

DAVIDSON & LINDEMANN, P.A.

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Michael B. Wren
Lawrence S. Kerr, M.D.†
Kate A. Rice
Daniel C. Plyler
Joel S. Hughes
Kristy M. Grafton

Of Counsel
Kenneth P. Woodington

January 24, 2011

* Also admitted in North Carolina
† Certified Mediator

Hand Delivered

The Honorable Tanya A. Gee
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED
JAN 24 2011
SC Court of Appeals

RE: John Thomas Ross v. Waccamaw Community Hospital, Dr. Webster N. Jones, III
and Dr. David R. Anderson
Civil Action Number: 2008-CP-22-1496

John Thomas Ross v. Waccamaw Community Hospital, Dr. Webster N. Jones, III
and Dr. David R. Anderson
Civil Action Number: 2009-CP-22-0810
SCCA Tracking Number: 2010155046
Claim Number: CM085050M & CM085466M
Our File Number: 22.8400

Dear Ms. Gee:

Please find enclosed for filing the original and fifteen copies of the **Brief of Respondents** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

The Honorable Tanya A. Gee
January 24, 2011
Page Two

cc: (w/ Enclosures)

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Lisa Arlene Thomas, Esquire
Thompson & Henry, P.A.
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Conway, South Carolina 29528



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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January 18, 2011

Andrew F. Lindemann, Esquire
Davidson & Lindemann, PA
P.O. Box 8568
Columbia, SC 29202-8568

Karl Stephen Brehmer, Esquire
Brown & Brehmer
P.O. Box 7966
Columbia, SC 29202

Re: Ross, John v. Waccamaw Com. Hosp.
2010155046

Dear Counsel:

The following Order has been endorsed on Respondent's Dr. Webster N. Jones, III Extension Request in the above entitled case on appeal.

"Granted.

John Cannon Few C.J.
For the Court

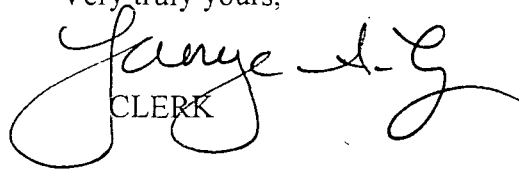
By s/ Tanya A. Gee
Clerk

January 18, 2011."

Please be advised that Respondent's Dr. Webster N. Jones, III Final Brief must be served and filed no later than January 24, 2011.

We have received the Appellant's Supplemental Record on Appeal and labels to be placed on the Record on Appeal. This Court does not make corrections on Final Briefs. It will be necessary that the Appellant come to the Court and place the labels on the Record on Appeal within ten (10) days of the date of this letter.

Very truly yours,


CLERK

TAG/mpm

cc: Darren Kent Sanders, Esquire
John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire

BROWN & BREHMER

Attorneys at Law

1720 MAIN STREET, SUITE 201
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January 14, 2011

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Andrew F. Lindemann
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Columbia, South Carolina 29202

RE: John Thomas Ross, Appellant v. Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 2010155046

Dear Counsel:

Mr. Lindemann sent me a letter dated January 3, 2011 requesting 1) that I fix an error in the appearances of counsel on the front cover of the Record on Appeal, and 2) that I include some additional documents in the Record on Appeal for these cases. I sent all counsel an email on January 5, 2011 proposing to correct the error in the appearances of counsel with a sticker with the proper appearance information to go over the incorrect appearances of counsel on the front cover of the Record on Appeal, and to prepare a Supplemental Record on Appeal to include the additional documents requested. All counsel provided their written consent to Mr. Lindemann's requests and my proposal to address those requests.

Enclosed please find a sticker with the proper appearance information to go over the incorrect appearances of counsel on the front cover of the Record on Appeal. Please place this sticker on the front cover of the Record on Appeal that was previously sent to you.

By copy of this letter to the Court of Appeals, I am sending the corrected front cover page for the Record on Appeal and fifteen (15) stickers with the proper appearance information. The corrected front cover page for the Record on Appeal is for scanning. Please place a sticker on the front cover of the fifteen (15) Records on Appeal that were previously sent to you.

RECEIVED

JAN 14 2011

SC Court of Appeals

Also, enclosed please find the Supplemental Record on Appeal in the above-referenced matters, which I hereby serve upon you.

By copy of this letter to the Court of Appeals, I am filing the original, unbound Supplemental Record on Appeal, fifteen (15) copies of the Supplemental Record on Appeal, and the original Proof of Service.

Should you have any questions or need any further information, please do not hesitate to contact me.

With warm personal regards, I remain,

Sincerely,



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

LDP
Enclosures

cc: Clerk, South Carolina Court of Appeals **VIA HAND DELIVERY**

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

William H. Davidson, II
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Of Counsel
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January 4, 2011

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The Honorable Tanya A. Gee
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1015 Sumter Street
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SC Court of Appeals

RE: John Thomas Ross v. Waccamaw Community Hospital, Dr. Webster N. Jones, III
and Dr. David R. Anderson
Civil Action Number: 2008-CP-22-1496

John Thomas Ross v. Waccamaw Community Hospital, Dr. Webster N. Jones, III
and Dr. David R. Anderson
Civil Action Number: 2009-CP-22-0810
SCCA Tracking Number: 2010155046
Claim Number: CM085050M & CM085466M
Our File Number: 22.8400

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: *Jane A. G.*
(Clerk) (Deputy Clerk)

Dear Ms. Gee:

This letter is to request a twenty day extension of time to file the Final Brief of Respondents in the above-referenced appeal. While preparing the Final Brief, I identified two issues with the Record on Appeal as prepared by the Appellant's counsel. One of the issues pertains to documents that were not included in the Record on Appeal and which are necessary for the proper preparation of the Final Brief. I am requesting the additional time so that I may attempt to correct these issues with the Appellant's counsel, and if that cannot be accomplished, the additional time will allow me to file a motion seeking the Court's assistance.

I am enclosing with this letter my law firm's check in the amount of \$25 for the filing fee. If you require a formal motion for this extension, please advise.

If you have any questions, please advise. Thank you for your assistance with this matter.

FILED

1/13/11

01/03/11
01/04/11

The Honorable Tanya A. Gee
January 4, 2011
Page Two

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/
Enclosure

cc: Karl S. Brehmer, Esquire
L. Darby Plexico, III, Esquire
Brown & Brehmer
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December 30, 2010

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DEC 30 2010

SC Court of Appeals

RE: John Thomas Ross, Appellant v. Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents

Case No.: 2008-CP-22-1496

Case No.: 2009-CP-22-810

Appellate Case Tracking No.: 2010155046

Dear Counsel:

Enclosed please find the Brief of Appellant, Reply Brief of Appellant, and Certificate of Counsel in the above-referenced matters, which I hereby serve upon you.

By copy of this letter to the Court of Appeals, I am filing the original, unbound Brief of Appellant and Reply Brief of Appellant, fifteen (15) copies of each Brief, the original Certificate of Counsel, and the original Proof of Service.

Should you have any questions or need any further information, please do not hesitate to contact me.

With warm personal regards, I remain,

Sincerely,



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

LDP

Enclosures

cc: Clerk, South Carolina Court of Appeals **VIA HAND DELIVERY**

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Attorneys at Law

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December 14, 2010

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RE: John Thomas Ross, Appellant v. Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 2010155046

Dear Counsel:

Enclosed please find the Record on Appeal in the above-referenced matters, which I hereby serve upon you.

By copy of this letter to the Court of Appeals, I am filing the original, unbound Record on Appeal, fifteen (15) copies of the Record on Appeal, and the original Proof of Service.

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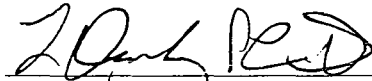
With warm personal regards, I remain,

RECEIVED

DEC 14 2010

SC Court of Appeals

Sincerely,



Karl S. Brehmer

L. Darby Plexico, III

BROWN & BREHMER

Post Office Box 7966

Columbia, South Carolina 29201

(803) 771-6600

Attorneys for Appellant

LDP

Enclosures

cc: Clerk, South Carolina Court of Appeals VIA HAND DELIVERY



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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November 18, 2010

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John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire
P.O. Box 1740
Conway, SC 29526

Re: Ross, John v. Waccamaw Com. Hosp.
Case Tracking #: 2010155046

Dear Counsel:

All parties are advised that the originals of all records on appeal and final briefs filed with the appellate courts are scanned. Therefore, in accordance with the May 1, 2008 Amendments to the South Carolina Appellate Court Rules, DO NOT staple, spiral bind, velobind, or otherwise permanently bind the ORIGINALS of these documents. The original brief(s) and record on

appeal should still have front and back covers in compliance with Rule 267(e) of the South Carolina Appellate Court Rules, but should not be bound. You may secure the originals with paper clips, binder clips, rubber bands, by placing them in large envelopes, or by any other similar means that will keep the pages together without binding or hole-punching. All COPIES of the record on appeal and final briefs should be bound as specified in the South Carolina Appellate Court Rules.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

V. Claire Allen, Deputy

CLERK

TAG/khh

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NOV 17 2010

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496

Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,

OF WHOM Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.


PROOF OF SERVICE

I certify that I have served the Initial Reply Brief of Appellant on Dr. Webster N. Jones, III by depositing a copy of it in the United States Mail, postage prepaid, on November 15, 2010, addressed to his attorneys of record, John B. McCutcheon, Jr. and Lisa A. Thomas, THOMPSON & HENRY, PA, Post Office Box 1740, Conway, South Carolina 29526, and Andrew F. Lindemann, DAVIDSON & LINDEMANN, P.A., Post Office Box 8568, Columbia, South Carolina 29202.

I certify that I have served the Initial Reply Brief of Appellant on Dr. David R. Anderson by depositing a copy of it in the United States Mail, postage prepaid, on November 15, 2010, addressed to his attorney of record, Darren K. Sanders, BUYCK & SANDERS LAW FIRM, LLC, Post Office Box 2424, Mount Pleasant, South Carolina 29465.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

November 15, 2010



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(803) 771-6600
Attorneys for Appellant

BROWN & BREHMER

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November 15, 2010

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Columbia, South Carolina 29202

RE: John Thomas Ross, Appellant v. Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 2010155046

Dear Counsel:

Enclosed please find the Initial Reply Brief of Appellant in the above-referenced matters, which I hereby serve upon you.

By copy of this letter to the Court of Appeals, I am filing the original, unbound Initial Reply Brief of Appellant as well as the original Proof of Service.

Should you have any questions or need any further information, please do not hesitate to contact me.

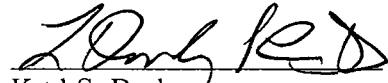
With warm personal regards, I remain,

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SC Court of Appeals

Sincerely,



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L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

LDP

Enclosures

cc: Clerk, South Carolina Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Benjamin H. Culbertson, Circuit Court Judge

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OCT 11 2010

Case Nos. 2008-CP-22-1496
2009-CP-22-810

SC Court of Appeals

John Thomas Ross, Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,

Of whom, Dr. Webster N. Jones, III and
Dr. David R. Anderson, are Respondents.

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

The Respondents propose that the following be included in the Record on Appeal, in addition to such matters as previously designated:

- (1) Defendant Webster N. Jones, III, M.D.'s Notice of Motion and Motion to Dismiss, filed May 20, 2009
- (2) Notice of Intent to File Suit, dated August 31, 2009

We certify that this designation contains no matter which is irrelevant to this appeal.

DAVIDSON & LINDEMANN, P.A.

BY:  _____

ANDREW F. LINDEMANN
1611 Devonshire Drive
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(803) 806-8222

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(843) 377-1400

Counsel for Respondent
Webster N. Jones, III, M.D.

and

John B. McCutcheon, Jr.
Lisa A. Thomas
Thompson & Henry, P.A.
1300 Second Avenue, Third Floor
Post Office Box 1740
Conway, South Carolina 29528
(843) 843-248-5741

Counsel for Respondent
David R. Anderson, M.D.

Columbia, South Carolina

October 11, 2010

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Benjamin H. Culbertson, Circuit Court Judge

Case Nos. 2008-CP-22-1496
2009-CP-22-810

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John Thomas Ross, Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,

Of whom, Dr. Webster N. Jones, III and
Dr. David R. Anderson, are Respondents.

CERTIFICATE OF SERVICE

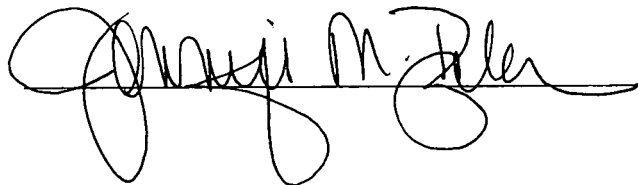
The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Respondents, does hereby certify that service of the **Initial Brief of Respondents** and **Respondents' Designation of Matter to be Included in the Record on Appeal** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 11th day of October 2010, addressed as follows:

Certificate of Service
Case No. 2008-CP-22-1496 &
Case No. 2009-CP-22-810
Page Two

Karl S. Brehmer, Esquire
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Lisa Arlene Thomas, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, Third Floor
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Conway, South Carolina 29528

A handwritten signature in black ink, appearing to read "James M. Buler". The signature is written in a cursive style with a long horizontal flourish extending to the right.

DAVIDSON & LINDEMANN, P.A.

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Of Counsel
Kenneth P. Woodington

October 11, 2010

* Also admitted in North Carolina
† Certified Mediator

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The Honorable Tanya A. Gee
Clerk of Court
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1015 Sumter Street
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SC Court of Appeals

RE: John Thomas Ross v. Waccamaw Community Hospital, Dr. Webster N. Jones, III
and Dr. David R. Anderson
Civil Action Number: 2008-CP-22-1496

John Thomas Ross v. Waccamaw Community Hospital, Dr. Webster N. Jones, III
and Dr. David R. Anderson
Civil Action Number: 2009-CP-22-0810
SCCA Tracking Number: 2010155046
Claim Number: CM085050M & CM085466M
Our File Number: 22.8400

Dear Ms. Gee:

Please find enclosed for filing the originals and one copy each of the **Initial Brief of Respondents and Respondents' Designation of Matter to be Included in the Record on Appeal** in the above referenced matter. Please file the originals and return a clocked-in copy of each document to me in the enclosed envelope.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

The Honorable Tanya A. Gee
October 11, 2010
Page Two

cc: (w/ Enclosures)

Karl S. Brehmer, Esquire
L. Darby Plexico, III, Esquire
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Lisa Arlene Thomas, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, Third Floor
Post Office Box 1740
Conway, South Carolina 29528

RECEIVED
AUG 11 2010
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496
Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,

OF WHOM Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

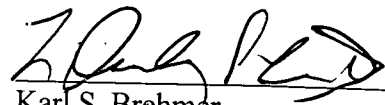
Appellant proposes the following be included in the Record on Appeal:

1. Plaintiff's Notice of Intent to File Suit for 08 case, filed October 27, 2008;
2. Affidavit of Service on Dr. Jones for 08 case, dated December 2, 2008;
3. Affidavit of Service on Dr. Anderson for 08 case, dated December 2, 2008;
4. Plaintiff's Motion to Compel Court Mandated Mediation for 08 case, dated May 19, 2009;
5. Dr. Anderson's Motion to Dismiss Notice of Intent to File Suit for 08 case, dated May 27, 2009;
6. Plaintiff's Notice of Intent to File Suit for 09 case, filed June 2, 2009;
7. Dr. Jones' Motion to Dismiss Notice of Intent to File Suit for 08 case, dated

- June 5, 2009;
8. Dr. Jones' Motion to Dismiss Notice of Intent to File Suit for 09 case, dated June 24, 2009;
 9. Transcript of Record for both 08 and 09 cases, July 16, 2009, pp 3-27;
 10. Order Granting Motion to Dismiss and Denying Motion to Compel Court Mandated Mediation for both 08 and 09 cases, signed August 17, 2009, filed August 24, 2009;
 11. Plaintiff's Motion for Reconsideration and/or to Alter or Amend Judgment for 08 case, dated September 1, 2009;
 12. Affidavit of Karl S. Brehmer, with all attachments, for 08 case, dated September 1, 2009;
 13. Plaintiff's Motion for Reconsideration and/or to Alter or Amend Judgment for 09 case, dated September 1, 2009;
 14. Affidavit of Karl S. Brehmer, with all attachments, for 09 case, dated September 1, 2009;
 15. Dr. Jones' Motion to Amend the Order for both 08 and 09 cases, dated September 2, 2009;
 16. Dr. Anderson's Motion to Amend the Order for both 08 and 09 cases, dated September 3, 2009;
 17. Transcript of Record for both 08 and 09 cases, October 8, 2009, pp 3-45; and
 18. Substitute Order Granting Motion to Dismiss and Denying Motion to Compel Court Mandated Mediation for both 08 and 09 cases, signed February 18, 2010.

I certify that this designation contains no matter which is irrelevant to this appeal.

August 9, 2010



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
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Columbia, South Carolina 29202
(803) 771-6600
Attorneys for Appellant

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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AUG 11 2010

SC Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496
Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,
OF WHOM Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal on Dr. Webster N. Jones, III by depositing a copy of it in the United States Mail, postage prepaid, on August 9, 2010, addressed to his attorneys of record, John B. McCutcheon, Jr. and Lisa A. Thomas, THOMPSON & HENRY, PA, Post Office Box 1740, Conway, South Carolina 29526, and Andrew F. Lindemann, DAVIDSON & LINDEMANN, P.A., Post Office Box 8568, Columbia, South Carolina 29202.

I certify that I have served the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal on Dr. David R. Anderson by depositing a copy of it in the United States Mail, postage prepaid, on August 9, 2010, addressed to his attorney of record, Darren K. Sanders, BUYCK & SANDERS LAW FIRM, LLC, Post Office Box 2424, Mount Pleasant, South Carolina 29465.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

August 9, 2010



Karl S. Brehmer
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(803) 771-6600
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August 9, 2010

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Post Office Box 8568
Columbia, South Carolina 29202

RECEIVED

AUG 11 2010

SC Court of Appeals

RE: John Thomas Ross, Appellant v. Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 2010155046

Dear Counsel:

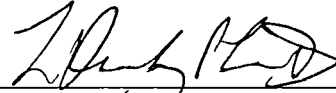
Enclosed please find the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal in the above-referenced matters, which I hereby serve upon you.

By copy of this letter to the Court of Appeals, I am filing the original, unbound Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal as well as the original Proof of Service for both documents.

Should you have any questions or need any further information, please do not hesitate to contact me.

With warm personal regards, I remain,

Sincerely,



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

LDP
Enclosures

cc: Clerk, South Carolina Court of Appeals



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
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1015 SUMTER STREET
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July 12, 2010

Karl Stephen Brehmer, Esquire
Brown & Brehmer
P.O. Box 7966
Columbia, SC 29202

Re: Ross, John v. Waccamaw Com. Hosp.
2010155046

Dear Mr. Brehmer:

Please be advised that both appeals have been consolidated and the tracking number above is the tracking number to be used on all correspondence with the Court.

Very truly yours,

V. Claire Allen, Deputy
CLERK

TAG/mpm

cc: Andrew F. Lindemann, Esquire
Darren Kent Sanders, Esquire
John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire

The South Carolina Court of Appeals

John Thomas Ross,

Appellant,

v.

Waccamaw Community Hospital, Dr.
Webster N. Jones, III, and Dr. David R.
Anderson,

Defendants,

Of whom, Dr. Webster N. Jones, III,
and Dr. David R. Anderson are,

Respondents.

The Honorable Benjamin H. Culbertson
Georgetown County
Trial Court Case No. 2008-CP-22-01496
Trial Court Case No. 2009-CP-22-00810

ORDER

Pursuant to a telephone conference with both parties, the Appellant's Initial Brief and Designation of Matter will be due on August 9, 2010. The Respondents' Initial Brief and Designation of Matter will be due October 11, 2010. Thereafter, the Appellant's Initial Reply Brief will be due November 15, 2010.

Additionally, the notices of appeal with case tracking number 2010155046 and case tracking number 2010155073 are consolidated pursuant to Rule 214, SCACR.

AND IT IS SO ORDERED.

JOHN CANNON FEW, CHIEF JUDGE

BY V. Claire Allen, Deputy
Clerk

7/8/10

Columbia, South Carolina

7/8/2010

cc: Karl Stephen Brehmer, Esquire
Andrew F. Lindemann, Esquire
Darren Kent Sanders, Esquire
John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire

The South Carolina Court of Appeals

John Thomas Ross,

Appellant,

v.

Waccamaw Community Hospital, Dr.
Webster N. Jones, III, and Dr. David R.
Anderson,

Defendants,

Of whom, Dr. Webster N. Jones, III,
and Dr. David R. Anderson are,

Respondents.

The Honorable Benjamin H. Culbertson
Georgetown County
Trial Court Case No. 2008-CP-22-01496
Trial Court Case No. 2009-CP-22-00810

ORDER

Pursuant to a telephone conference with both parties, the Appellant's Initial Brief and Designation of Matter will be due on August 9, 2010. The Respondents' Initial Brief and Designation of Matter will be due October 11, 2010. Thereafter, the Appellant's Initial Reply Brief will be due November 15, 2010.

Additionally, the notices of appeal with case tracking number 2010155046 and case tracking number 2010155073 are consolidated pursuant to Rule 214, SCACR.

AND IT IS SO ORDERED.

JOHN CANNON FEW, CHIEF JUDGE

BY V. Claire Allen, Deputy
Clerk

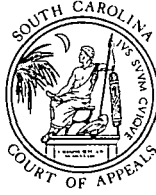
FILED

7/28/10

Columbia, South Carolina

7/8/2010

cc: Karl Stephen Brehmer, Esquire
Andrew F. Lindemann, Esquire
Darren Kent Sanders, Esquire
John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire



The South Carolina Court of Appeals

JOHN CANNON FEW
CHIEF JUDGE

JOHN C. CALHOUN BUILDING
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE: (803) 734-1890
FAX: (803) 734-2373
E-MAIL: jfew@sccourts.org

July 6, 2010

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Mt. Pleasant, SC 29465

John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire
P.O. Box 1740
Conway, SC 29526

Re: Ross, John v. Waccamaw Comm. Hospital(2)
2010155073

Dear Counsel:

This letter serves as an Order granting Appellant's request for an extension of time in which to file the Appellant's Initial Brief and Designation of Matter. I have extended the due date until August 2, 2010. I realize that this extension may not give you all the time you need to complete the Appellant's Initial Brief and Designation of Matter. I have set a conference call for 12.15 p.m. on Thursday, July 8, 2010 to discuss an overall approach to setting due dates for all filings in this appeal. **The Appellant is responsible for initiating the conference call by getting all parties on the phone at the allotted time.** The call should last less than ten minutes. The participants in the call will include counsel for all parties and me. In preparation for the call, please consider the other time commitments you have in the near future so we can discuss a

for all parties to complete their briefs. If the time scheduled for the conference call creates a conflict, please contact the Clerk's Office at 734-1890 with all counsel on the phone. We will reschedule the call to suit you.

I look forward to talking to you on Thursday, July 8, 2010.

Sincerely yours,

John Cannon Few, by Janyce L. G.
John Cannon Few

JFC/mpm

FILED

July 6, 2010 tac



The South Carolina Court of Appeals

JOHN CANNON FEW
CHIEF JUDGE

JOHN C. CALHOUN BUILDING
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July 6, 2010

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P.O. Box 2424
Mt. Pleasant, SC 29465

John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire
P.O. Box 1740
Conway, SC 29526

Re: Ross, John v. Waccamaw Com. Hosp.
2010155046

Dear Counsel:

This letter serves as an Order granting Appellant's request for an extension of time in which to file the Appellant's Initial Brief and Designation of Matter. I have extended the due date until August 2, 2010. I realize that this extension may not give you all the time you need to complete the Appellant's Initial Brief and Designation of Matter. I have set a conference call for 12.15 p.m. on Thursday, July 8, 2010 to discuss an overall approach to setting due dates for all filings in this appeal. **The Appellant is responsible for initiating the conference call by getting all parties on the phone at the allotted time.** The call should last less than ten minutes. The participants in the call will include counsel for all parties and me. In preparation for the call, please consider the other time commitments you have in the near future so we can discuss a suitable timeframe for all parties to complete their briefs. If the time scheduled for the

conflict, please contact the Clerk's Office at 734-1890 with all concerns on the phone. We will reschedule the call to suit you.

I look forward to talking to you on Thursday, July 8, 2010.

Sincerely yours,

John Cannon Few, by James B. G
John Cannon Few

JFC/mpm

FILED
July 6, 2010 tac

BROWN & BREHMER

Attorneys at Law

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June 1, 2010

RECEIVED

JUN 03 2010

SC Court of Appeals

The Honorable Tanya Gee
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 201015573

John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496
Appellate Case Tracking No.: 2010155046

Dear Ms. Gee:

Please be advised that we have received the transcripts for the hearings on July 16, 2009 and October 8, 2009 from Court Reporter Grace L. Hurley that are pertinent to both above-referenced cases and appeals. We received both of these transcripts on June 1, 2010. Therefore, the Appellant's initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal are due on July 1, 2010 in both appeals.

If anyone should have any questions or need any further information, please do not hesitate to contact me. With warmest personal regards, I am

Yours very truly,



L. Darby Plexico, III

LDPIII:sa

c: John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire
THOMPSON & HENRY, PA
P. O. Box 1740
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843-248-5741
Attorneys for Respondent David R. Anderson, M.D.

Darren K. Sanders, Esquire
BUYCK & SANDERS LAW FIRM, LLC
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Mount Pleasant, SC 29465
843- 377-1400
Attorneys for Respondent Webster N. Jones, III,
M.D.

The Honorable Tanya Gee
June 1, 2010
Page 2

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Attorneys for Respondent, Webster N. Jones, III, M.D.

Ms. Grace L. Hurley
P. O. Box 30878
Myrtle Beach, SC 29588

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SC Court of Appeals

The Honorable Tanya Gee
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 201015573

John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496
Appellate Case Tracking No.: 2010155046

Dear Ms. Gee:

Please be advised that we have received the transcripts for the hearings on July 16, 2009 and October 8, 2009 from Court Reporter Grace L. Hurley that are pertinent to both above-referenced cases and appeals. We received both of these transcripts on June 1, 2010. Therefore, the Appellant's initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal are due on July 1, 2010 in both appeals.

If anyone should have any questions or need any further information, please do not hesitate to contact me. With warmest personal regards, I am

Yours very truly,



L. Darby Plexico, III

LDP:sa

c: John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire
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Attorneys for Respondent David R. Anderson, M.D.

Darren K. Sanders, Esquire
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Attorneys for Respondent Webster N. Jones, III,
M.D.

The Honorable Tanya Gee

June 1, 2010

Page 2

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P. O. Box 8568

Columbia, SC 29202-8568

803-806-8222

Attorneys for Respondent, Webster N. Jones, III, M.D.

Ms. Grace L. Hurley

P. O. Box 30878

Myrtle Beach, SC 29588

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,
Of whom Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

APPELLANT'S MOTION FOR THIRTY DAY (30) EXTENSION OF TIME TO FILE
INITIAL APPEAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN
THE RECORD ON APPEAL

Pursuant to Rule 224, SCACR, the Appellant hereby moves this Court for an Order granting a thirty (30) day extension of time to file his Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal. The current deadline for the filing of these documents is Thursday, July 1, 2010. If this thirty (30) day extension of time is granted by the Court, then the new deadline for the filing of the Appellant's Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal will be Friday, July 30, 2010.

The basis for this motion is that this appeal concerns significant and complex legal issues that require a considerable amount of legal research and analysis.

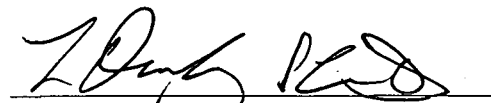
07/01/10
08/02/10 150

Additionally, the appeal in this case is related to another case pending on appeal bearing the same parties, but with Case No. 2009-CP-22-810 and Appellate Case Tracking No. 201015573, and the Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal in the related case are due at the same time as this case. The Appellant has not asked for any other extensions of time during the course of this appeal. The thirty (30) day extension will not prejudice the Respondents or affect their legal rights. In fact, all counsel for both Respondents have consented to Appellant's request for this extension of time.

For the reasons stated above, the Appellant respectfully requests that the Court grant him a thirty (30) day extension of time during which he may file his Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Respectfully Submitted,

June 29, 2010


Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

RECEIVED
JUL 01 2010
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,
Of whom Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

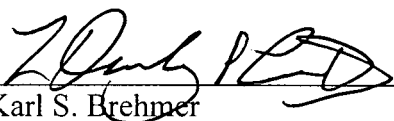
PROOF OF SERVICE

I certify that I have served Appellant's Motion for Thirty (30) Day Extension of Time to File Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal on Dr. Webster N. Jones, III by depositing a copy of it in the United States Mail, postage prepaid, on June 29, 2010, addressed to his attorneys of record, John B. McCutcheon, Jr. and Lisa A. Thomas, THOMPSON & HENRY, PA, Post Office Box 1740, Conway, South Carolina 29526, and Andrew F. Lindemann, DAVIDSON & LINDEMANN, P.A., Post Office Box 8568, Columbia, South Carolina 29202.

I certify that I have served Appellant's Motion for Thirty (30) Day Extension of Time to File Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal on Dr. David R. Anderson by depositing a copy of it in the United States Mail, postage prepaid, on June 29, 2010, addressed to his attorney of record, Darren K. Sanders, BUYCK & SANDERS LAW FIRM, LLC, Post Office Box 2424, Mount Pleasant, South Carolina 29465.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

June 29, 2010



Karl S. Brehmer

L. Darby Plexico, III

BROWN & BREHMER

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Columbia, South Carolina 29201

(803) 771-6600

Attorneys for Appellant

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Attorneys at Law

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ROBERT C. BROWN
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J. AUSTIN HOOD
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June 29, 2010

John B. McCutcheon, Jr.
Lisa A. Thomas
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Darren K. Sanders
BUYCK & SANDERS LAW FIRM, LLC
Post Office Box 2424
Mount Pleasant, South Carolina 29465

RECEIVED

JUL 01 2010

SC Court of Appeals

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496
Appellate Case Tracking No.: 2010155046

Dear Counsel:

Enclosed please find Appellant's Motion for Thirty (30) Day Extension of Time to File Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal in the above-referenced matter, which I hereby serve upon you.

By copy of this letter to the Court of Appeals, I am filing the original and six (6) copies of Appellant's Motion for Thirty (30) Day Extension to File Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal. Also enclosed for the Court are the original Proof of Service and my \$25.00 check for the filing fee for this motion.

Should you have any questions or need any further information, please do not hesitate to contact me.

With warm personal regards, I remain,

Sincerely,



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

LDP
Enclosures

cc: Clerk, South Carolina Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
JUN 01 2010
SC Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496

John Thomas Ross, Appellant,

v.


Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,

Of whom, Dr. Webster N. Jones, III and
Dr. David R. Anderson, are Respondents.

NOTICE OF APPEARANCE

The undersigned counsel for the Respondent Webster N. Jones, III, M.D. hereby gives notice of appearance to all parties and to all counsel of record. The undersigned counsel will represent Respondent Jones in association with his current counsel of record.

DAVIDSON & LINDEMANN, P.A.

BY:  _____

ANDREW F. LINDEMANN
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
(803) 806-8222

*Counsel for Respondent,
Webster N. Jones, III, M.D.*

Columbia, South Carolina

May 28, 2010

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496

John Thomas Ross, Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,

Of whom, Dr. Webster N. Jones, III and
Dr. David R. Anderson, are Respondents.

CERTIFICATE OF SERVICE

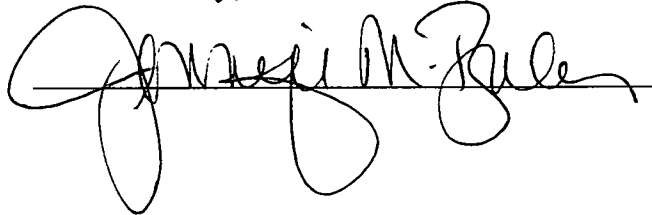
The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Respondent Webster N. Jones, III, M.D., does hereby certify that service of the **Notice of Appearance** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 28th day of May 2010, addressed as follows:

Certificate of Service
SCCA Tracking Number: 2010155046
Page Two

Karl S. Brehmer, Esquire
L. Darby Plexico, III, Esquire
Brown & Brehmer
1720 Main Street, Suite 201
Post Office Box 7966
Columbia, South Carolina 29202

Darren K. Sanders, Esquire
Buyck & Sanders, L.L.C.
757 Johnnie Dodds Boulevard - Suite 100
Post Office Box 2424
Mt. Pleasant, South Carolina 29465-2424

John B. McCutcheon, Jr., Esquire
Lisa Arlene Thomas, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, Third Floor
Post Office Box 1740
Conway, South Carolina 29528

A handwritten signature in black ink, appearing to read "James M. Bule", written over a horizontal line.

The Honorable Tanya A. Gee
May 28, 2010
Page Two

cc: (w/ Enclosures)

Karl S. Brehmer, Esquire
L. Darby Plexico, III, Esquire
Brown & Brehmer
1720 Main Street, Suite 201
Post Office Box 7966
Columbia, South Carolina 29202

Darren K. Sanders, Esquire
Buyck & Sanders, L.L.C.
757 Johnnie Dodds Boulevard - Suite 100
Post Office Box 2424
Mt. Pleasant, South Carolina 29465-2424

John B. McCutcheon, Jr., Esquire
Lisa Arlene Thomas, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, Third Floor
Post Office Box 1740
Conway, South Carolina 29528

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

William H. Davidson, II
Andrew F. Lindemann*
James M. Davis, Jr.†
Robert D. Garfield

1611 Devonshire Drive, Second Floor
Post Office Box 8568
Columbia, South Carolina 29202-8568
Telephone: (803) 806-8222
Facsimile: (803) 806-8855
www.dml-law.com

Matthew B. Rosbrugh
Michael B. Wren
Lawrence S. Kerr, M.D.†
Kate A. Rice
Daniel C. Plyler
Joel S. Hughes
Kristy M. Grafton

Of Counsel
Kenneth P. Woodington

May 28, 2010

The Honorable Tanya A. Gee
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED * Also admitted in North Carolina
† Certified Mediator

JUN 01 2010

SC Court of Appeals

RE: John Thomas Ross v. Waccamaw Community Hospital, Dr. Webster N. Jones, III
and Dr. David R. Anderson
Civil Action Number: 2008-CP-22-1496
SCCA Tracking Number: 2010155046

John Thomas Ross v. Waccamaw Community Hospital, Dr. Webster N. Jones, III
and Dr. David R. Anderson
Civil Action Number: 2009-CP-22-0810
SCCA Tracking Number: 2010155073
Claim Number: CM085050M & CM085466M
Our File Number: 22.8400

Dear Ms. Gee:

Please find enclosed for filing the originals and one copy each of the **Notice of Appearance** with regard to each of the above referenced appeals. Please file the originals and return a clocked-in copy of each document to me in the enclosed envelope.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

RECEIVED

JUL 01 2010

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,
Of whom Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

APPELLANT'S MOTION FOR THIRTY DAY (30) EXTENSION OF TIME TO FILE
INITIAL APPEAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN
THE RECORD ON APPEAL

Pursuant to Rule 224, SCACR, the Appellant hereby moves this Court for an Order granting a thirty (30) day extension of time to file his Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal. The current deadline for the filing of these documents is Thursday, July 1, 2010. If this thirty (30) day extension of time is granted by the Court, then the new deadline for the filing of the Appellant's Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal will be Friday, July 30, 2010.

The basis for this motion is that this appeal concerns significant and complex legal issues that require a considerable amount of legal research and analysis.


07/01/10 150
08/02/10

Additionally, the appeal in this case is related to another case pending on appeal bearing the same parties, but with Case No. 2008-CP-22-1496 and Appellate Case Tracking No. 2010155046, and the Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal in the related case are due at the same time as this case. The Appellant has not asked for any other extensions of time during the course of this appeal. The thirty (30) day extension will not prejudice the Respondents or affect their legal rights. In fact, all counsel for both Respondents have consented to Appellant's request for this extension of time.

For the reasons stated above, the Appellant respectfully requests that the Court grant him a thirty (30) day extension of time during which he may file his Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Respectfully Submitted,

June 29, 2010


Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

RECEIVED

JUL 01 2010

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,

Of whom Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.


PROOF OF SERVICE

I certify that I have served Appellant’s Motion for Thirty (30) Day Extension of Time to File Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal on Dr. Webster N. Jones, III by depositing a copy of it in the United States Mail, postage prepaid, on June 29, 2010, addressed to his attorneys of record, John B. McCutcheon, Jr. and Lisa A. Thomas, THOMPSON & HENRY, PA, Post Office Box 1740, Conway, South Carolina 29526, and Andrew F. Lindemann, DAVIDSON & LINDEMANN, P.A., Post Office Box 8568, Columbia, South Carolina 29202.

I certify that I have served Appellant’s Motion for Thirty (30) Day Extension of Time to File Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal on Dr. David R. Anderson by depositing a copy of it in the United States Mail, postage prepaid, on June 29, 2010, addressed to his attorney of record, Darren K. Sanders, BUYCK & SANDERS LAW FIRM, LLC, Post Office Box 2424, Mount Pleasant, South Carolina 29465.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

June 29, 2010



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

BROWN & BREHMER

Attorneys at Law

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ROBERT C. BROWN
KARL S. BREHMER
CHAD E. POTEAT
E. DALE LANG, JR.
J. AUSTIN HOOD
L. DARBY PLEXICO, III
ELY O. GROTE

OF COUNSEL
MICHAEL M. LUMPKIN

E-MAIL

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BOB.BROWN@BROWNaNDBREHMER.COM
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CHAD.POTEAT@BROWNaNDBREHMER.COM
DALE.LANG@BROWNaNDBREHMER.COM
AUSTIN.HOOD@BROWNaNDBREHMER.COM
LDP@BROWNaNDBREHMER.COM
ELY.GROTE@BROWNaNDBREHMER.COM

June 29, 2010

John B. McCutcheon, Jr.
Lisa A. Thomas
THOMPSON & HENRY, PA
Post Office Box 1740
Conway, South Carolina 29526

Darren K. Sanders
BUYCK & SANDERS LAW FIRM, LLC
Post Office Box 2424
Mount Pleasant, South Carolina 29465

Andrew F. Lindemann
DAVIDSON & LINDEMANN, P.A.
Post Office Box 8568
Columbia, South Carolina 29202

RECEIVED

JUL 01 2010

SC Court of Appeals

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster
N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 2010155073

Dear Counsel:

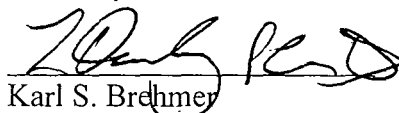
Enclosed please find Appellant's Motion for Thirty (30) Day Extension of Time to File Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal in the above-referenced matter, which I hereby serve upon you.

By copy of this letter to the Court of Appeals, I am filing the original and six (6) copies of Appellant's Motion for Thirty (30) Day Extension to File Initial Appeal Brief and Designation of Matter to be Included in the Record on Appeal. Also enclosed for the Court are the original Proof of Service and my \$25.00 check for the filing fee for this motion.

Should you have any questions or need any further information, please do not hesitate to contact me.

With warm personal regards, I remain,

Sincerely,



Karl S. Brehmer

L. Darby Plexico, III

BROWN & BREHMER

Post Office Box 7966

Columbia, South Carolina 29201

(803) 771-6600

Attorneys for Appellant

LDP

Enclosures

cc: Clerk, South Carolina Court of Appeals

bcc: John Thomas Ross **VIA EMAIL**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
JUN 01 2010
SC Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-810

John Thomas Ross, Appellant,

v.

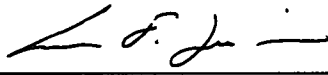
Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,

Of whom, Dr. Webster N. Jones, III and
Dr. David R. Anderson, are Respondents.

NOTICE OF APPEARANCE

The undersigned counsel for the Respondent Webster N. Jones, III, M.D. hereby gives notice of appearance to all parties and to all counsel of record. The undersigned counsel will represent Respondent Jones in association with his current counsel of record.

DAVIDSON & LINDEMANN, P.A.

BY:  _____

ANDREW F. LINDEMANN
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
(803) 806-8222

*Counsel for Respondent,
Webster N. Jones, III, M.D.*

Columbia, South Carolina

May 28, 2010

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-810

John Thomas Ross, Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,

Of whom, Dr. Webster N. Jones, III and
Dr. David R. Anderson, are Respondents.

CERTIFICATE OF SERVICE

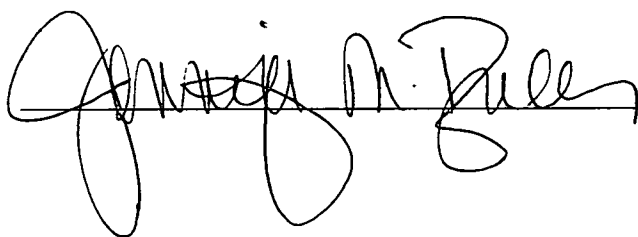
The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Respondent Webster N. Jones, III, M.D., does hereby certify that service of the **Notice of Appearance** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 28th day of May 2010, addressed as follows:

Certificate of Service
SCCA Tracking Number: 2010155073
Page Two

Karl S. Brehmer, Esquire
L. Darby Plexico, III, Esquire
Brown & Brehmer
1720 Main Street, Suite 201
Post Office Box 7966
Columbia, South Carolina 29202

Darren K. Sanders, Esquire
Buyck & Sanders, L.L.C.
757 Johnnie Dodds Boulevard - Suite 100
Post Office Box 2424
Mt. Pleasant, South Carolina 29465-2424

John B. McCutcheon, Jr., Esquire
Lisa Arlene Thomas, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, Third Floor
Post Office Box 1740
Conway, South Carolina 29528

A handwritten signature in black ink, appearing to read "James M. Puley". The signature is written in a cursive style with large, sweeping loops and is positioned over a horizontal line.

BROWN & BREHMER

Attorneys at Law

1720 MAIN STREET, SUITE 201
POST OFFICE BOX 7966
COLUMBIA, SOUTH CAROLINA 29202
TELEPHONE: (803) 771-6600
FACSIMILE: (803) 252-1620

ROBERT C. BROWN
KARL S. BREHMER
CHAD E. POTEAT
E. DALE LANG, JR.
J. AUSTIN HOOD
L. DARBY PLEXICO, III
ELY O. GROTE

OF COUNSEL
MICHAEL M. LUMPKIN

E-MAIL

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KARL.BREHMER@BROWNANDBREHMER.COM
CHAD.POTEAT@BROWNANDBREHMER.COM
DALE.LANG@BROWNANDBREHMER.COM
AUSTIN.HOOD@BROWNANDBREHMER.COM
LDP@BROWNANDBREHMER.COM
ELY.GROTE@BROWNANDBREHMER.COM

March 26, 2010

Grace Hurley
Post Office Box 30878
Myrtle Beach, South Carolina 29588

RECEIVED

MAR 29 2010

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster
N. Jones, III, and Dr. David R. Anderson, Respondents

Case No.: 2008-CP-22-1496

Appellate Case Tracking No.: 2010155046

SC Court of Appeals

C Dear Ms. Hurley:

On August 7, 2009 and October 8, 2009, the above case had motions' hearings before the Honorable Benjamin H. Culbertson, Circuit Court Judge, in Georgetown County. My records indicate that you were the court report for each of these motions' hearings.

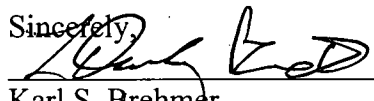
I request that you provide me with a transcript of each of these proceedings. Please transcribe the entire record for each of these proceedings.

P I agree to pay the per page charge for these transcripts as provided by Rule 607, SCACR.

Y You will be receiving an identical letter for our appeal in another case with the same name, but with Case No. 2009-CP-22-810. However, I will only need one transcript for each of these motions' hearings even though I will be ordering them from you in each appeal. I see no need for you to prepare two sets of identical transcripts for each of these motions' hearings for both appeals.

Thank you for your help with this request. Should you have any questions or need any further information, please do not hesitate to give me a call.

Sincerely,


Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

LDP

cc: John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire
Darren K. Sanders, Esquire
S.C. Court Administration
Clerk, Court of Appeals

THOMPSON & HENRY, P.A.
ATTORNEYS AT LAW
1300 SECOND AVENUE, THIRD FLOOR
POST OFFICE BOX 1740
CONWAY, SOUTH CAROLINA 29528

JOHN P. HENRY
LINDA WEEKS GANGI
J. JACKSON THOMAS
EMMA RUTH BRITTAIN*
CLAY D. BRITTAIN, III
G. MICHAEL SMITH
PHILIP C. THOMPSON
CATHERINE H. DINGLE
MATTHEW R. MAGEE
CHARLES B. JORDAN, JR.
E. B. DAVIS INABNIT, JR.**

RETIRED
JOHN C. THOMPSON

*CERTIFIED EMPLOYMENT &
LABOR LAW SPECIALIST

**ALSO ADMITTED IN N.C.

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MYRTLE BEACH, S.C. 29578
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TELECOPIER
(843) 692-0918
(843) 692-0928

March 26, 2010

Ms. Grace Hurley
Post Office Box 30878
Myrtle Beach, SC 29588

RECEIVED

MAR 29 2010

SC Court of Appeals

**RE: JOHN THOMAS ROSS, APPELLANT V. WACCAMAW
COMMUNITY HOSPITAL, DR. WEBSTER N. JONES, III,
AND DR. DAVID R. ANDERSON, RESPONDENTS
C/A NO.: 2009-CP-22-810
Court of Appeals Case Number: 2010155046**

Dear Ms. Hurley:

It is my understanding that you were the court reporter for the motion hearings which were held on August 7, 2009 and October 8, 2009, before the Honorable Benjamin H. Culbertson in connection with the above captioned case. I would kindly request that you transcribe the entire record and provide me with complete copies of the transcripts of the above mentioned motion hearings. Pursuant to Rule 607, SCACR, I agree to pay the per page charge for these transcripts.

If you should have any questions in connection with this request, please do not hesitate to contact me. Thanking you in advance for your assistance in this matter.

Ms. Grace Hurley
March 26, 2010
Page Two

With kindest regards, I remain

Very truly yours,



John B. McCutcheon, Jr.

Lisa A. Thomas

THOMPSON & HENRY, P. A.

P. O. Box 1740, 1300 Second Ave., Third Floor

Conway, South Carolina 29528

(843) 248-5741

Attorneys for Respondent

Dr. David R. Anderson

JBMjr/mla

cc: Karl S. Brehmer, Esquire
L. Darby Plexico, III, Esquire
Darren K. Sanders, Esquire
The Honorable Rosalyn Woodson Frierson
The Honorable Tanya Gee
Zane Eller, Claims Specialist [CB085466M]

BROWN & BREHMER

Attorneys at Law

1720 MAIN STREET, SUITE 201
POST OFFICE BOX 7966
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TELEPHONE: (803) 771-6600
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March 26, 2010

Grace Hurley
Post Office Box 30878
Myrtle Beach, South Carolina 29588

RECEIVED

MAR 29 2010

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster
N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 201015573

SC Court of Appeals

C
Dear Ms. Hurley:

On August 7, 2009 and October 8, 2009, the above case had motions' hearings before the Honorable Benjamin H. Culbertson, Circuit Court Judge, in Georgetown County. My records indicate that you were the court report for each of these motions' hearings.


I request that you provide me with a transcript of each of these proceedings. Please transcribe the entire record for each of these proceedings.

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Y You will be receiving an identical letter for our appeal in another case with the same name, but with Case No. 2008-CP-22-1496. However, I will only need one transcript for each of these motions' hearings even though I will be ordering them from you in each appeal. I see no need for you to prepare two sets of identical transcripts for each of these motions' hearings for both appeals.

Thank you for your help with this request. Should you have any questions or need any further information, please do not hesitate to give me a call.

Sincerely,


Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

LDP

cc: John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire
Darren K. Sanders, Esquire
S.C. Court Administration
Clerk, Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

RECEIVED

Benjamin H. Culbertson, Circuit Court Judge

MAR 29 2010

SC Court of Appeals

Case No. 2008-CP-22-1496

John Thomas Ross,.....Appellant,

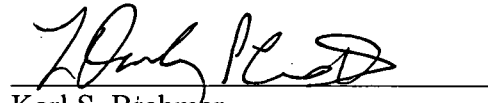
v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,
Of whom Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

AMENDED NOTICE OF APPEAL

John Thomas Ross appeals the order of the Honorable Benjamin H. Culbertson dated February 18, 2010. Appellant received written notice of entry of this order on February 19, 2010.

March 26, 2010



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

Other Counsel of Record:

John B. McCutcheon, Jr.
Lisa A. Thomas
THOMPSON & HENRY, PA
Post Office Box 1740
Conway, South Carolina 29526
(843) 248-5741
Attorneys for Respondent Dr. David R.
Anderson

Darren K. Sanders
BUYCK & SANDERS LAW FIRM, LLC
Post Office Box 2424
Mount Pleasant, South Carolina 29465
(843) 377-1400
Attorney for Respondent Dr. Webster N.
Jones, III

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,
Of whom Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal on Dr. Webster N. Jones, III by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2010, addressed to his attorneys of record, John B. McCutcheon, Jr. and Lisa A. Thomas, THOMPSON & HENRY, PA, Post Office Box 1740, Conway, South Carolina 29526.

I certify that I have served the Amended Notice of Appeal on Dr. David R. Anderson by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2010, addressed to his attorney of record, Darren K. Sanders, BUYCK & SANDERS LAW FIRM, LLC, Post Office Box 2424, Mount Pleasant, South Carolina 29465.

March 26, 2010



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

RECEIVED

MAR 29 2010

SC Court of Appeals

BROWN & BREHMER

Attorneys at Law

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OF COUNSEL
MICHAEL M. LUMPKIN

March 26, 2010

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MAR 29 2010

SC Court of Appeals

The Honorable Tanya Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496
Appellate Case Tracking No.: 2010155046

Dear Ms. Gee:

Pursuant to the instructions in your March 24, 2010 letter, enclosed for filing is an original amended notice of appeal and original proof of service of the amended notice of appeal on the respondents.

The amended notice of appeal lists Dr. Webster N. Jones, III and Dr. David R. Anderson as the only respondents for this appeal. Waccamaw Community Hospital was incorrectly identified as a respondent on the notice of appeal. The Hospital was never served with a notice of intent to file suit in this case, and, therefore, is not involved in this case or this appeal.

By copy of this letter to opposing counsel, I am serving them with the amended notice of appeal and proof of service.

Should anyone have any questions or need any further information, please do not hesitate to contact me.

Sincerely,



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

LDP
Enclosures

cc:

John B. McCutcheon, Jr.
Lisa A. Thomas
THOMPSON & HENRY, PA
Post Office Box 1740
Conway, South Carolina 29526
(843) 248-5741
Attorneys for Respondent Dr. David R.
Anderson

Darren K. Sanders
BUYCK & SANDERS LAW FIRM, LLC
Post Office Box 2424
Mount Pleasant, South Carolina 29465
(843) 377-1400
Attorney for Respondent Dr. Webster N.
Jones, III

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,
Of whom Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

AMENDED NOTICE OF APPEAL

John Thomas Ross appeals the order of the Honorable Benjamin H. Culbertson dated February 18, 2010. Appellant received written notice of entry of this order on February 19, 2010.

March 26, 2010



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

Other Counsel of Record:

John B. McCutcheon, Jr.
Lisa A. Thomas
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Post Office Box 1740
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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

v.


Waccamaw Community Hospital, Dr. Webster N. Jones, III, and Dr. David R. Anderson,
Of whom Dr. Webster N. Jones, III and Dr. David R. Anderson are.....Respondents.

PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal on Dr. Webster N. Jones, III by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2010, addressed to his attorneys of record, John B. McCutcheon, Jr. and Lisa A. Thomas, THOMPSON & HENRY, PA, Post Office Box 1740, Conway, South Carolina 29526.

I certify that I have served the Amended Notice of Appeal on Dr. David R. Anderson by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2010, addressed to his attorney of record, Darren K. Sanders, BUYCK & SANDERS LAW FIRM, LLC, Post Office Box 2424, Mount Pleasant, South Carolina 29465.

March 26, 2010



Karl S. Brehmer
L. Darby Plexico, III
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(803) 771-6600
Attorneys for Appellant

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March 26, 2010

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The Honorable Tanya Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster
N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2009-CP-22-810
Appellate Case Tracking No.: 2010155073

RECEIVED

MAR 29 2010

SC Court of Appeals

Dear Ms. Gee:

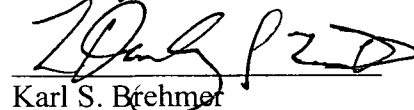
Pursuant to the instructions in your March 24, 2010 letter, enclosed for filing is an original amended notice of appeal and original proof of service of the amended notice of appeal on the respondents.

The amended notice of appeal lists Dr. Webster N. Jones, III and Dr. David R. Anderson as the only respondents for this appeal. Waccamaw Community Hospital was incorrectly identified as a respondent on the notice of appeal. The Hospital was never served with a notice of intent to file suit in this case, and, therefore, is not involved in this case or this appeal.

By copy of this letter to opposing counsel, I am serving them with the amended notice of appeal and proof of service.

Should anyone have any questions or need any further information, please do not hesitate to contact me.

Sincerely,



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L. Darby Plexico, III
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Attorneys for Appellant

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Enclosures

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(843) 377-1400
Attorney for Respondent Dr. Webster N.
Jones, III



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
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www.sccourts.org

March 24, 2010

Karl Stephen Brehmer, Esquire
Brown & Brehmer
P.O. Box 7966
Columbia, SC 29202

Re: Ross, John v. Waccamaw Comm. Hospital
2010155046

Dear Mr. Brehmer:

We have received your Notice of Appeal in the case noted above. This case will be docketed in the Court of Appeals and all communications concerning this case, including motions and petitions, initial and final briefs, and the Record on Appeal, should be directed to and filed in this Court. For all filings, please note the requirements of Rule 267(a) of the South Carolina Appellate Court Rules, and be further advised that Court of Appeals policy requires the firm name of any counsel shown must be included in his or her address.

Upon review, it has come to the Court's attention that the respondent Waccamaw Community Hospital was not served the Notice of Appeal. Please provide this Court with an Amended Notice of Appeal showing that the counsel for the respondent Waccamaw Community Hospital was served the Notice of Appeal within ten (10) days of the date of this letter.

We suggest that large parcels such as copies of final briefs and the Record On Appeal be sent directly to the Court via the street address: 1015 Sumter Street, Columbia, S.C. 29201. Thank you for your attention to this. Failure to file in the proper court may result in the dismissal of your appeal.

PLEASE BE ADVISED that, pursuant to Rule 207 of the South Carolina Appellate Court Rules, the transcript must be ordered within ten (10) days of the proof of service of the Notice of Appeal and you must provide this Court, opposing counsel, and the Office of Court Administration with all correspondence regarding the transcript. It is also Appellant's responsibility to make satisfactory arrangements (including agreement regarding payment for the transcript) with the Court Reporter for furnishing the transcript. You are reminded of the

notification requirements of Rule 207(a)(5), SCACR, also, please advise the Court in writing upon receipt of the transcript.

NOTE: If you believe this case has been improperly filed in the Court of Appeals, by reason of the limitations set forth in S.C. Code Ann. Section 14-8-200(b)(1998), as amended June 1, 1999, notify the Clerk's office of the Court of Appeals immediately. The cited Code Section prohibits the Court of Appeals from hearing appeals in seven classes of cases:

- 1) any final judgment from the circuit court which includes a sentence of death;
- 2) any final judgment from the circuit court setting public utility rates pursuant to Title 58;
- 3) any final judgment involving a challenge on state or federal grounds to the constitutionality of a state law or county or municipal ordinance where the principal issue is the constitutionality of the law or ordinance;
- 4) any final judgment from the circuit court involving the authorization, issuance, or proposed issuance of general obligation debt, revenue, institutional, industrial, or hospital bonds of the state, its agencies, political subdivisions, public service districts, counties, and municipalities or any other indebtedness now or hereafter authorized by Article X of the Constitution of this state;
- 5) any final judgment from the circuit court pertaining to elections and election procedure;
- 6) any order limiting an investigation by a State Grand Jury under S.C. Code Ann. Section 14-7-1630;
- 7) any order of the family court relating to an abortion by a minor under S.C. Code Ann. Section 44-41-33.

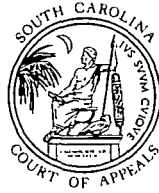
Very truly yours,

V. Claire Allen, Deputy Clerk

Tanya A. Gee
CLERK

TAG/mpm

cc: Darren Kent Sanders, Esquire
John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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March 24, 2010

Karl Stephen Brehmer, Esquire
Brown & Brehmer
P.O. Box 7966
Columbia, SC 29202

Re: Ross, John v. Waccamaw Comm. Hospital
2010155046

Dear Mr. Brehmer:

This office has received your Notice of Appeal in the above matter. It has been assigned the Case Tracking Number that appears above. Please use this number on all future correspondence relating to this matter.

I wish to call the attention of the parties to the attached order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Very truly yours,

V. Claire Allen, Deputy Clerk
CLERK

TAG/mpm

cc: Darren Kent Sanders, Esquire
John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire

The Supreme Court of South Carolina

RE: Interim Guidance Regarding Personal Data Identifiers and
Other Sensitive Information in Appellate Court Filings

ORDER

Under the Federal Constitution, our State Constitution, and our common law, court records are presumptively open to the public, and these records may only be sealed by a court based on specific findings that the need for secrecy outweighs the presumption of openness. Ex parte Capital U-Drive-It, Inc., 369 S.C. 1, 630 S.E.2d 464 (2006); Davis v. Jennings, 304 S.C. 502, 405 S.E.2d 601 (1991). Therefore, with some few exceptions,¹ documents filed with this Court or the South Carolina Court of Appeals (appellate court) are available to the public unless sealed by order of the appellate court in which the matter is pending.

Several commercial vendors have recently requested copies of briefs filed with the appellate courts, and it is anticipated that these and other appellate filings will be available electronically from both private and public sources in the future. The ready availability of these documents raises significant privacy concerns. While this problem is currently under review by the Chief Justice's Task Force on Public Access to Court Records, we adopt the following interim guidance regarding personal data identifiers and other sensitive information in documents filed in the appellate courts.

Parties shall not include, or will partially redact where inclusion is necessary, the following personal data identifiers from documents filed with an appellate court:²

1. Social Security Numbers. If a social security number must be included, only the last four digits of that number should be used.
2. Names of Minor Children. If a minor is the victim of a sexual assault or is involved in an abuse or neglect case, the minor's name will be completely redacted and a term such as "victim" or "child" should be used. In all other cases, only the minor's first name and first initial of the last name (i.e., John S.) should be used.
3. Financial Account Numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used.
4. Home Addresses. If a home address must be included, only the city and state should be used.

Parties wishing to file documents containing the personal data identifiers listed above may file unredacted documents under seal, together with redacted versions for the public file. The sealed unredacted documents shall be filed in a separate Appendix and the bottom of each page of the Appendix shall be marked "Sealed." No order of the appellate court will be required to file this sealed Appendix. The number of copies of the Appendix to be served and filed shall

be the same as that required for the brief, record on appeal, motion or other filing that includes the redacted documents.

If the caption of the case contains any of the personal data identifiers listed above, the parties should file a motion to amend the caption to redact the identifier. This should be done contemporaneously with the filing of the notice of appeal or the commencement of the case with the appellate court. Without a motion to the appellate court, the caption of a juvenile delinquency matter from the family court shall be redacted to only use the juvenile's first name and first letter of the juvenile's last name (i.e., In the Interest of John S., a Juvenile.)

A party seeking to seal material beyond those personal identifiers listed above, must file a motion to seal with the appellate court in which the matter is pending. This is true even if the lower court or administrative tribunal may have issued an order sealing the record. Until the motion is ruled on, the clerk of the appellate court shall treat the material as if it is sealed. Parties and counsel are reminded that the standard established in Ex parte Capital U-Drive-It, Inc. and Davis v. Jennings, supra, must be met before any request to seal all or a portion of a record will be granted. Once sealed by order of an appellate court, the materials will remain sealed before the appellate courts unless otherwise ordered by the appellate court in which the matter is pending.

Parties should exercise caution in including other sensitive personal data in their filings, such as personal identifying numbers, medical records, employment history, individual financial information, proprietary or trade secret information, information regarding an individual's cooperation with the government, information regarding the victim of any criminal activity, or national security information.

Attorneys are expected to discuss this matter with their clients so that an informed decision can be made about the inclusion of sensitive information. The appellate courts and their staff will not review filings for redaction or to determine if materials should be sealed; the responsibility for insuring that information is redacted or sealed rests with counsel and the parties.

IT IS SO ORDERED.

s/Jean H. Toal _____ C.J.

s/James E. Moore _____ J.

s/John H. Waller, Jr. _____ J.

s/E.C. Burnett, III _____ J.

s/Costa M. Pleicones _____ J.

Columbia, South Carolina

August 13, 2007

1 See, e.g., Rule 12 of the Rules for Lawyer Disciplinary Enforcement contained in Rule 413, SCACR; Rule 12 of the Rules for Judicial Disciplinary Enforcement contained in Rule 502, SCACR; Rule 402(n), SCACR; and Rule 403(l), SCACR.

2 This restriction shall not apply when this information is required or requested by the appellate court. For example, the application for admission to practice law under Rule 402, SCACR, requires many of these personal identifiers to be disclosed.



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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March 24, 2010

Karl Stephen Brehmer, Esquire
Brown & Brehmer
P.O. Box 7966
Columbia, SC 29202

Re: Ross, John v. Waccamaw Comm. Hospital (2)
2010155073

Dear Mr. Brehmer:

We have received your Notice of Appeal in the case noted above. This case will be docketed in the Court of Appeals and all communications concerning this case, including motions and petitions, initial and final briefs, and the Record on Appeal, should be directed to and filed in this Court. For all filings, please note the requirements of Rule 267(a) of the South Carolina Appellate Court Rules, and be further advised that Court of Appeals policy requires the firm name of any counsel shown must be included in his or her address.

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Tanya A. Gee
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John B. McCutcheon, Jr., Esquire
Lisa A. Thomas, Esquire



The South Carolina Court of Appeals

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s/James E. Moore _____ J.

s/John H. Waller, Jr. _____ J.

s/E.C. Burnett, III _____ J.

s/Costa M. Pleicones _____ J.

Columbia, South Carolina

August 13, 2007

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PM 03/19/10
POS 03/19/10

RECEIVED
MAR 19 2010
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

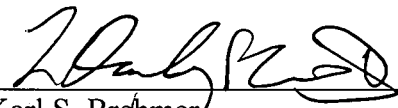
v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,.....Respondents.

NOTICE OF APPEAL

John Thomas Ross appeals the order of the Honorable Benjamin H. Culbertson dated February 18, 2010. Appellant received written notice of entry of this order on February 19, 2010.

March 19, 2010.


Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

Other Counsel of Record:

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Attorneys for Respondent Dr. David R.
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Mount Pleasant, South Carolina 29465
(843) 377-1400
Attorney for Respondent Dr. Webster N.
Jones, III

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
MAR 19 2010
SC Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-810

John Thomas Ross,.....Appellant,

v.

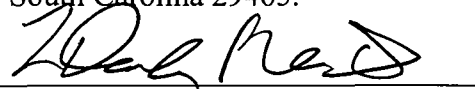
Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,.....Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Dr. Webster N. Jones, III by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2010, addressed to his attorneys of record, John B. McCutcheon, Jr. and Lisa A. Thomas, THOMPSON & HENRY, PA, Post Office Box 1740, Conway, South Carolina 29526.

I certify that I have served the Notice of Appeal on Dr. David R. Anderson by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2010, addressed to his attorney of record, Darren K. Sanders, BUYCK & SANDERS LAW FIRM, LLC, Post Office Box 2424, Mount Pleasant, South Carolina 29465.

March 19, 2010



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

BROWN & BREHMER

Attorneys at Law

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March 19, 2010

ROBERT C. BROWN
KARL S. BREHMER
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ELY.GROTE@BROWNBREHMER.COM

OF COUNSEL

MICHAEL M. LUMPKIN

VIA HAND DELIVERY

The Honorable Tanya Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

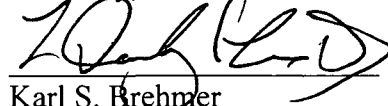
RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster
N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2009-CP-22-810

Dear Ms. Gee:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

1. Proof of service of the notice of appeal on the respondents.
2. A copy of the order which is to be challenged on appeal.
3. A filing fee of \$100.00.

Sincerely,



Karl S. Brehmer
L. Darby Plexico, III
BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
Attorneys for Appellant

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LDP

Enclosures

cc:

John B. McCutcheon, Jr.
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Conway, South Carolina 29526
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Attorneys for Respondent Dr. David R.
Anderson

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Attorney for Respondent Dr. Webster N.
Jones, III

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2008-CP-22-1496

John Thomas Ross,.....Appellant,


v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,.....Respondents.

NOTICE OF APPEAL

John Thomas Ross appeals the order of the Honorable Benjamin H. Culbertson dated February 18, 2010. Appellant received written notice of entry of this order on February 19, 2010.

March 19, 2010


Karl S. Brehmer
L. Darby Plexico, III
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(803) 771-6600
Attorneys for Appellant

Other Counsel of Record:

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Attorneys for Respondent Dr. David R.
Anderson

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

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John Thomas Ross,.....Appellant,

v.

Waccamaw Community Hospital, Dr. Webster N. Jones, III,
and Dr. David R. Anderson,.....Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Dr. Webster N. Jones, III by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2010, addressed to his attorneys of record, John B. McCutcheon, Jr. and Lisa A. Thomas, THOMPSON & HENRY, PA, Post Office Box 1740, Conway, South Carolina 29526.

I certify that I have served the Notice of Appeal on Dr. David R. Anderson by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2010, addressed to his attorney of record, Darren K. Sanders, BUYCK & SANDERS LAW FIRM, LLC, Post Office Box 2424, Mount Pleasant, South Carolina 29465.

March 19, 2010



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BROWN & BREHMER
Post Office Box 7966
Columbia, South Carolina 29201
(803) 771-6600
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March 19, 2010

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ELY.GROTE@BROWNBREHMER.COM

OF COUNSEL

MICHAEL M. LUMBKIN

VIA HAND DELIVERY

The Honorable Tanya Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: John Thomas Ross, Appellant v. Waccamaw Community Hospital, Dr. Webster
N. Jones, III, and Dr. David R. Anderson, Respondents
Case No.: 2008-CP-22-1496

Dear Ms. Gee:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

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Attorney for Respondent Dr. Webster N.
Jones, III

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GEORGETOWN)
)
 John Thomas Ross,)
)
 Plaintiff,)
)
 vs.)
)
 Waccamaw Community Hospital,)
 Dr. Webster N. Jones, III, and)
 Dr. David R. Anderson,)
)
 Defendants.)
)
 _____)

THE COURT OF COMMON PLEAS
 FIFTEENTH JUDICIAL CIRCUIT
 CASE NOS.: 2008-CP-22-1496
 2009-CP-22-810

SUBSTITUTE
 Order Granting Motion to Dismiss
 and Denying Motion to Compel
 Court Mandated Mediation

Before the court are motions by the parties seeking reconsideration of this court's order dated August 17, 2009, and filed with the clerk of court on August 24, 2009. Based upon arguments of counsel, this court sets aside the order dated August 17, 2009, and substitutes this order granting the defendants' motion to dismiss and denying the plaintiff's motion to compel court mandated mediation.

This case is a medical malpractice action. Pending before the court is a motion by the plaintiff to compel mediation and motions by the defendants Dr. Webster N. Jones, III and Dr. David R. Anderson to dismiss the plaintiff's lawsuit.

The undisputed facts of this case are as follows:

1. On October 27, 2008, the plaintiff contemporaneously filed a Notice of Intent to File Suit, Summons and Complaint pursuant to S.C. Code Ann. §15-79-125.

2. The defendants Dr. Webster N. Jones, III and Dr. David R. Anderson ("defendants") were served with the Notice of Intent to File Suit on November 25, 2008.¹

3. Mediation mandated by S.C. Code Ann. §15-79-125 was initially scheduled for March 12, 2009, but was cancelled by plaintiff's attorney because he had depositions in another case scheduled the same day. Mediation in this case was rescheduled for March 18, 2009, but was cancelled because plaintiff's counsel was in trial in Richland County, SC.

4. The mediation of this case was rescheduled for May 20, 2009, more than 120 days after service of the Notice of Intent to File Suit. However, the defendants refused to attend the rescheduled mediation and filed motions to dismiss. In response, the plaintiff filed a motion to compel mediation.² Plaintiff never sought extension of the 120 day limit for mediation.

LAW AND DISCUSSION

S.C. Code Ann. §15-79-125 states, in pertinent part, as follows:

(A) Prior to filing or initiating a civil action alleging injury or death as a result of medical malpractice, the plaintiff shall contemporaneously file a Notice of Intent to File Suit...

¹ The Affidavits of Service indicate that the defendants were served with the Summons and Complaint only; however, neither defendant denies being served with the Notice of Intent to File Suit.

² The plaintiff also filed a Notice of Intent to File Suit on June 2, 2009, in case number 2009-CP-22-810. That Notice of Intent for File Suit is identical to the Notice of Intent to File Suit in case number 2008-CP-22-1496. Further, the plaintiff attempted service on the defendants in case number 2009-CP-22-810 by mailing the pleadings to the defendants' attorneys in case number 2008-CP-22-1496. The defendant Webster N. Jones, III, filed a Notice to Dismiss in case number 2009-CP-22-810 which is dispositive by this order. No service on the defendant Dr. David R. Anderson is evidenced in case number 2009-CP-22-810.

(C) Within ninety days and no later than one hundred twenty days from the service of the Notice of Intent to File Suit, the parties shall participate in a mediation conference unless an extension for no more than sixty days is granted by the court based upon a finding of good cause...

(D) The circuit court has jurisdiction to enforce the provisions of this section.

(emphasis added).

In the case at hand, the Notice of Intent to File Suit was served on the defendants on November 25, 2008. Therefore, both parties had to participate in mediation by March 25, 2009. Any extensions beyond that time could only be granted by the court upon a finding of good cause.

The plaintiff argues that these cases should not be dismissed because the defendants consented to the cancellation of the two mediation conferences which had been timely scheduled. Defendants argue that the first two mediation conferences were unilaterally cancelled by the plaintiff without their consent. Regardless of whether the parties consented to the cancellation of the first two mediation conferences, S.C. Code Ann. §15-79-125(C) states that the parties "shall" participate in mediation within 120 days "unless an extension...is granted by the court." (emphasis added). Therefore, even if the defendants consented to cancel the first two mediation conferences, if the mediation date was more than

120 days after service of the Notice of Intent to File Suit on the defendants, the parties had to get court approval of the continuance.


Had the defendants refused to mediate this case within 120 days of the date of service of the Notice of Intent to File Suit or within an extended period granted by the court, then the plaintiff could have obtained an order of the court compelling the mediation pursuant to S.C. Code Ann. §15-79-125(D). However, the plaintiff neither asked the court to extend the 120 day limit for mediation nor sought to enforce the mandated mediation until 179 days after service of the Notice of Intent to File Suit.

NOW, THEREFORE, based upon the above findings and conclusions, it is hereby

ORDERED, that the motion of the defendants to dismiss this action is granted; it is further

ORDERED, that the plaintiff's Motion to Compel Court Mandated Mediation is denied.

AND IT IS SO ORDERED.



Benjamin H. Culbertson
Presiding Judge

February 18, 2010
Georgetown, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT
CASE NOS.: 2008-CP-22-1496
2009-CP-22-810

John Thomas Ross,)

Plaintiff,)

vs.)

Waccamaw Community Hospital,)
Dr. Webster N. Jones, III, and)
Dr. David R. Anderson,)

Defendants.)
_____)

SUBSTITUTE
Order Granting Motion to Dismiss
and Denying Motion to Compel
Court Mandated Mediation

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AND IT IS SO ORDERED.



Benjamin H. Culbertson
Presiding Judge

February 18, 2010
Georgetown, SC