

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

70423

APPEAL FROM JASPER COUNTY
Brooks P. Goldsmith, Circuit Court Judge

Case No. 2009-CP-27-0331

RECEIVED

NOV 18 2013
Respondent,

SC Court of Appeals

Phillip Flexon, M.D.

v.

PHC-Jasper, Inc., d/b/a Coastal Carolina
Medical Center, Coastal Carolina Medical
Center, Inc., Lifepoint Hospitals, Inc., and
Tenet Healthsystems, Inc., Defendants,

Of Whom Lifepoint Hospitals, Inc., is Appellant.

NOTICE OF APPEAL

Appellant Lifepoint Hospitals, Inc., appeals the order of the Honorable Brooks P. Goldsmith, Circuit Judge, in the above-captioned matter, which was entered on September 30, 2013 (a copy of which is attached as Exhibit "A"). The Appellant timely filed and served a motion to alter or amend the September 30, 2013 order. Thereafter, on November 14, 2013, Appellant received written notice of entry of Judge Goldsmith's order denying Appellant's motion to alter and amend the September 30, 2013 order (a copy of which is attached as Exhibit "B"), also appealed herein.

November 15, 2013.

Trudy H. Robertson

Trudy H. Robertson, Esquire
Joseph T. Belton, Esquire
MOORE & VAN ALLEN, PLLC
78 Wentworth Street
Post Office Box 22828
Charleston, SC 29413-2828
Telephone: (843) 579-7000
Facsimile: (843) 579-8799
Email: trudyrobertson@mvalaw.com
josephbelton@mvalaw.com

ATTORNEYS FOR APPELLANT
Lifepoint Hospitals, Inc.

OTHER COUNSEL OF RECORD:

William B. Harvey, III, Esquire
HARVEY 7 BATTEY, PA
1001 Craven Street
Post Office Drawer 1107
Beaufort, SC 29901
Telephone: (843) 524-3109
Facsimile: (843) 524-6973
Email: bharvey@harveyandbattey.com

ATTORNEYS FOR RESPONDENT
Phillip Flexon, MD

James Myrick, Esquire
Dana Lang, Esquire
WOMBLE CARLYLE SANDRIDGE & RICE, LLP
5 Exchange Street
Charleston, SC 29401
Telephone: (843) 720-4643
Facsimile: (843) 720-7398
Email: jmyrick@wcsr.com
dlang@wcsr.com

ATTORNEYS FOR OTHER DEFENDANTS
PHC-Jasper, Inc., d/b/a Coastal Carolina
Medical Center, Coastal Carolina Medical
Center, Inc., and Tenet Healthsystems, Inc.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM JASPER COUNTY
Brooks P. Goldsmith, Circuit Court Judge

Case No. 2009-CP-27-0331

Phillip Flexon, M.D. Respondent,

v.

PHC-Jasper, Inc., d/b/a Coastal Carolina
Medical Center, Coastal Carolina Medical
Center, Inc., Lifepoint Hospitals, Inc., and
Tenet Healthsystems, Inc., Defendants,

Of Whom Lifepoint Hospitals, Inc., is Appellant.

PROOF OF SERVICE OF NOTICE OF APPEAL

This is to certify that I have this day served counsel for the Respondent in the foregoing matter with a copy of the foregoing *Notice of Appeal* by depositing same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

William B. Harvey, III, Esquire
HARVEY & BATTEY, PA
1001 Craven Street
Post Office Drawer 1107
Beaufort, SC 29901
Telephone: (843) 524-3109
Facsimile: (843) 524-6973
Email: bharvey@harveyandbattey.com

ATTORNEYS FOR RESPONDENT
Phillip Flexon, MD

Also to:

James Myrick, Esquire
Dana Lang, Esquire
WOMBLE CARLYLE SANDRIDGE & RICE, LLP
5 Exchange Street
Charleston, SC 29401
Telephone: (843) 720-4643
Facsimile: (843) 720-7398
Email: jmyrick@wcsr.com
dlang@wcsr.com

ATTORNEYS FOR OTHER DEFENDANTS
PHC-Jasper, Inc., d/b/a Coastal Carolina
Medical Center, Coastal Carolina Medical
Center, Inc., and Tenet Healthsystems, Inc.

November 15, 2013.


Trudy H. Robertson, Esquire
Joseph T. Belton, Esquire
MOORE & VAN ALLEN, PLLC
78 Wentworth Street
Post Office Box 22828
Charleston, SC 29413-2828
Telephone: (843) 579-7000
Facsimile: (843) 579-8799
Email: trudyrobertson@mvalaw.com
josephbelton@mvalaw.com

ATTORNEYS FOR APPELLANT
Lifepoint Hospitals, Inc.

Moore & Van Allen

November 15, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED

NOV 18 2013

SC Court of Appeals

Trudy Hartzog Robertson
Attorney at Law

T 843 579 7061
F 843 579 8722
trudyrobertson@mvalaw.com

Moore & Van Allen PLLC

78 Wentworth St.
Charleston, SC 29401-1428

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

Re: Phillip Flexon, M.D. v. Lifepoint Hospitals, Inc., et al.
C/A: 2009-CP-27-0331

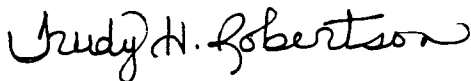
Dear Ms. Kitchings:

Enclosed for filing please find an original and one (1) copy of the Notice of Appeal in the above-captioned case, to which Notice is appended (i) the order of the Honorable Brooks P. Goldsmith entered on September 30, 2013, in the Jasper County Court of Common Pleas and (ii) the order of Honorable Brooks P. Goldsmith entered on October 28, 2013, in the Jasper County Court of Common Pleas. Pursuant to Rule 203(d)(1), SCACR, I am filing a copy of the Notice and this letter with the Jasper County Clerk of Court and I am enclosing a check made payable to the Court of Appeals to satisfy the \$100.00 filing fee requirement. By copy of this letter I am serving all counsel of record with same.

Please return a file date-stamped copy of this pleading in the enclosed envelope. Thank you for your kind assistance.

Very truly yours,

Moore & Van Allen PLLC



Trudy H. Robertson

THR/hm

Enclosures - as stated

cc: William B. Harvey, III, Esquire
James Myrick, Esquire
Dana Lang, Esquire

Charlotte, NC
Research Triangle Park, NC
Charleston, SC