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**Dec 05 2024**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM SPARTANBURG COUNTY  
COURT OF COMMON PLEAS

JUDGE R. KEITH KELLY, CIRCUIT COURT JUDGE

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Circuit Court Cases No. 2019-CP-42-03708 and -03709  
Court of Appeals Case No. 2022-001059  
Supreme Court Case No. 2024-001764

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Kenneth Pace, Individually and as Personal Representative of the  
Estate of Earl E. Pace,

Respondent,

v.

Lake Emory Post Acute Care; THI of South Carolina at Camp Care, LLC;  
THI of South Carolina, LLC; THI of Baltimore, Inc.; Fundamental  
Administrative Services, LLC; Fundamental Clinical and Operational  
Services, LLC; Fundamental Clinical Consulting, LLC; Fundamental  
Long Term Care Holdings, LLC, and Kerry L. Wheeler, DO,

Defendants,

Of which Lake Emory Post Acute Care; THI of South Carolina at Camp  
Care, LLC; THI of South Carolina, LLC; THI of Baltimore, Inc.;  
Fundamental Administrative Services, LLC; Fundamental Clinical and  
Operational Services, LLC; and Fundamental Long Term Care Holdings,  
LLC, are

Appellants

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**PROOF OF SERVICE**

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Jennifer Spragins Burnett (S.C. Bar No. 69617)  
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*Attorneys for Respondent*

I, Jennifer Spragins Burnett, of Harbin & Burnett, LLP, attorneys for Respondent, hereby certify that Respondent's **MOTION FOR EXTENSION OF TIME TO FILE/SERVE RESPONDENT'S RETURN TO PETITION FOR A WRIT OF CERTIORARI** was served on Appellants on December 5, 2024, by emailing (see attached) a copy of the same to Appellant's counsel of record:

Stephen L. Brown  
D. Jay Davis, Jr.  
Russell G. Hines  
T. Ashton Phillips, III  
Clement Rivers, LLP  
25 Calhoun Street, Suite 400  
Charleston, SC 2940  
*Attorneys for Appellants*

I also certify that Respondent's **MOTION FOR EXTENSION OF TIME TO FILE/SERVE RESPONDENT'S RETURN TO PETITION FOR A WRIT OF CERTIORARI** and **PROOF OF SERVICE** was filed with the Supreme Court of South Carolina on December 5, 2024, via email (see attached) to supctfilings@sccourts.org.

Respectfully submitted,

Harbin & Burnett, LLP

s/ Jennifer Burnett  
Jennifer Spragins Burnett  
Attorney for Respondent

Anderson, South Carolina  
December 5, 2024