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Jul 16 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
Appellate Case No. 2025-000275

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.

**APPELLANTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

CLEMENT RIVERS, LLP
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D. Jay Davis Jr. (SC Bar No. 12084)
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Attorneys for Appellants

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, propose the following to be included in the Record on Appeal, with any duplicative matter to appear in the record on appeal only once:

Orders

1. Order, filed November 21, 2024;
2. Order, filed January 14, 2025;

Pleadings

3. Summons and Complaint, filed May 15, 2023;
 - a. Exhibit A, Affidavit of Merit of Luanne Trahant;
4. Facility’s¹ Answer, filed dated June 16, 2023;
5. FAS’s² Answer, filed dated June 16, 2023;
6. FCOS’s³ Answer, filed dated June 16, 2023;
7. HVH’s⁴ Answer, filed dated June 16, 2023;
8. THIB’s⁵ Answer, filed dated June 16, 2023;
9. THISC’s⁶ Answer, filed dated June 16, 2023;
10. FCC’s⁷ Motion to Dismiss, filed June 16, 2023;

¹ The “Facility” refers to Defendant Hallmark Longterm Care, LLC d/b/a Hallmark Healthcare Center.

² “FAS” refers to Fundamental Administrative Services, LLC.

³ “FCOS” refers to Fundamental Clinical and Operational Services, LLC.

⁴ “HVH” refers to Hunt Valley Holdings, LLC.

⁵ “THIB” refers to THI of Baltimore, Inc.

⁶ “THISC” refers to THI of South Carolina, LLC.

⁷ “FCC” refers to Fundamental Clinical Consulting, LLC.

Transcript

11. Transcript of hearing held September 4, 2024;

Other materials or documents

12. Facility's Motion to Stay or Dismiss Action and Compel Arbitration, filed April 16, 2024;
 - a. Exhibit A, Arbitration Agreement;
13. FAS's Motion to Stay, filed April 16, 2024;
14. FCC's Motion to Stay, filed April 16, 2024;
15. FCOS's Motion to Stay, filed April 16, 2024;
16. HVH's Motion to Stay, filed April 16, 2024;
17. THIB's Motion to Stay, filed April 16, 2024;
18. THISC's Motion to Stay, filed April 16, 2024;
19. Memo in Support of Motion to Compel Arbitration and Motions to Stay, filed September 4, 2024;
 - a. Exhibit A, Admission Agreement;
 - b. Exhibit B, Arbitration Agreement;
 - c. Exhibit C, Readmission Agreement;
20. Motion to Alter, Amend, and/or Reconsider Motion to Compel Arbitration and Motions to Stay, filed December 2, 2024; and
21. Notice of Appeal filed February 13, 2025, with Proof of Service (omitting Orders).

I certify that this Designation of Matters contains no matter which is irrelevant to this appeal.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
CLEMENT RIVERS, LLP

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