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Feb 03 2026

SC Court of Appeals

**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

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-Smalls,

Appellants.

**CONSENT MOTION TO FILE
SUPPLEMENTAL 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)
Russell G. Hines (SC Bar No. 72100)
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(843) 720-5488

Attorneys for Appellants

NOW COME Appellants, Fundamental Administrative Services, LLC, Fundamental Clinical and Operational Services, LLC, and Jerrolyn Montgomery-Small, by and through their undersigned counsel, joined by and with the consent of Respondent, William Haynes, as Personal Representative of the Estate of Elizabeth Varner, by and through his undersigned counsel, and hereby move this Honorable Court for leave to file/serve the Supplemental Record on Appeal conditionally filed/served contemporaneously herewith and to cite to the same to the extent needed in their respective final briefs.

The Supplemental Record on Appeal contains three matters that the parties agree are proper for inclusion in the Record on Appeal but through inadvertence were either not designated for inclusion in or omitted from the Record on Appeal.

WHEREFORE, Appellants, joined by and with the consent of Respondent, move this Honorable Court for leave to file/serve the Supplemental Record on Appeal conditionally filed/served contemporaneously herewith, which they ask the Court to deem duly filed/served, and to cite to the same to the extent needed in their respective final briefs. Further, by the parties' calculations, their final briefs are presently due to be filed/served by February 9, 2026. The parties respectfully request that the Court hold this deadline in abeyance until it acts upon this motion.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
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Attorneys for Appellants

Charleston, South Carolina

February 3, 2026

I join and consent,
PINKSTON LAW FIRM, LLC

By: s/Shawn Pinkston
Shawn Pinkston (SC Bar No. 79965)
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Attorneys for Respondent

Mount Pleasant, South Carolina

February 3, 2026

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Jerrolyn Montgomery-Small,

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 the **CONSENT MOTION TO FILE SUPPLEMENTAL RECORD ON APPEAL** and **SUPPLEMENTAL RECORD ON APPEAL** were served on Respondent on February 3, 2026, by emailing (see attached email) a copy of the same to Respondent's counsel of record:

Shawn T. Pinkston, Esquire
PINKSTON LAW FIRM, LLC
shawnpinkston@me.com

Attorney for Respondent

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)

Attorneys for Appellants

Charleston, South Carolina

February 3, 2026

Hines, Russell

From: Hines, Russell
Sent: Tuesday, February 3, 2026 3:46 PM
To: shawnpinkston@me.com
Cc: Brown, Stephen L.; Davis, Jay; Riddle, Matthew; Justman, Aimee; Beach, Sarah
Subject: Haynes v. Fundamental (2025-00286) -- Consent Motion to File Supplemental ROA and Supplemental ROA
Attachments: Haynes v. Fundamental (2025-00286) -- Consent Mot. to File Supp. ROA.pdf; Haynes v. Fundamental (2025-00286) -- Supp. ROA.pdf

Attached for service in the above-referenced matter please find the **Consent Motion to File Supplemental Record on Appeal** and the (conditionally filed) **Supplemental Record on Appeal**.

Russell G. Hines
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