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Apr 12 2024

SC Court of Appeals

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

Appeal from Fairfield County
Court of Common Pleas

Patrick C. Fant, III, Circuit Court Judge

Case No. 2023-CP-20-00268

Thomas D. Kilpatrick
as Special Administrator for the Estate of Anthony Lemon,

Respondent,

v.

Pruitthealth - Ridgeway, LLC f/k/a Unihealth Post-Acute Care -
Tanglewood, LLC, United Health Services of South Carolina,
Inc., Pruitthealth Consulting Services, Inc., Pruitthealth
Therapy Services, Inc. f/k/a United Rehab, Inc., Pruitthealth,
Inc., Neil Pruitt, Jr., THI of South Carolina at Columbia, LLC
d/b/a Midlands Health and Rehabilitation Center, THI of South
Carolina, LLC, Fundamental Clinical and Operational Services,
LLC, Fundamental Clinical Consulting, LLC, Fundamental
Long Term Care Holdings, Inc., Fundamental Administrative
Services, LLC, and Hunt Valley Holdings, LLC,

Defendants,

Of whom THI of South Carolina at Columbia, LLC d/b/a Midlands Health and
Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and
Operational Services, LLC, Fundamental Administrative Services, LLC, and
Hunt Valley Holdings, LLC, are

Appellants.

NOTICE OF APPEAL

**Counsel identified on the next page*

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Acute Care - Tanglewood, LLC, United
Health Services of South Carolina, Inc.,
Pruitthealth Consulting Services, Inc.,
Pruitthealth Therapy Services, Inc. f/k/a
United Rehab, Inc., Pruitthealth, Inc.,
Neil Pruitt, Jr.*

Defendants/Appellants THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC, and Hunt Valley Holdings, LLC (collectively, “Appellants”), hereby appeal the following order of the Honorable Patrick C. Fant, III, Circuit Court Judge:

- **Order Denying Motion to Compel Arbitration & Motions to Stay,** filed March 14, 2024.

A copy of the appealed order is attached hereto and incorporated herein by reference. Appellants received written notice of entry of the order on March 14, 2024.

Respectfully submitted,
CLEMENT RIVERS, LLP

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Inc., Neil Pruitt, Jr., THI of South Carolina at Columbia, LLC
d/b/a Midlands Health and Rehabilitation Center, THI of South
Carolina, LLC, Fundamental Clinical and Operational Services,
LLC, Fundamental Clinical Consulting, LLC, Fundamental
Long Term Care Holdings, Inc., Fundamental Administrative
Services, LLC, and Hunt Valley Holdings, LLC,

Defendants,

Of whom THI of South Carolina at Columbia, LLC d/b/a Midlands Health and
Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and
Operational Services, LLC, Fundamental Administrative Services, LLC, and
Hunt Valley Holdings, LLC, are

Appellants.

PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **NOTICE OF APPEAL** was served on Respondent (and the other Defendants besides Appellants) on April 12, 2024, by emailing (see attached email) a copy of the same to counsel of record:

PARKER LAW GROUP, LLP
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Acute Care - Tanglewood, LLC, United
Health Services of South Carolina, Inc.,
Pruitthealth Consulting Services, Inc.,
Pruitthealth Therapy Services, Inc. f/k/a
United Rehab, Inc., Pruitthealth, Inc.,
Neil Pruitt, Jr.*

I also certify that a copy of Appellants' **NOTICE OF APPEAL** was today, April 12, 2024, E-Filed with the lower court (see attached NEF), which also, i.e., in addition to service by email, effected service of the notice today on the above-identified counsel of record via the E-Filing System.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
Attorneys for Appellants

Charleston, South Carolina

April 12, 2024

From: [Hines, Russell](#)
To: nalger@parkerlawgroupsc.com; jwhitley@smythwhitley.com; amaples@smythwhitley.com
Cc: [Davis, Jay](#); [Brown, Stephen L.](#); [Riddle, Matthew](#); [Dotterer III, Gaillard T. \(Gilly\)](#); [Bell, Pollyana \(Polly\)](#); [Justman, Aimee](#); [Peterson, Susan](#); [Preiser, Skyla](#); [Wakeham, Rebecca \(Becky\)](#)
Subject: Kilpatrick (Case No. 2023-CP-20-00268) -- Notice of Appeal
Date: Friday, April 12, 2024 1:32:30 PM
Attachments: [image001.png](#)
[Kilpatrick v. THI \(Case No. 2023-CP-20-00268\) -- Notice of Appeal.pdf](#)
[Appealed Order -- Order Denying Motion to Compel Arbitration and Motions to Stay -- filed 3-14-24.pdf](#)

Attached for service in the above-referenced matter please find Appellants' **Notice of Appeal**, including a copy of the **appealed order** attached thereto.

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***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2023CP2000268

Official File Stamp: 04-12-2024 01:40:27 PM
Court: CIRCUIT COURT
Common Pleas
Fairfield
Case Caption: Thomas D Kilpatrick , plaintiff, et al VS Pruitthealth Ridgeway L L C , defendant, et al
Event(s): Notice/Notice of Appearance
Document(s) Submitted: Appeal/Notice of Appeal to Court of Appeals
- Exhibit/Filing of Exhibits
Filed by or on behalf of: Russell Grainger Hines

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Matthew Oliver Riddle for Fundamental Administrative Services L L C, Fundamental Clinical Consulting L L C, Fundamental Clinical And Operational Services L L C, Thi Of South Carolina L L C, Midlands Health And Rehabilitation Center, Thi Of South Carolina At Columbia L L C, Hunt Valley Holdings L L C
Neil Edward Alger for Thomas D Kilpatrick
Donald Jay Davis, Jr. for Fundamental Administrative Services L L C, Fundamental Clinical Consulting L L C, Fundamental Clinical And Operational Services L L C, Thi Of South Carolina L L C, Midlands Health And Rehabilitation Center, Thi Of South Carolina At Columbia L L C, Hunt Valley Holdings L L C
Gaillard Townsend Dotterer, III for Fundamental Administrative Services L L C, Fundamental Clinical Consulting L L C, Fundamental Clinical And Operational Services L L C, Thi Of South Carolina L L C, Midlands Health And Rehabilitation Center, Thi Of South Carolina At Columbia L L C, Hunt Valley Holdings L L C
Allie Aleece Maples for United Health Services Of South Carolina Inc, Unihealth Post Acute Care Tanglewood L L C, United Rehab Inc, Pruitthealth Ridgeway L L C, Neil Pruitt, Jr, Pruitthealth, Inc, Pruitthealth Therapy Services Inc, Pruitthealth Consulting Services Inc
Joshua Steven Whitley for United Health Services Of South Carolina Inc, Unihealth Post Acute Care Tanglewood L L C, United Rehab Inc, Pruitthealth Ridgeway L L C, Neil Pruitt, Jr, Pruitthealth, Inc, Pruitthealth Therapy Services Inc, Pruitthealth Consulting Services Inc

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

Anthony Lemon
Fundamental Long Term Care Holdings Inc