

**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. 2021-CP-10-02744

Appellate Case No. 2025-000286

RECEIVED

Oct 13 2025

SC Court of Appeals

William Haynes,
as Personal Representative of the Estate of Elizabeth Varner,

Respondent,

v.

Fundamental Administrative Services, LLC,
Fundamental Clinical and Operational Services, LLC, and
Jerrolyn Montgomery-Small,

Appellants.

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

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Matthew O. Riddle (SC Bar No. 76650)
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Attorneys for Appellants

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

1. Complaint in the Facility Lawsuit, filed March 25, 2021;
2. Complaint in the Instant Lawsuit, filed June 11, 2021;
3. Montgomery-Small's Answer, filed July 16, 2021;
4. Montgomery-Small's Motion to Compel Arbitration, filed October 4, 2021;
5. FAS's Motion to Stay, filed October 4, 2021;
6. FCOS's Motion to Stay, filed October 4, 2021;
7. Order Granting Motions to Compel Arbitration and Related Motions to Stay, filed February 24, 2022;
8. Order Denying Motion for Reconsideration Pursuant to Rule 59(e), filed March 24, 2022;
9. Arbitrator's Arbitration Order dated September 15, 2022;
10. Arbitrator's Arbitration Order dated May 16, 2023;
11. Arbitrator's Supplemental Arbitration Order dated May 26, 2023;
12. Petition for Final Order, filed December 7, 2023;
13. Final Order, filed February 12, 2024;
14. Evidence of Payment of Arbitration Award (redacted);
15. Defendants' Motion for Summary Judgment, filed June 28, 2024;

16. Memorandum of Law in Support of Defendants' Motion for Summary Judgment, filed September 9, 2024;
17. Plaintiff's Memo in Opposition to Defendants' Motion for Summary Judgment, filed September 8, 2024;
18. Form 4 Order Denying Defendants' Motion for Summary Judgment, filed September 20, 2024;
19. Defendants' Motion to Alter, Amend, and/or Reconsider Order Denying Motion for Summary Judgment, filed September 30, 2024;
20. Form 4 Order Denying Defendants' Motion to Alter, Amend, and/or Reconsider Order Denying Motion for Summary Judgment, filed October 4, 2024;
21. Defendants' Motion to Compel Arbitration and Stay Proceedings, filed November 14, 2024;
22. Declaration of Matthew O. Riddle, Esq., filed November 14, 2024;
23. Memorandum of Law in Support of Defendants' Motion to Compel Arbitration and Stay Proceedings, filed November 14, 2024;
24. Plaintiff's Notice of Rule to Show Cause, filed October 22, 2024;
25. Memorandum in Opposition to Plaintiff's Notice of Rule to Show Cause, filed January 26, 2025;
26. Transcript of Motion Hearing held January 27, 2025;

27. Form 4 Order Denying Defendants' Motion to Compel Arbitration and Stay Proceedings and Granting Plaintiff's Rule to Show Cause, filed February 3, 2025;
28. Defendants' Motion to Alter, Amend, and/or Reconsider Order Denying Defendants' Motion to Compel Arbitration and Stay Proceedings and Granting Plaintiff's Rule to Show Cause, filed February 4, 2025;
29. Order Denying Defendants' Motion for Reconsideration of Order Denying Defendants' Motion to Compel Arbitration and Stay Proceedings and Granting in part Plaintiff's Rule to Show Cause, filed February 7, 2025; and
30. Notice of Appeal and Proof of Service.

I certify that this designation contains no matter irrelevant to this appeal.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
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October 13, 2025