

July 18, 2023

Via E-Mail

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: Anesthesiology Professionals of Columbia, LLC v. Lifepoint Health  
Appellate Case No. 2023-001058  
Our File No. 047839/01505

Dear Ms. Kitchings:

Appellants Lifepoint Health and Providence Hospital, LLC and Respondents Anesthesiology Professionals of Columbia, LLC hereby jointly consent to and move for an additional 10 days to respond to the letter from the Court of Appeals on appealability due to vacation of Attorney Wood, motion hearings, and other obligations of all counsel. With the additional 10 days, Appellants' memorandum will be due on July 31, 2023.

Our firm's check in the amount of \$50.00 for the required filing fee is being delivered to the Court today. Thank you for your consideration of this request.

With kind regards, I remain

Very truly yours,

*s/C. Mitchell Brown*

C. Mitchell Brown

CMB:eh

cc: James Mixon Griffin, Esquire (via email)  
Margaret Nicole Fox (via email)

**RECEIVED**  
**Jul 18 2023**  
**SC Court of Appeals**

# Exhibit 1

*(Letter from the Court of Appeals dated July 11, 2023)*



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

CATHERINE S. HARRISON  
DEPUTY CLERK

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July 11, 2023

Mr. C. Mitchell Brown, Esquire  
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William C. Wood, Jr., Esquire  
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PO Box 11070  
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Mr. James Mixon Griffin, Esquire  
PO Box 999  
Columbia SC 29202

Ms. Margaret Nicole Fox, Esquire  
PO Box 999  
Columbia SC 29202

Re: Anesthesiology Professionals of Columbia, LLC v. Lifepoint Health  
Appellate Case No. 2023-001058

Dear Counsel:

This Court has received the Appellants' notice of appeal. A preliminary review of the orders challenged on appeal indicates it might not be appealable.

Accordingly, it is requested that each party serve and file a memorandum addressing the issue of appealability within ten (10) days of the date of this letter.

The time limits for perfecting the appeal are held in abeyance pending the Court's consideration of the memoranda.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Hannison, deputy". The signature is written in a cursive style with a large initial 'C'.

CLERK

**RECEIVED**

**Jul 18 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Daniel Coble, Circuit Court Judge  
L. Casey Manning, Circuit Court Judge

Case No. 2019-CP-40-04452  
Appellate Case No. 2023-001058.

Anesthesiology Professionals of Columbia, LLC,.....	Respondent,
v.	
Lifepoint Health d/b/a Providence Health and Providence Hospital, LLC,.....	Appellants.

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PROOF OF SERVICE

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I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Lifepoint Health d/b/a Providence Health and Providence Hospital, LLC, hereby certify that I have served all counsel in this action with a copy of the pleading(s) specified below by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System.

Pleadings:                    Joint request for extension to file memorandum of appealability

Counsel Served:

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James Mixon Griffin, Esquire  
Griffin | Davis  
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Columbia, SC 29202  
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[jgriffin@griffindavislaw.com](mailto:jgriffin@griffindavislaw.com)

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*Attorneys for Appellants*



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Eileen Hindman  
Administrative Assistant

07/18, 2023

## Eileen Hindman

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**From:** Eileen Hindman  
**Sent:** Tuesday, July 18, 2023 3:44 PM  
**To:** mfox@griffindavislaw.com; jgriffin@griffindavislaw.com; walker.coleman@klgates.com; Tre.Holloway@klgates.com; jeffrey.patterson@klgates.com; estuckey@mcgowanhood.com; Bill Wood; Mitch Brown; Meredith Keane  
**Subject:** Anesthesiology Professionals of Columbia, LLC v. Lifepoint Health - Appellate Case No. 2023-001058  
**Attachments:** 2023.07.18 CMB Ltr to COA - request for extension (Lifepoint).pdf; Exhibit 1 - 2023.07.11 Letter from Court of Appeals re. appealability.pdf; 2023.07.18 Proof of Service (Lifepoint).pdf

Good afternoon,

Attached for service upon you in the above matter is a joint request for extension to respond to appealability and exhibit, and proof of service.

Thank you,



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