

**RECEIVED**

**Aug 28 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

Grace Gilchrist Knie, Circuit Court Judge

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Case No. 2022-CP-42-02595

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Steven McCarson,  
as Personal Representative of the Estate of Louie Arches,

Respondent,

v.

THI of South Carolina at Magnolia Manor–Inman, LLC  
d/b/a Magnolia Manor–Inman, THI of South Carolina at Inman, LLC,  
THI of South Carolina, LLC, Hunt Valley Holdings, LLC,  
Fundamental Administrative Services, LLC,  
Fundamental Clinical And Operational Services, LLC,  
THI of Baltimore, LLC, and James H. Mack,

Appellants.

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**NOTICE OF APPEAL**

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CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
James D. Gandy, III (SC Bar No. 11925)  
Gaillard T. Dotterer, III (SC Bar No. 103620)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
P.O. Box 993 (29402)  
Charleston, South Carolina 29401  
(843) 720-5488

*Attorneys for Appellants*

Other Counsel of Record:

Lee D. Cope (SC Bar No. 14361)  
John E. Parker, Jr. (SC Bar No. 104225)  
PARKER LAW GROUP, LLP  
101 Mulberry Street East  
P.O. Box 487  
Hampton, South Carolina 29924  
(803) 943-2111

*-and-*

Jamie L. Walters (SC Bar No. 76956)  
KOON COOK & WALTERS, LLC  
2016 Gadsden Street  
Columbia, South Carolina 29201  
(803) 256-4082

*Attorneys for Respondent*

Defendants/Appellants, THI of South Carolina at Magnolia Manor–Inman, LLC d/b/a Magnolia Manor–Inman, THI of South Carolina at Inman, LLC, THI of South Carolina, LLC, Hunt Valley Holdings, LLC, Fundamental Administrative Services, LLC, Fundamental Clinical And Operational Services, LLC, THI of Baltimore, LLC, and James H. Mack (“Appellants”), hereby appeal the following orders of the Honorable Grace Gilchrist Knie, Circuit Court Judge:

- **Order Denying Defendants’ Motions to Dismiss and Compel Arbitration or Participate in Discovery**, filed July 10, 2023;
- **Initial Order Regarding Motion for Reconsideration**, filed July 24, 2023;<sup>1</sup> and
- **Final Order Regarding Motion for Reconsideration**, filed July 27, 2023.

Copies of the appealed orders are attached hereto and incorporated herein by reference. Appellants received written notice of entry of the most recent order on July 27, 2023.

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
James D. Gandy, III (SC Bar No. 11925)  
Gaillard T. Dotterer, III (SC Bar No. 103620)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
P.O. Box 993 (29402)  
Charleston, South Carolina 29401  
(843) 720-5488  
*Attorneys for Appellants*

Charleston, South Carolina

August 28, 2023

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<sup>1</sup> Appellants appeal this order out of an abundance of caution.

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Steven McCarson,  
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THI of South Carolina at Magnolia Manor–Inman, LLC  
d/b/a Magnolia Manor–Inman, THI of South Carolina at Inman, LLC,  
THI of South Carolina, LLC, Hunt Valley Holdings, LLC,  
Fundamental Administrative Services, LLC,  
Fundamental Clinical And Operational Services, LLC,  
THI of Baltimore, LLC, and James H. Mack,

Appellants.

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**PROOF OF SERVICE**

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CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
James D. Gandy, III (SC Bar No. 11925)  
Gaillard T. Dotterer, III (SC Bar No. 103620)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
P.O. Box 993 (29402)  
Charleston, South Carolina 29401  
(843) 720-5488

*Attorneys for Appellants*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **NOTICE OF APPEAL** was served on Respondent on August 28, 2023, by emailing (see attached email) a copy of the same to his counsel of record:

PARKER LAW GROUP, LLP  
Lee D. Cope, Esquire  
[lcope@parkerlawgroupsc.com](mailto:lcope@parkerlawgroupsc.com)  
John E. Parker, Jr., Esquire  
[jayparker@parkerlawgroupsc.com](mailto:jayparker@parkerlawgroupsc.com)

*-and-*

KOON COOK & WALTERS, LLC  
Jamie L. Walters, Esquire  
[jwalters@kcw-law.com](mailto:jwalters@kcw-law.com)  
*Attorneys for Respondent*

I also certify that a copy of Appellants' **NOTICE OF APPEAL** was today, August 28, 2023, E-Filed with the lower court (see attached NEF), which also, i.e., in addition to service by email, effected service of the notice today on the above-identified counsel of record via the E-Filing System.

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
Russell G. Hines (SC Bar No. 72100)  
*Attorneys for Appellants*

Charleston, South Carolina

August 28, 2023

**From:** [Hines, Russell](#)  
**To:** ["Lee Cope"](#); ["Jay Parker"](#); ["jwalters@kcw-law.com"](#)  
**Cc:** ["Shanna Jarrell"](#); [Davis, Jay](#); [Gandy, III, James D. \(Tripp\)](#); [Dotterer III, Gaillard T. \(Gilly\)](#); [Wakeham, Rebecca \(Becky\)](#); [Peterson, Susan](#); [Justman, Aimee](#); [Bell, Pollyana \(Polly\)](#); ["Brown, Steve"](#)  
**Subject:** McCarson v. THI (2022-CP-42-02595) -- Notice of Appeal  
**Date:** Monday, August 28, 2023 2:44:32 PM  
**Attachments:** [McCarson v. THI \(Case No. 2022-CP-42-02595\) -- Notice of Appeal.pdf](#)  
[Appealed Order filed July 10, 2023.pdf](#)  
[Appealed Order filed July 24, 2023.pdf](#)  
[Appealed Order filed July 27, 2023.pdf](#)  
[image001.png](#)

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Attached for service please find Defendants' **Notice of Appeal** in the above-referenced matter.

Russell G. Hines  
CLEMENT RIVERS, LLP  
[www.ycrlaw.com](http://www.ycrlaw.com)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
Phone: (843) 720-5488  
Fax: (843) 579-1327  
Email: [rhines@ycrlaw.com](mailto:rhines@ycrlaw.com)



**CLEMENT RIVERS, LLP**

25 Calhoun Street • Suite 400 • Charleston, SC 29401  
[ycrlaw.com](http://ycrlaw.com)



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

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**A filing has been submitted to the court RE:** 2022CP4202595

**Official File Stamp:** 08-28-2023 02:54:48 PM  
**Court:** CIRCUIT COURT  
Common Pleas  
Spartanburg  
**Case Caption:** Steven Mccarson , plaintiff, et al VS Thi Of South Carolina At Magnolia Manor-Inman Llc ,  
defendant, et al  
**Document(s) Submitted:** Appeal/Notice of Appeal to Court of Appeals  
- Exhibit/Filing of Exhibits  
- Exhibit/Filing of Exhibits  
- Exhibit/Filing of Exhibits  
**Filed by or on behalf of:** Russell Grainger Hines

This notice was automatically generated by the Court's auto-notification system.

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**The following people were served electronically:**

Donald Jay Davis, Jr. for James H Mack, Thi Of South Carolina At Magnolia Manor-Inman Llc,  
Thi Of Baltimore Llc, Fundamental Clinical And Operational Services Llc, Fundamental  
Administrative Services Llc, Hunt Valley Holdings Llc, Thi Of South Carolina Llc  
Gaillard Townsend Dotterer, III for James H Mack, Thi Of South Carolina At Magnolia Manor-  
Inman Llc, Thi Of Baltimore Llc, Fundamental Clinical And Operational Services Llc,  
Fundamental Administrative Services Llc, Hunt Valley Holdings Llc, Thi Of South Carolina Llc  
Jamie L. Walters for Steven Mccarson, Louie Arches  
Lee Deer Cope for Steven Mccarson, Louie Arches  
James D. Gandy, III for James H Mack, Thi Of South Carolina At Magnolia Manor-Inman Llc,  
Thi Of Baltimore Llc, Fundamental Clinical And Operational Services Llc, Fundamental  
Administrative Services Llc, Hunt Valley Holdings Llc, Thi Of South Carolina Llc  
John Elliott Parker, Jr. for Steven Mccarson, Steven Mccarson Personal Representative  
Russell Grainger Hines for James H Mack, Thi Of South Carolina At Magnolia Manor-Inman  
Llc, Thi Of Baltimore Llc, Fundamental Clinical And Operational Services Llc, Fundamental  
Administrative Services Llc, Hunt Valley Holdings Llc, Thi Of South Carolina Llc

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

Louie Arches Estate  
Magnolia Manor-Inman