

**RECEIVED**

**Nov 25 2024**

**SC Court of Appeals**

ELECTRONICALLY FILED - 2024 Nov 25 12:28 PM - CHARLESTON - COMMON PLEAS - CASE#2023CP1004865

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Maite Murphy, Circuit Court Judge

Case No. 2023-CP-10-04865

Dow, Inc., .....Appellant

v.

Beth Bartolini .....Respondent

**NOTICE OF APPEAL**

Please take notice that Dow, Inc. ("Appellant") hereby appeals the Order dated November 20, 2024, denying Plaintiff's Motion to Compel Arbitration (attached hereto as **Exhibit A**).

Appellants received written notice of the entry of the Order on November 20, 2024.

November 25, 2024

**BLAND RICHTER, LLP**  
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*Attorney for Respondent*

**EXHIBIT A**

Case No. 2023-CP-10-04865

Order Dated November 20, 2024, denying  
Plaintiff's Motion to Compel Arbitration

STATE OF SOUTH CAROLINA  
COUNTY OF Charleston  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2023CP1004865

Dow Inc  
PLAINTIFF(S)

Beth Bartolini  
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:

This matter came before the Court on Plaintiff's Motion to Compel Arbitration. After review of the record, arguments, and relevant law, the Court DENIES this Motion for failure to comply with South Carolina Code Section 15-48-10(a).

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 11/19/2024 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

FILED IN THE COURT OF COMMON PLEAS - CHARLESTON COUNTY - 2023 NOV 20 12 28 PM - CHARRLESTON - COMMON PLEAS - CASE# 2023CP1004865

**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.

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BELLEVILLE COUNTY FILED - 2022 NOV 23 12:28 PM - CHARRLESTON - COMMON PLEAS - CASE#2023CP1004885



Charleston Common Pleas

**Case Caption:** Dow Inc VS Beth Bartolini

**Case Number:** 2023CP1004865

**Type:** Order/Electronic Form 4

So Ordered

s/ Maite Murphy 2166

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IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Maite Murphy, Circuit Court Judge

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Case No. 2023-CP-10-04865

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Dow, Inc., .....Appellant

v.

Beth Bartolini .....Respondent


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**PROOF OF SERVICE**

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I certify that I have served the Notice of Appeal on Beth Bartoli by depositing a copy of it in the United States Mail, postage prepaid, on November 25, 2024, addressed to her attorney of record, Paul Robert Rahn of Robertson Hollingsworth Manos & Rahn, LLC at 40 Calhoun Street, Suite 330, Charleston, SC 29401.

November 25, 2024

  
Bland Richter, LLP  
18 Broad Street, Mezzanine Level  
Charleston, South Carolina 29401  
843.573.9900  
Attorneys for Appellant

## Certificate of Electronic Notification

### Recipients

**Scott Mongillo** - Notification transmitted on 11-25-2024 12:28:51 PM.

**Eric Bland** - Notification transmitted on 11-25-2024 12:28:51 PM.

**Ronald Richter** - Notification transmitted on 11-25-2024 12:28:51 PM.

**Paul Rahn** - Notification transmitted on 11-25-2024 12:28:51 PM.

**James Smith** - Notification transmitted on 11-25-2024 12:28:52 PM.

**Alexander Rudiak** - Notification transmitted on 11-25-2024 12:28:52 PM.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

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**A filing has been submitted to the court RE:** 2023CP1004865

**Official File Stamp:** 11-25-2024 12:28:40 PM  
**Court:** CIRCUIT COURT  
Common Pleas  
Charleston  
**Case Caption:** Dow Inc VS Beth Bartolini  
**Document(s) Submitted:** Appeal/Notice of Appeal to Court of Appeals  
Service/Certificate Of Service  
**Filed by or on behalf of:** Ronald L. Richter, Jr.

This notice was automatically generated by the Court's auto-notification system.

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**The following people were served electronically:**

James David Smith, Jr. for Dow Inc  
Alexander James Rudiak for Dow Inc  
Paul Robert Rahn for Beth Bartolini  
Eric Steven Bland for Dow Inc  
Scott Michael Mongillo for Dow Inc  
Ronald L. Richter, Jr. for Dow Inc

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**