

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM FAIRFIELD COUNTY
J. Ernest Kinard, Circuit Court Judge**

Case No.: 2012-CP-20-128

Darlene Dean, as Personal Representative of the
Estate of Louise Porter, Respondent,

v.

Heritage Healthcare of Ridgeway, LLC, Uni-
Health Post-Acute Care--Tanglewood, LLC,
UHS Pruitt Corporation, Appellants.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

John D. Kassel, Esquire (SC Bar 03268)
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Attorneys for Respondent

SC Court of Appeals

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

Respondent proposes the following to be included in the Record on Appeal:

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

1. Notice of Intent (with all exhibits)
2. January 30, 2012 Letter from Todd Smyth
3. February 2, 2012 Letter to Todd Smyth
4. Statement of Impasse from Bob Erwin
5. Complaint
6. Defendants' Motion to Dismiss or Compel Arbitration
7. Plaintiff's Memorandum in Opposition to Motion to Dismiss or Compel Arbitration

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8. November 19, 2012 Order Denying Motion to Compel Arbitration
9. Defendant's Motion to Reconsider
10. Plaintiff's Response to Defendants Motion to Reconsider
11. February 18, 2013 Form 4 Order
12. Notice of Appeal
13. Affidavit of Darlene Dean Filed July 11, 2012
14. 2008 Mortgage
15. Arbitration Agreement
16. AAA Healthcare Policy Statement January 1, 2003
17. Rule R-2 of AAA
18. Rule R-3 of AAA
19. Rule R-49 of AAA
20. Rule R-51 of AAA

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

Respectfully submitted,

KASSEL McVEY, Attorneys at Law

By: 

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Attorneys for Respondent

August 6, 2013

Columbia, South Carolina.

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APPEAL FROM FAIRFIELD COUNTY

J. Ernest Kinard, Circuit Court Judge

Case No. 2012-CP-20-128

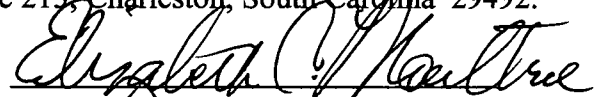
Darlene Dean, as Personal Representative of the
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v.

Heritage Healthcare of Ridgeway, LLC, Uni-
Health Post-Acute Care-Tanglewood, LLC,
UHS Pruitt Corporation, Appellants.

PROOF OF SERVICE

I certify that on the 6th day of August 2013, I served the Designation of Matter to be Included in the Record on Appeal on Heritage Healthcare of Ridgeway, LLC and Uni-Health Post-Acute Care-Tanglewood, LLC by depositing a true and correct copy of same in the United States Mail, postage prepaid, return address clearly printed on the envelope and addressed to their attorneys Todd W. Smyth, Esquire and Joshua S. Whitley, Esquire; Smyth Whitley, LLC; 234 Seven Farms Drive, Suite 215, Charleston, South Carolina 29492.



Elizabeth C. Moultrie, Paralegal to
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August 6, 2013

Columbia, South Carolina.

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SC Court of Appeals

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August 2, 2013

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The Honorable Jenny A. Kitchings
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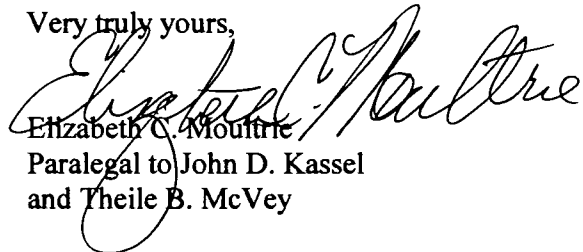
Re: *Darlene Dean, as Personal Representative of the Estate of Louise Porter v. Heritage Healthcare of Ridgeway, LLC, Uni-Helath Post-Acute Care-Tanglewood, LLC, and UHS Pruitt Corporation*
Case No.: 2012-CP-20-128
Appellate Case No.: 2013-000509

Dear Ms. Kitchings:

Enclosed herewith please find the original and two (2) copies of Respondent's Initial Brief, as well as Respondent's Designation of Matter to Be Included In the Record on Appeal, along with my Proofs of Service for same. Please file the original and one copy of each document and return clocked-in copies to me in the envelope provided for your convenience. By copy of this letter, I am serving counsel for Appellant with these documents.

Thank you for your kind consideration. If you have any questions or concerns, please do not hesitate to call.

Very truly yours,


Elizabeth C. Moultrie
Paralegal to John D. Kassel
and Theile B. McVey

:ecm

Enclosure

cc: Darlene Dean (w/o enclosures)
Kenneth G. Goode, Esquire (w/enclosures)
Gerald Jowers, Jr., Esquire (w/enclosures)
Todd W. Smyth, Esquire (w/enclosures)
Joshua S. Whitley, Esquire (w/enclosures)

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