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SC Court of Appeals

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

Appeal from Pickens County
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Cases No. 2021-CP-39-01127 and -01128
Appellate Case No. 2023-000033

Deonda Weldon, Individually and as
Personal Representative of the Estate of Earline Cooley,

Appellant,

v.

Dominion Clemson, LLC d/b/a Dominion Senior Living at Patrick Square;
Dominion Senior Living, LLC; Dominion Clemson, II, LLC; Dominion
Management Group, LLC; and Dominion Group, LLC,

Respondents.

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

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-and-

Joshua T. Thompson (SC Bar No. 79137)
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Attorneys for Respondents

Respondents propose the following to be included in the Record on Appeal (but omitting any needless duplication of material):

Orders

1. Form 4 Order filed October 27, 2022 [2021-CP-39-01127];
2. Order Granting Defendants’ Motion to Compel Arbitration and Dismissing Cases, filed January 3, 2023 [2021-CP-39-01127];

Pleadings

3. Summons and Complaint, filed October 13, 2021 [2021-CP-39-01127];
 - a. Exhibit A, Affidavit of Audrey Holmes, with curriculum vitae;
4. Summons and Complaint, filed October 13, 2021 [2021-CP-39-01128], exhibit omitted to prevent duplication;
5. Defendants’ Answer, filed December 21, 2021 [2021-CP-39-01127];
6. Defendants’ Answer, filed December 21, 2021 [2021-CP-39-01128];

Transcripts

7. Hearing Transcript, October 20, 2022;

Other Material

8. Defendants Dominion Clemson, LLC d/b/a Dominion Senior Living at Patrick Square and Dominion Senior Living, LLC’s Motion to Compel Arbitration and Protective Order from Discovery, filed June 9, 2022 [2021-CP-39-01127];
 - a. Exhibit A, Resident Admission Agreement;
 - b. Exhibit B, Durable Power of Attorney of Earline S. Cooley;
 - c. Exhibit C, Health Care Power of Attorney of Earline S. Cooley;
9. Defendants Dominion Clemson, LLC d/b/a Dominion Senior Living at Patrick Square and Dominion Senior Living, LLC’s Motion to Compel Arbitration and Protective Order from Discovery, filed June 9, 2022, exhibits omitted to prevent duplication [2021-CP-39-01128];
10. Plaintiff’s Memorandum in Opposition to Defendants’ Motion to Compel

Arbitration and Protective Order from Discovery, filed October 18, 2022 [2021-CP-39-01127 and 2021-CP-39-01128];

- a. Exhibit 1, Affidavit of Deonda Weldon;
 - b. Exhibit 2, Affidavit of Debra Galloway;
 - c. Exhibit 3, Letter to Dominion with Records Release;
 - d. Exhibit 4, Affidavit of Amanda Venable f/k/a Amanda Weatherford;
 - e. Exhibit 5, Letter from Defendants' Attorney with Record Subpoenas;
 - f. Exhibit 6, Letter to Thompson re Discovery Deficiencies;
 - g. Exhibit 12, Printout re Dominion Locations;
11. Defendants' Memorandum in Support of Motion to Compel Arbitration and Protective Order from Discovery and Memorandum in Opposition to Plaintiff's Motion to Compel, filed October 19, 2022 [2021-CP-39-01127 and 2021-CP-39-01128];
- a. Exhibit 4, Emergency Contacts;
 - b. Exhibit 5, Emails between Thompson and Christian re extension;
 - c. Exhibit 6, Certificate of Service for Dominion Clemson's 1st INTs and RFPs to Plaintiff;
 - d. Exhibit 7, Dominion Clemson's 1st RFPs to Plaintiff;
 - e. Exhibit 8, Certificate of Service for Plaintiff's Answers to Dominion Clemson's 1st INTs and RFPs.;
 - f. Exhibit 9, Plaintiff's Answers to Dominion Clemson's 1st RFPs;
 - g. Exhibit 10, Emails between Thompson and Christian re Enforceability of Arbitration Agreement;
 - h. Exhibit 11, Emails between Thompson and Christian re Discovery Dispute; and
12. Notice of Appeal, omitting orders to prevent duplication, with proof of service [2021-CP-39-01127 and 2021-CP-39-01128].

I certify that this Designation of Matters contains no matter which is irrelevant to this

appeal.

Respectfully submitted,

By: s/Russell G. Hines
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