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**Sep 25 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM LANCASTER COUNTY  
Court of Common Pleas

DeAndrea Gist Benjamin, Circuit Court Judge

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Case No. 2018-CP-29-01127  
Appellate Case No. 2022-001589

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Paul David Hess, APRN-BC,..... Respondent-Appellant

v.

Morphis Pediatric Group of Lancaster, P.A.; Elizabeth J.  
Morphis, M.D.; Gregory M. Alexander, CPA; and  
Moore Beauston and Woodham, LLP,..... Defendants

Of whom Morphis Pediatric Group of Lancaster, P.A. and  
Elizabeth J. Morphis, M.D. are. .... Appellants-Respondents

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NOTICE OF SUPPLEMENTAL AUTHORITY

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David E. Rothstein  
Rothstein Law Firm, PA  
1312 Augusta Street  
Greenville, SC 29605  
(864) 232-5870  
Attorney for Respondent-Appellant

Respondent-Appellant, Paul David Hess, APRN-BC, by and through his undersigned counsel, hereby submits this Notice of Supplemental Authority, which case was decided after the cross appeal was fully briefed by the parties. The supplemental authority is the opinion of the South Carolina Court of Appeals in Brawley v. Richland County, SC, Opinion No. 6090, Howard Adv. Sh. No. 37, at 12 (Ct. App. Sept. 25, 2024). The Brawley case is relevant to the issue raised by Respondent-Appellant on his cross appeal: specifically, whether the circuit court abused her discretions in unilaterally reducing the amount of attorney's fees requested under the South Carolina Payment of Wages Act, where the order awarding attorney's fees and costs did not contain any explanation for the reduced award.

Respectfully submitted,

September 25, 2024

s/ David E. Rothstein  
David E. Rothstein, SC Bar No. 66295  
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(864) 232-5870  
Attorney for Respondent-Appellant

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PROOF OF SERVICE

I certify that I have served the Notice of Supplemental Authority on Appellants-Respondents, Morphis Pediatric Group of Lancaster, PA and Elizabeth J. Morphis, M.D., by email on September 25, 2024, addressed to their attorney of record, Charles F. Thompson, Jr. (thompson@mtsolvfirm.com), Malone, Thompson, Summers & Ott, 339 Heyward Street, Columbia, SC 29201.

September 25, 2024

s/ David E. Rothstein  
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September 25, 2024

**VIA EMAIL ONLY ([ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org))**

Hon. Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Paul David Hess, APRN-BC v. Morphis Pediatric Group of Lancaster, P.A. et al.,  
Appellate Case No. 2022-001589

Dear Ms. Kitchings:

Enclosed please find a copy of Respondent-Appellant's Notice of Supplemental Authority in the above-referenced appeal, along with a Proof of Service. Please send me a file-stamped copy of these documents to me for my records.

By copy of this letter, I am hereby serving the Notice on counsel for Appellants-Respondents.

If you have any questions or need any additional information, please do not hesitate to call me or email me.

Sincerely yours,

David E. Rothstein

Enclosure

cc: Charles F. Thompson, Jr., Esq. (both via email w/ encl.)  
Ryan L. Beasley, Esq.