

/amj

cc: W. Harold Christian, Jr., Esquire, Christian & Christian, LLC
Matthew W. Christian, Christian & Davis LLC
Jenny Abbott Kitchings, Clerk of Court, South Carolina Court of Appeals
South Carolina Court Administration



Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name <u>Russell G. Hines</u>		Phone Number <u>(843) 720-5488</u>	Email Address <u>ajustman@ycrlaw.com</u>
Mailing Address <u>25 Calhoun Street, Suite 400</u>		City <u>Charleston</u>	State <u>SC</u>
Transcript Information			
Docket Number <u>2021-CP-42-03701</u>		Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>The Estate of Jo Eva Rice v. Fundamental Clinical and Operational Services, LLC</u>	
Date(s) of Proceeding <u>April 1, 2022</u> <u>February 21, 2023</u>		Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>	County <u>Spartanburg</u>
Presiding Judge <u>J. Durham Cole</u>		Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Court Reporter(s) <u>Webex</u>		Opposing Counsel <u>W. Harold Christian, Jr.</u> <u>Matthew W. Christian</u>	

Requestor's Signature: s/Russell G. Hines
(Typed name will serve as signature)

Date: March 16, 2023

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____		Date Received _____	Email Address _____
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment _____		City _____	State _____
		Zip Code _____	

Justman, Aimee

From: Michelle Farias <mfarias@escribers.net>
Sent: Wednesday, April 26, 2023 3:18 PM
To: Bell, Pollyana (Polly); Sales
Cc: Justman, Aimee
Subject: RE: eScribers Transcript order no [SCJB00200] : The Estate of Jo Eva Rice v. Fundamental Clinical and Operational Services; 2021-CP-42-03701; 2/21/23

Hi,

Received, thank you. The transcript will be completed on 6/24/23.

Thanks,



Michelle Farias
Client Relations Manager
973-406-2250 | Office
800-257-0885 | Toll free
917-789-5314 | Direct

"One Click Away from All Your Reporting and Transcription Needs"

From: Bell, Pollyana (Polly) <pbell@ycrlaw.com>
Sent: Wednesday, April 26, 2023 2:17 PM
To: Sales <sales@escribers.net>
Cc: Justman, Aimee <AJustman@ycrlaw.com>
Subject: RE: eScribers Transcript order no [SCJB00200] : The Estate of Jo Eva Rice v. Fundamental Clinical and Operational Services; 2021-CP-42-03701; 2/21/23

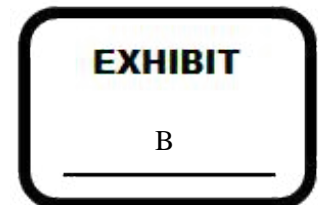
Good afternoon, attached please find our firm's check representing the deposit for this transcript which is being mailed today.

Thank you,

Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
Phone:(843)720-5488 | Fax:(843)579-1369



From: eScribers Sales <sales@escribers.net>
Sent: Tuesday, April 25, 2023 12:50 PM
To: Justman, Aimee <AJustman@ycrlaw.com>
Cc: sales@escribers.net; webapp@escribers.net
Subject: eScribers Transcript order no [SCJB00200] : The Estate of Jo Eva Rice v. Fundamental Clinical and Operational Services; 2021-CP-42-03701; 2/21/23



To Russell G. Hines,

We are contacting you regarding your transcript order in the case: **The Estate of Jo Eva Rice v. Fundamental Clinical and Operational Services; 2021-CP-42-03701; 2/21/23**

We roughly estimate the transcript will be around 28.00 pages for a sixty day turnaround * \$4.25 per page = \$119.00

Before we can begin transcribing it, we will require a \$119.00 deposit.

Please be aware, turnaround time begins once we receive your deposit.

To pay by credit card via our secure website:

Please click the following link, or copy it into your browser's address bar:

<https://escribers.net/payment/?reference=SCJB00200&amount=119>

Enter your credit card information, name, email and address and click "Pay Now".

Or if you would like, we can take your credit card deposit payment over the phone.

If you have any other questions, please let us know.

eScribers LLC

Phone: 800-257-0885

Email: sales@escribers.net

7227 N 16th Street
Suite 207
Phoenix, AZ 85020

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Clement Rivers, LLP

<http://www.ycrlaw.com>

Charleston: (843) 577-4000

Attachments larger than 40MB may be rejected by the firm's server. If you are sending an attachment of this size or larger, please contact the intended recipient to inform him/her of your transmission.

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Justman, Aimee

From: Todd, Sallie B. <sbtodd@sccourts.org>
Sent: Monday, May 1, 2023 11:23 AM
To: Justman, Aimee
Subject: The Estate of Jo Eva Rice vs Fundamental Clinical and Operational Services, LLC
Attachments: Estate.of.Jo.Eva.Rice.04.01.2022.pdf; Estate.of.Rice.Cert.Scan.jpeg;
Rice.vs.Fundamental.5.1.23.Copy.docx

Categories: Appeal

Good morning Mr. Hines,

Please find attached a copy of the above referenced transcript, along with the Certificate Page and Invoice for the same. If you need anything further, please let me know.

Thanks,

Sallie Beth Todd

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**EXHIBIT**

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