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SC Court of Appeals

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

Appeal from Spartanburg County
Court of Common Pleas
Grace Gilchrist Knie, Circuit Court Judge

Case No. 2022-CP-42-01163
Appellate Case No. 2023-001612

Timothy Hutley, Guardian for Jane Doe,

Respondent,

v.

THI of South Carolina at Magnolia Manor Inman, LLC,
THI of Baltimore, Inc., THI of South Carolina, LLC,
Hunt Valley Holdings, LLC, THI of South Carolina at Inman, LLC,
Murray Forman, and Kathy Scroggs, Individually,

Defendants.

Of which THI of South Carolina at Magnolia Manor Inman, LLC,
THI of Baltimore, Inc., THI of South Carolina, LLC, and
Hunt Valley Holdings, LLC, are the

Appellants.

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

CLEMENT RIVERS, LLP
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Attorneys for Appellants

Appellants propose the following to be included in the Record on Appeal, with any duplicative matter to appear in the record only once:

Orders

1. Form 4 Order denying Motion to Compel Arbitration and Motions to Stay, filed March 21, 2023;
2. Order, filed May 15, 2023;
3. Order regarding Defendants' Motion for Reconsideration, filed September 13, 2023;

Pleadings

4. Summons and Complaint, filed March 31, 2022;
 - a. Affidavit of Karen Coleman;
5. Summons and Amended Complaint, filed March 31, 2022;
6. The Facility's¹ Answer to the Plaintiff's Amended Complaint, filed May 18, 2022;
7. HVH's Answer to the Plaintiff's Amended Complaint, filed May 18, 2022;
8. THIB's² Answer to the Plaintiff's Amended Complaint, filed May 18, 2022;
9. THISC's³ Answer to the Plaintiff's Amended Complaint, filed May 18, 2022;

¹ The "Facility" refers to Defendant THI of South Carolina at Magnolia Manor-Inman, LLC.

² "THIB" refers to Defendant THI of Baltimore, Inc.

³ "THISC" refers to Defendant THI of South Carolina, LLC.

Transcripts

10. Hearing Transcript, March 1, 2023;
11. Hearing Transcript, September 5, 2023;

Other Material

12. Facility's Motion to Compel Arbitration, filed January 17, 2023;
 - a. Exhibit A, Arbitration Agreement;
13. HVH's Motion to Stay, filed January 17, 2023;
14. THIB's Motion to Stay, filed January 17, 2023;
15. THISC's Motion to Stay, filed January 17, 2023;
16. Facility's Memorandum in Support of Motion to Compel Arbitration, filed February 28, 2023;
 - a. Exhibit 1, Admission Agreement;
 - b. Exhibit 2, Arbitration Agreement;
17. HVH's Memorandum in Support of Motion to Stay, filed February 28, 2023;
 - a. Exhibit 1, Facility's Motion to Compel Arbitration;
 - b. Exhibit 3, Durable Power of Attorney;
18. THIB's Memorandum in Support of Motion to Stay, filed February 28, 2023;
 - a. Exhibit 1, Facility's Motion to Compel Arbitration;
19. THISC's Memorandum in Support of Motion to Stay, filed February 28, 2023;
 - a. Exhibit 1, Facility's Motion to Compel Arbitration;

20. Memorandum in Opposition to Defendants’ Motions to Stay and Compel Arbitration, filed February 28, 2023;
 - a. Exhibit 1, Admission Agreement;
21. Motion to Alter, Amend, and/or Reconsider Order denying Motion to Compel Arbitration and Motions to Stay, filed May 25, 2023;
22. Notice of Appeal (omitting Orders), with Proof of Service, filed October 12, 2023.
23. Amended Notice of Appeal (omitting Orders), with Proof of Service, filed October 13, 2023.

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

Respectfully submitted,
CLEMENT RIVERS, LLP

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