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Sep 01 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas
J. Cordell Maddox, Jr., Circuit Court Judge

Appellate Case No. 2023-001211
Case No. 2021-CP-02-00889

Julianne Foster, Plaintiff,

v.

Rhett Riviere, Katherine A. Thomas, Chase Enterprises,
LLC of South Carolina, and Airbnb, Inc., Defendants,

Of which

Rhett Riviere, is the Appellant,

AND

Airbnb, Inc., Respondent,

v.

Rhett Riviere, Appellant.

AMENDED NOTICE OF APPEAL

Rhett Riviere (“Riviere”) appeals the Order filed July 26, 2023, denying Riviere’s Motion to Compel Arbitration and Motion to Dismiss or, in the Alternative, Stay. Riviere received written notice of the order denying its Motion to Compel Arbitration and Motion to Dismiss or, in the Alternative, Stay on July 26, 2023.

South Carolina case law provides that “[a]n order denying arbitration is immediately appealable.” *Cape Romain Contractors, Inc. v. Wando E., LLC*, 405 S.C. 115, 121, 747 S.E.2d 461, 464 (2013); *see also Towles v. United HealthCare Corp.*, 338 S.C. 29, 34-35, 524 S.E.2d 839,

842 (Ct. App. 1999) (noting section 16 of the FAA explicitly provides for an appeal from an order denying a motion to compel arbitration and finding that the circuit court's order refusing to compel arbitration was immediately appealable). Therefore, this appeal is ripe for the Court's review and consideration.

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Columbia, South Carolina
September 1, 2023

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PROOF OF SERVICE

I, Jaime Harmon, legal assistant at Griffin Humphries LLC, attorneys for the Appellant, located at 4408 Forest Drive, Suite 300, Columbia, South Carolina 29206, hereby certify that on September 1, 2023, I have served all counsel in this action a copy of the **Amended Notice of Appeal** by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System:

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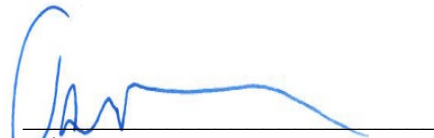
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Columbia, South Carolina
September 1, 2023