

**RECEIVED**

**Feb 24 2025**

**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

---

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.

---

**RESPONDENT’S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

---

PARKER LAW GROUP, LLP  
Neil E. Alger  
John E. Parker, Jr.  
690 N. Green St.  
Post Office Box 2530  
Ridgeland, SC 29936  
Ph:(803) 903-1738

ATTORNEYS FOR RESPONDENT

Respondent designates the following items for inclusion in the Record on Appeal, in addition to any materials designated by the Appellants.

### **Orders**

1. Order Denying Motion to Compel Arbitration & Motions to Stay, filed March 14, 2024;

### **Pleadings**

2. Summons and Complaint, filed August 31, 2023;
3. Defendant THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center's Answer to Plaintiff's Complaint, filed October 11, 2023;
4. Defendant THI of South Carolina, LLC's Answer to Plaintiff's Complaint, filed October 11, 2023;
5. Defendant Fundamental Clinical and Operational Services, LLC's Answer to Plaintiff's Complaint, filed October 11, 2023;
6. Defendant Hunt Valley Holdings, LLC's Answer to Plaintiff's Complaint, filed October 11, 2023;
7. Defendant Fundamental Administrative Services, LLC's Answer to Plaintiff's Complaint, filed October 11, 2023;

### **Other Material**

8. Defendant THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center's Motion to Compel, filed January 2, 2024;
  - a) Ex. A, Arbitration Agreement.
9. Defendant THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center's Memorandum in Support of Motion to Compel Arbitration and Exhibits, filed February 28, 2024;
  - a) Ex. 1, Admission Agreement;

- b) Ex. 2, Admission Agreement;
- c) Ex. 3, Order Granting Defendant THI of South Carolina of Charleston, LLC d/b/a Driftwood Rehabilitation and Nursing Center n/k/a/ Riverside Health and Rehab (“Driftwood”)’s Motion to Compel Arbitration;
- d) Ex.4, Order Granting Defendant THI of South Carolina at Magnolia Manor-Inman, LLC’s Motion to Compel Arbitration;
- e) Ex. 5, Order Granting Defendant Rehab Center Cheraw, LLC d/b/a Chesterfield Convalescent Center (the ‘Facility’)’s Motion to Compel Arbitration;
- f) Ex. 6, Order Granting Defendant THI of South Carolina at Magnolia-Inman, LLC d/b/a Magnolia Manor-Inman, Robert Crooks, Dale Lyles and Carol Clark’s Motion to Dismiss and Petition to Compel Arbitration;
- g) Ex. 7, Order Granting Defendant THI of South Carolina at Magnolia Place at Spartanburg, LLC d/b/a Magnolia Place at Spartanburg (Magnolia Place), Robert Crooks, Patricia Harris and Marget Keller’s Motion to Dismiss and Petition to Compel Arbitration;
- h) Ex. 8, Order Granting Motion to Compel Arbitration and Related Motion to Stay;
- i) Ex. 9, Order;
- j) Ex. 10, Order; and
- k) Ex. 11, Order Continuing and Allowing Limited Discovery.

10. Defendant THI of South Carolina, LLC’s Motion to Stay, filed January 2, 2024;

11. Defendant Fundamental Clinical and Operational Services, LLC’s Motion to Stay, filed January 2, 2024;

12. Defendant Hunt Valley Holdings, LLC’s Motion to Stay, filed January 2, 2024;

