

Jo Ann Blackwell et al
PLAINTIFF(S)

Mary Black Health System, Llc et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

I have decided to grant the Renewed Motion for Sanctions. The defendant's position that the Mary Black Gaffney facility is not part of the present litigation or that the defendant's did not consider the Gaffney facility as part of the litigation is disingenuous. It is also disrespectful to this Court in face of other representation made to this Court. The defendant's present assertion disregards statements made to this Court. Defendant's present position that the Gaffney facility was not affiliated with the Spartanburg facility also appears to untrue.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 06/23/2023 .

John Doe

RECEIVED
Sep 16 2024
SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

Plaintiff's counsel is asked to prepare an order granting its motion.

As to the appropriate sanction, this court orders the defendants to immediately respond to the discovery request related to the Gaffney facility, including but limited to Interrogatory No. 11. In the order granting the sanction motion, indicate this Court's order allowing the plaintiff to engage in additional discovery of persons related to the Gaffney facility knowledgeable of its association with the Spartanburg facility during the time periods referenced in the complaint and subsequent time periods related to providing discovery responses. The Court's directive shall also include an examination of the destruction, if any, of the material sought as part of the present litigation and the "refuse to bill" policy and practice, if any, of the Gaffney facility. Include in the order that defense counsel is expressly instructed to inform the Gaffney facility that no records related to the present litigation or the sanction order shall be destroyed or otherwise concealed. The information that was presented as confidential has not been referenced in this email. This Court will defer to the attorneys if reference is needed to this information in the order to be prepared by plaintiff's counsel and the manner of referring to this information.

In the sanction order, note that this Court will reexamine the imposition of further sanctions including, but not limited to, potential jury instructions and the awarding of cost and fees, at a later date.



Spartanburg Common Pleas

Case Caption: Jo Ann Blackwell , plaintiff, et al VS Mary Black Health System, Llc
, defendant, et al
Case Number: 2017CP4200219
Type: Order/Electronic Form 4

IT IS SO ORDERED

s/ J. Mark Hayes, II #2132