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Feb 07 2025

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Charleston County
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2024-CP-10-03732

Joe Bryan,

Respondent,

v.

THI of South Carolina at Charleston, LLC
d/b/a Riverside Health and Rehab,

Appellant.

NOTICE OF APPEAL

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis Jr. (SC Bar No. 12084)
James D. Gandy III (SC Bar No. 11925)
T. Ashton Phillips III (SC Bar No. 104227)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
P.O. Box 993 (29402)
Charleston, South Carolina 29401
(843) 720-5488

Attorneys for Appellant

Other Counsel of Record:

Samuel R. Clawson Jr. (SC Bar No. 76065)

Christy R. Fagnoli (SC Bar No. 77528)

Bert G. Utsey III (SC Bar No. 10093)

Laura K. Wilkes-D'Amato (SC Bar No. 104294)

CLAWSON FARGNOLI UTSEY, LLC

2 Amherst Street

Charleston, South Carolina 29403

(843) 970-2700

Attorney for Respondent

Defendant/Appellant, THI of South Carolina at Charleston, LLC d/b/a Riverside Health and Rehab (“Appellant”), hereby appeals the following orders of the Honorable Jennifer B. McCoy, Circuit Court Judge:

- **Order filed December 13, 2024, denying Defendant’s Motion to Compel Arbitration; and**
- **Order filed January 9, 2025, denying Defendant’s Motion to Alter, Amend, and/or Reconsider Order Denying Defendant’s Motion to Compel Arbitration.**

Copies of the appealed orders are attached hereto and incorporated herein by reference. Appellant received written notice of entry of the most recent order on January 9, 2025.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
James D. Gandy III (SC Bar No. 11925)
T. Ashton Phillips III (SC Bar No. 104227)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
P.O. Box 993 (29402)
Charleston, South Carolina 29401
(843) 720-5488
Attorneys for Appellant

Charleston, South Carolina

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Appellant.

PROOF OF SERVICE

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
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James D. Gandy III (SC Bar No. 11925)
T. Ashton Phillips III (SC Bar No. 104227)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
P.O. Box 993 (29402)
Charleston, South Carolina 29401
(843) 720-5488

Attorneys for Appellant

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that Appellant's **NOTICE OF APPEAL** was served on Respondent on February 7, 2025, by emailing (see attached email) a copy of the same to Respondent's counsel of record:

Samuel R. Clawson Jr., Esquire
sam@cfulaw.com
Christy R. Fargnoli, Esquire
christy@cfulaw.com
Bert G. Utsey III, Esquire
bert@cfulaw.com
Laura K. Wilkes-D'Amato, Esquire
laura@cfulaw.com
CLAWSON FARGNOLI UTSEY, LLC
Attorney for Respondent

I also certify that a copy of Appellant's **NOTICE OF APPEAL** was today, February 7, 2025, E-Filed with the lower court (see attached NEF), which also, i.e., in addition to service by email, effected service of the notice today on Respondent's counsel of record via the E-Filing System.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
Attorneys for Appellant

Charleston, South Carolina

February 7, 2025

From: [Hines, Russell](#)
To: ["sam@cfulaw.com"](#); ["christy@cfulaw.com"](#); ["bert@cfulaw.com"](#); ["laura@cfulaw.com"](#)
Cc: [sbrown@ycrlaw.com](#); [Davis, Jay](#); [Gandy, III, James D. \(Tripp\)](#); [Phillips, Ashton](#); [Justman, Aimee](#); [Bell, Pollyana \(Polly\)](#); [Preiser, Skyla](#); [Peterson, Susan](#); [Eversole, Amy R.](#)
Subject: Bryan v. THI (Circuit Court Case No. 2024-CP-10-03732) -- Notice of Appeal
Date: Friday, February 7, 2025 5:32:25 PM
Attachments: [image001.png](#)
[Bryan v. THI \(Case No. 2024-CP-10-03732\) -- Notice of Appeal.pdf](#)
[Appealed Order 1 -- 2024 12-13 -- Order Denying MTCA.pdf](#)
[Appealed Order 2 -- 2025 01-09 -- Order Denying MTR.pdf](#)

Attached for service in the above-referenced matter please find our **Notice of Appeal** and copies of the **appealed orders** attached thereto.

Russell G. Hines
CLEMENT RIVERS, LLP
www.ycrlaw.com
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
Phone: (843) 720-5488
Fax: (843) 579-1327
Email: rhines@ycrlaw.com



CLEMENT RIVERS, LLP

25 Calhoun Street • Suite 400 • Charleston, SC 29401
ycrlaw.com



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

A filing has been submitted to the court RE: 2024CP1003732

Official File Stamp: 02-07-2025 05:26:39 PM
Court: CIRCUIT COURT
Common Pleas
Charleston
Case Caption: Joe Bryan VS Thi Of South Carolina At Charleson Llc , defendant, et al
Document(s) Submitted: Appeal/Notice of Appeal to Court of Appeals
- Exhibit/Filing of Exhibits
- Exhibit/Filing of Exhibits
Filed by or on behalf of: Russell Grainger Hines

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

The following people were served electronically:

James D. Gandy, III for Thi Of South Carolina At Charleson Llc et al
Donald Jay Davis, Jr. for Thi Of South Carolina At Charleson Llc et al
Ted Ashton Phillips, III for Thi Of South Carolina At Charleson Llc et al
Samuel Richard Clawson, Jr. for Joe Bryan
Christina Rae Fagnoli for Joe Bryan
Laura Kell Wilkes-D'Amato for Joe Bryan
Russell Grainger Hines for Thi Of South Carolina At Charleson Llc et al

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