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Jul 27 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Charleston County
Court of Common Pleas

Roger M. Young, Sr., Circuit Court Judge

Case Nos. 2021-CP-1001437 & 1002744

William Haynes as Personal
Representative of the Estate of Elizabeth
Varner, Appellant,

v.

THI of Charleston LLC d/b/a Riverside
Health and Rehab, Fundamental Services
LLC, Fundamental Clinical and
Operational Services LLC, and Jerrolyn
Montgomery-Small, Respondents.

NOTICE OF APPEAL

Appellant William Haynes, as Personal Representative of the Estate of Elizabeth Varner, hereby appeals the following orders of the Honorable Roger M. Young, Sr.:

PINKSTON LAW FIRM, LLC
Shawn Pinkston, SC Bar No. 79965
856 Lowcountry Blvd., Suite 101
Mount Pleasant, South Carolina 29464
Office: 843-814-5472

Attorney for Appellant

Other Counsel of Record:

Matthew O. Riddle
SC Bar No. 76650
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Gaillard T. Dotterer, III
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Young Clement Rivers LLP
25 Calhoun Street – Suite 400
Charleston, S.C. 29401

Attorneys for Respondents

Plaintiff William Haynes, as Personal Representative for the Estate of Elizabeth Varner, hereby appeals the following orders of the Honorable Roger M. Young, Sr., Circuit Court Judge:

- His Honor's **Order Granting THI of Charleston LLC d/b/a Riverside Health and Rehab and Jerrolyn Montgomery-Small's Motions to Compel Arbitration and Granting Fundamental Services LLC, Fundamental Clinical and Operational Services LLC's Motions to Stay** filed February 22, 2022; and
- His Honor's **Denying Plaintiff's Motion to Reconsider and Affirming its previous Order Granting Defendants' Motion to Dismiss and Compel Arbitration** filed March 23, 2022.

Copies of the appealed orders are attached hereto and incorporated herein by reference. Appellant received written notice of the Arbitrator's Final Order of Arbitration on or about May 18, 2023.

Respectfully submitted,

PINKSTON LAW FIRM, LLC

/s/ Shawn Pinkston

Shawn Pinkston, SC Bar No. 79965
856 Lowcountry Blvd., Suite 101
Mount Pleasant, South Carolina 29464
Office: 843-814-5472

Attorney for Appellant

Mount Pleasant, South Carolina

Dated: June 8, 2023

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William Haynes as Personal
Representative of the Estate of Elizabeth
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Appellant.

PROOF OF SERVICE

PINKSTON LAW FIRM, LLC
Shawn Pinkston, SC Bar No. 79965
856 Lowcountry Blvd., Suite 101
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Office: 843-814-5472

I, Shawn Pinkston, of the Pinkston Law Firm, LLC, attorney for Appellant, hereby certify that I have served the **NOTICE OF APPEAL** and **REQUEST FOR TRANSCRIPTS** was served on all parties by depositing a copy of the same in the U.S. Mail on June 8, 2023, properly posted for delivery to the following addresses:

Matthew O. Riddle
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25 Calhoun Street – Suite 400
Charleston, S.C. 29401

Attorney for Respondents

I also certify that a copy of this **NOTICE OF APPEAL** is this day, June 8, 2023, being E-filed with the lower court (which will also, in addition to service by mail, effect service of the notice electronically on all counsel of record).

Respectfully submitted,

PINKSTON LAW FIRM, LLC

/s/ Shawn Pinkston

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Office: 843-814-5472

Attorney for Appellant

Mount Pleasant, South Carolina

Dated: June 8, 2023