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Feb 13 2025

SC Court of Appeals

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

Appeal from Dorchester County
Court of Common Pleas

Maite Murphy, Circuit Court Judge

Case No. 2023-CP-18-00758

James Graham,
as Personal Representative of the Estate of Phyllis Chestnut,

Respondent,

v.

Hallmark Long Term Care, LLC d/b/a Hallmark Healthcare Center,
Fundamental Long Term Care, Inc., THI of South Carolina, LLC, THI of Baltimore, Inc.,
Hunt Valley Holdings, LLC, Fundamental Administrative Services, LLC,
Fundamental Clinical and Operational Services, LLC, Fundamental Clinical Consulting, LLC,
and Curana Health of South Carolina, P.C. f/k/a Elite Patient Care of South Carolina, PC,

Defendants,

Of which Hallmark Long Term Care, LLC d/b/a Hallmark Healthcare Center,
THI of South Carolina, LLC, THI of Baltimore, Inc., Hunt Valley Holdings, LLC,
Fundamental Administrative Services, LLC, Fundamental Clinical and Operational Services,
LLC, and Fundamental Clinical Consulting, LLC, are the

Appellants.

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)
Russell G. Hines (SC Bar No. 72100)
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Attorneys for Defendant

Curana Health of South Carolina, PC

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Defendants/Appellants, Hallmark Long Term Care, LLC d/b/a Hallmark Healthcare Center, THI of South Carolina, LLC, THI of Baltimore, Inc., Hunt Valley Holdings, LLC, Fundamental Administrative Services, LLC, Fundamental Clinical and Operational Services, LLC, and Fundamental Clinical Consulting, LLC, (“Appellants”), hereby appeal the following orders of the Honorable Maite Murphy, Circuit Court Judge:

- **Order filed November 21, 2024;** and
- **Order filed January 14, 2025.**

Copies of the appealed orders are attached hereto and incorporated herein by reference. Appellants received written notice of entry of the most recent order on January 14, 2025.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Stephen L. Brown (SC Bar No. 66468)
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Attorneys for Appellants

Charleston, South Carolina

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Fundamental Clinical and Operational Services, LLC, Fundamental Clinical Consulting, LLC,
and Curana Health of South Carolina, P.C. f/k/a Elite Patient Care of South Carolina, PC,

Defendants,

Of which Hallmark Long Term Care, LLC d/b/a Hallmark Healthcare Center,
THI of South Carolina, LLC, THI of Baltimore, Inc., Hunt Valley Holdings, LLC,
Fundamental Administrative Services, LLC, Fundamental Clinical and Operational Services,
LLC, and Fundamental Clinical Consulting, LLC, are the

Appellants.

PROOF OF SERVICE

CLEMENT RIVERS, LLP
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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **NOTICE OF APPEAL** was served on Respondent, as well as Defendant Curana Health of South Carolina, PC f/k/a Elite Patient Care of South Carolina, PC, on February 13, 2025, by emailing (see attached email) a copy of the same to their counsel of record:

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PARKER LAW GROUP, LLP

-and-

Steven E. Goldberg (SC Bar No. 66446)
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Attorneys for Respondent

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*Attorneys for Defendant
Curana Health of South Carolina, PC
f/k/a Elite Patient Care of South Carolina, PC*

I also certify that a copy of Appellants' **NOTICE OF APPEAL** was today, February 13, 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 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 Appellants

Charleston, South Carolina

February 13, 2025

From: [Hines, Russell](#)
To: [Lee Cope](#); [Jay Parker](#); sgoldberg@steinberglawfirm.com; [Weatherly, Lee C.](#); [Thompson, Kristen K.](#)
Cc: [Davis, Jay](#); [Shanna Jarrell](#); [Richards, Cierra](#); [Gandy, III, James D. \(Tripp\)](#); [Caitlin Ball](#); [Becky Chapin](#); [Brown, Stephen L.](#); [Justman, Aimee](#); [Bell, Pollyana \(Polly\)](#); [Preiser, Skyla](#); [Peterson, Susan](#)
Subject: Graham v. Hallmark (Case No. 2023-CP-18-00758) -- Notice of Appeal
Date: Thursday, February 13, 2025 1:35:18 PM
Attachments: [image001.png](#)
[Graham v. Hallmark \(Case No. 2023-CP-18-00758\) -- Notice of Appeal.pdf](#)
[Appealed Order 1 -- 2024 11-21 -- Order Denying MTCA and Stay.pdf](#)
[Appealed Order 2 -- 2025 01-14 -- 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.

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

A filing has been submitted to the court RE: 2023CP1800758

Official File Stamp: 02-13-2025 01:30:57 PM
Court: CIRCUIT COURT
Common Pleas
Dorchester
Case Caption: James Graham , plaintiff, et al VS Hallmark Long Term Care 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:

Virginia Caitlin Ball for James Graham, Phyllis Chestnut
Russell Grainger Hines for Fundamental Long Term Care Inc, Fundamental Clinical Consulting Llc, Hallmark Healthcare Center, Hallmark Long Term Care Llc, Fundamental Clinical And Operational Services Llc, Fundamental Administrative Services Llc, Hunt Valley Holdings Llc, Thi Of Baltimore Inc, Thi Of South Carolina Llc
Kristen Kelley Thompson for Curana Health Of South Carolina Pc, Elite Patient Care Of South Carolina Pc
Lee Cannon Weatherly for Curana Health Of South Carolina Pc, Elite Patient Care Of South Carolina Pc
Donald Jay Davis, Jr. for Fundamental Clinical Consulting Llc
John Elliott Parker, Jr. for James Graham, Phyllis Chestnut
Steven Eric Goldberg for James Graham, Phyllis Chestnut
James D. Gandy, III for Fundamental Long Term Care Inc, Fundamental Clinical Consulting Llc, Hallmark Healthcare Center, Hallmark Long Term Care Llc, Fundamental Clinical And Operational Services Llc, Fundamental Administrative Services Llc, Hunt Valley Holdings Llc, Thi Of Baltimore Inc, Thi Of South Carolina Llc
Lee Deer Cope for James Graham, Phyllis Chestnut

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

Phyllis Chestnut Estate
James Graham Pr
Donald Jay Davis, Jr. for Fundamental Long Term Care Inc, Fundamental Clinical Consulting Llc, Hallmark Healthcare Center, Hallmark Long Term Care Llc, Fundamental Clinical And Operational Services Llc, Fundamental Administrative Services Llc, Hunt Valley Holdings Llc, Thi Of Baltimore Inc, Thi Of South Carolina Llc
James D. Gandy, III for Fundamental Long Term Care Inc
Donald Jay Davis, Jr. for Fundamental Long Term Care Inc
James D. Gandy, III for Fundamental Clinical Consulting Llc