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Nov 21 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
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.

**SECOND MOTION FOR EXTENSION OF TIME TO
FILE/SERVE RETURN TO MOTION TO DISMISS APPEAL**

**Counsel identified on the next page*

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Attorneys for Appellants

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COME NOW Appellants, 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, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for a second extension of ten (10) days' additional time to file/serve their return to the motion to dismiss appeal.

Presently, by order of this Court filed November 15, 2024, the deadline for Appellants' return to the motion to dismiss appeal is November 22, 2024. On account of work-related and other time commitments, Appellants respectfully request this deadline be extended by 10 days. Respectfully, Appellants believe this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondent.

WHEREFORE, Appellants move this Honorable Court to grant them an extension of 10 days' time to file/serve their return to the motion to dismiss appeal. With the extension requested herein, the new deadline to file/serve their return to the motion to dismiss appeal would be December 2, 2024, according to the undersigned's calculations. Further, Appellants respectfully request the Court hold the present deadline in abeyance until it acts upon this motion.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
CLEMENT RIVERS, LLP

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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.

PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that the **SECOND MOTION FOR EXTENSION OF TIME TO FILE/SERVE RETURN TO MOTION TO DISMISS APPEAL** was served on Respondent (and the other Defendants besides Appellants) on November 21, 2024, by emailing (see attached email) a copy of the same to counsel of record:

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Respectfully submitted,
CLEMENT RIVERS, LLP

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Attorneys for Appellants

Charleston, South Carolina

November 21, 2024

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Cc: [Justman, Aimee](#); [Hines, Russell](#)
Subject: Kilpatrick v. Pruitthealth - Ridgeway, LLC ; Appellate Case No. 2024-000596 (CR 230463)
Date: Thursday, November 21, 2024 5:30:49 PM
Attachments: [2nd Motion for Extension - Return to MTD.pdf](#)
[image001.png](#)

Enclosed please find Appellants' Second Motion for Extension of Time to File/Serve their Return to Motion to Dismiss Appeal for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell
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