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SC Court of Appeals

ELECTRONICALLY FILED - 2023 Dec 11 3:40 PM - GREENVILLE - COMMON PLEAS - CASE#2023CP2304332

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE GREENVILLE COUNTY
Court of Common Pleas

The Honorable Perry H. Gravely

C.A. No. 2023CP2304332

Prisma Health, Prisma Health-Upstate,
and Greenville Health Corporation..... Plaintiffs/Appellants,

v.

UnitedHealthcare Insurance Company
and UnitedHealthcare of South Carolina, IncDefendants /Respondents.

NOTICE OF APPEAL

Prisma Health, Prisma Health-Upstate, and Greenville Health Corporation (collectively “Prisma”), appeal the Form 4 Order Denying Plaintiffs’ Motion for Temporary Injunction and Temporary Restraining Order filed on September 8, 2023.¹ Prisma received written notice of the entry of this Order on that same date. A copy of this Order is attached to this Notice as Exhibit A. In addition, Prisma appeals the Order Denying Plaintiffs’ Motion for Temporary Injunction and Temporary Restraining Order in this matter filed on October 3, 2023. Prisma received written notice of the entry of this Order on that same date. A copy of this Order is attached to this Notice as Exhibit B. Finally, Appellants/Plaintiffs appeal the Order Denying Plaintiffs’

¹ As indicated in the Form 4 Order, a more formal order followed and is also attached to this Notice of Appeal.

59(e), SCRCF, Motion to Alter or Amend the Order Denying Plaintiffs' Motion for Temporary Injunction and Temporary Restraining Order, dated November 13, 2023, for which written notice of entry was received on November 13, 2023 (attached as Exhibit C). These Orders are immediately appealable under S.C. Code Ann. § 14-3-330(4) because the Orders relate to refusal of the trial court to enter an injunction. *See, e.g., Curtis v. State*, 345 S.C. 557, 549 S.E.2d 591 (2001); *City of Columbia v. Pic-A-Flick Video, Inc.*, 340 S.C. 278, 531 S.E.2d 518 (2000); *Williams v. Northwestern Sec. Life Ins. Co.*, 307 S.C. 462, 415 S.E.2d 809 (1992).

December 11, 2023

Respectfully Submitted,

s/H. Sam Mabry III

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Attorneys for Defendants/Respondents, UnitedHealthcare Insurance Company and UnitedHealthcare of South Carolina, Inc.

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APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Perry H. Gravely
Circuit Court Judge

C.A. No.: 2023CP2304332

Prisma Health, Prisma Health-Upstate,
and Greenville Health Corporation..... Appellants,

v.

UnitedHealthcare Insurance Company
and UnitedHealthcare of South Carolina Inc..... Respondents.

PROOF OF SERVICE

I certify that I have served the *Notice of Appeal*, on all attorneys of record by electronic
mail on December 11, 2023 addressed to:

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December 11, 2023

VIA EMAIL AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Prisma Health, Prisma Health-Upstate, and Greenville Health Corporation v. UnitedHealthcare Insurance Company and UnitedHealthcare of South Carolina Inc.*,
C. A. No. 2023-CP-23-04332

Dear Ms. Kitchings:

Enclosed please find the following for filing in regards to the above referenced matter:

- (1) Notice of Appeal with attachments;
- (2) Proof of Service;
- (3) Our firm's check in the amount of \$250.00 for the filing fee (with mailed copy); and
- (4) Transcript Request Form ordering the transcript of the last hearing held in this matter.

The Notice of Appeal has been filed electronically with the lower court.

Please return a clocked copy to me by email.

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.



William D. Smith

WDS

Enclosures

cc: Brian D. Boone (brian.boone@alston.com)
Kyle Roston Hair (kyle.hair@alston.com)