

RECEIVED

Jun 20 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No.: 2019-CP-46-01258

Rachel Sanders, Respondent,

v.

Novant Health, Inc., Terracon Consultants, Inc., Panther Heating and Cooling, Inc., Modern Construction of South Carolina, LLC, Southern Realty, LLC, and, in their individual capacities, George White, MD, Nicholas Tuttle, MD, and Malcolm Marion, MD, Defendants

Of which Modern Construction Services, LLC is the Appellant.

NOTICE OF APPEAL

Modern Construction Services, LLC appeals the following orders issued by the
Honorable Grace Gilchrist Knie:

1. The Order Denying Modern Construction Services, LLC's March 19, 2024 Motion for Relief from Judgment and Order and Motion to Set Aside Entry of Default and Order of Default Judgment, filed May 15, 2024; and
2. The Order Denying Modern Construction Services, LLC's May 17, 2024 Motion to Reconsider (Motion for Reconsideration), filed June 14, 2024.

Modern Construction Services, LLC received notice of the Court's orders on the dates each of the respective orders were filed by the Court.

WINDLE | TERRY | BIMBO

By: /s/ Don R. Terry
Don R. Terry (S.C. Bar No. 101395)
150 Milestone Way, Suite C
Greenville, SC 29615
(864) 520-4847 - Telephone
(704) 626-6446 - Facsimile
dterry@wtbconstructionlaw.com

Attorney for Modern Construction Services, LLC

June 20, 2024
Greenville, South Carolina

RECEIVED

Jun 20 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No.: 2019-CP-46-01258

Rachel Sanders, Respondent,

v.

Novant Health, Inc., Terracon Consultants, Inc., Panther Heating and Cooling, Inc., Modern Construction of South Carolina, LLC, Southern Realty, LLC, and, in their individual capacities, George White, MD, Nicholas Tuttle, MD, and Malcolm Marion, MD, Defendants

Of which Modern Construction Services, LLC is the Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that on June 20, 2024, a copy of **Appellant's Notice of Appeal regarding Order Denying Modern Construction Service, LLC's Motion for Relief from Judgment and Order to Set Aside Entry of Default and Order of Default Judgment and Order Denying Modern Construction Services, LLC's Motion for Reconsideration** was served on all counsel of record via email containing the above referenced document to counsel's individual email addresses:

Donald Gist
dtommygist@yahoo.com
Erica McCrea
ericamccrea@gistlawfirm.com
Gist Law Firm, Pa
4400 North Main Street
Columbia, SC 29230

Kyle T. Watson
kwatson@watsonattorney.com
The Watson Law Office, PLLC
301 McCullough Drive, Suite 400
Charlotte, North Carolina 28262

Aaron Vernon Wallace
Wallace Law Firm
534 Saint Andrews Road, STE B PMB 2002
Columbia, SC 29210

Attorneys for Plaintiff

WINDLE | TERRY | BIMBO

By: /s/ Don R. Terry
Don R. Terry (S.C. Bar No. 101395)
150 Milestone Way, Suite C
Greenville, SC 29615
(864) 520-4847 - Telephone
(704) 626-6446 - Facsimile
dterry@wtbconstructionlaw.com

Attorney for Modern Construction Services, LLC

June 20, 2024
Greenville, South Carolina

RECEIVED

Jun 20 2024

SC Court of Appeals

DON R. TERRY
dterry@wtbconstructionlaw.com

June 20, 2024

***Via Federal Express
And Email (ctappfilings@sccourts.org)***
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

***Re: Rachel Sanders v. Novant Health, Inc., et al.
Trial Court Case No.: 2019-CP-46-01258
Our File No. 394-001***

Dear Mrs. Kitchings:

Enclosed for filing in *Rachel Sanders v. Novant Health, Inc., et al.*, please find one copy of Appellant's Notice of Appeal and Proof of Service regarding Modern Construction Services, LLC. Copies of same are being provided to all counsel of record via e-mail.

Additionally, please find enclosed Check No. 1528 in the amount of \$250.00 which covers our filing fee.

Note that we have filed three (3) separate Notices of Appeal, appealing a total of four Orders in the same case, which were filed separately out of an abundance of caution. Please let me know if you would like this filed another way.

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

Sincerely,

WINDLE | TERRY | BIMBO



Don R. Terry

DRT/dlf
Enclosure
cc: All Counsel of Record on Proof of Service