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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
Appellate Case No. 2024-000596

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 which 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 the

Appellants.

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

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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:

Order

1. Order Denying Motion to Compel Arbitration & Motions to Stay, filed March 14, 2024;

Pleadings

2. Summons and Complaint, filed August 31, 2023;
3. The Facility’s¹ Answer to Complaint, filed October 11, 2023;
4. HVH’s² Answer to Complaint, filed October 11, 2023;
5. FCOS’s³ Answer to Complaint, filed October 11, 2023;
6. THISC’s⁴ Answer to Complaint, filed October 11, 2023;
7. FAS’s⁵ Answer to Complaint, filed October 11, 2023;

Transcript

8. Hearing Transcript, February 29, 2024;

Other Material

9. The Facility’s Motion to Compel Arbitration, filed January 2, 2024;
 - a. Exhibit A, Arbitration Agreement;

¹ The “Facility” refers to Defendant/Appellant THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center.

² “HVH” refers to Defendant/Appellant Hunt Valley Holdings, LLC.

³ “FCOS” refers to Defendant/Appellant Fundamental Clinical and Operational Services, LLC.

⁴ “THISC” refers to Defendant/Appellant THI of South Carolina, LLC.

⁵ “FAS” refers to Defendant/Appellant Fundamental Administrative Services, LLC.

10. HVH's Motion to Stay, filed January 2, 2024;
11. FCOS's Motion to Stay, filed January 2, 2024;
12. THISC's Motion to Stay, filed January 2, 2024;
13. FAS's Motion to Stay, filed January 2, 2024;
14. The Facility's Memorandum in Support of Motion to Compel Arbitration, filed February 28, 2024;
 - a. Exhibit 1, Admission Agreement;
15. Plaintiff's Memorandum in Opposition to Motion to Compel Arbitration, filed February 28, 2024; and
16. Notice of Appeal (omitting Order), with Proof of Service, filed April 12, 2024.

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

Respectfully submitted,
CLEMENT RIVERS, LLP

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