

**RECEIVED**

**Jun 12 2023**

**SC Court of Appeals**

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

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Appeal from Spartanburg County  
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

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Cases No. 2019-CP-42-03708 and 2019-CP-42-03709

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Appellate Case No. 2022-001059

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Kenneth Pace,  
Individually and as Personal Representative of  
the Estate of Earl E. Pace,

Respondent,

v.

Lake Emory Post Acute Care; THI of South Carolina at Camp  
Care, LLC; THI of South Carolina, LLC; THI of Baltimore, Inc.;  
Fundamental Administrative Services, LLC; Fundamental  
Clinical and Operational Services, LLC; Fundamental Clinical  
Consulting, LLC; Fundamental Long Term Care Holdings, LLC;  
and Kerry L. Wheeler, DO,

Defendants,

Of which Lake Emory Post Acute Care; THI of South Carolina at  
Camp Care, LLC; THI of South Carolina, LLC; THI of  
Baltimore, Inc.; Fundamental Administrative Services, LLC;  
Fundamental Clinical and Operational Services, LLC; and  
Fundamental Long Term Care Holdings, LLC, are

Appellants.

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**APPELLANTS' REPLY DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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*\*Counsel identified on next page*

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Appellants designate the following additional matter to be included in the Record on Appeal:

1. Emails between Law Clerk and Counsel on February 1, 2021;
2. CEN and NEF for Plaintiff's Proposed Order Denying Principal Mot. [Both Cases];
3. Emails between Law Clerk and Counsel on June 6 and 10, 2022; and
4. CEN and NEF for Plaintiff's Proposed Order Denying Defs.' Mot. to Reconsider [Both Cases];

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

Respectfully submitted,  
CLEMENT RIVERS, LLP

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June 12, 2023