

**STATE OF SOUTH CAROLINA  
IN THE  
COURT OF APPEALS**

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**RECEIVED**  
**May 13 2026**  
**SC Court of Appeals**

Appeal from the Court of Common Pleas  
For Spartanburg County  
Honorable J. Derham Cole, Jr., Circuit Court Judge  
Honorable Grace Gilchrist Knie, Circuit Judge  
Civil Action No.: 2020-CP-42-02169  
***Appellate Case No. 2025-001716***

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Andrea Allen, as the Personal Representative of the Estate of Albert Charles Jefferies, deceased,

Respondent,

v.

Chi Hum Lim, M.D.; Megan Nicholas, P.A.; and Carolina Orthopedic and Neurological Associates, P.A, are the

Appellants.

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**DESIGNATION OF MATTER TO BE INCLUDED IN THE  
RECORD ON APPEAL BY THE APPELLANT,  
CAROLINA ORTHOPEDIC AND  
NEUROLOGICAL ASSOCIATES, P.A.**

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*Attorneys for the Appellant,  
Carolina Orthopedic and  
Neurological Associates, P.A.*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:  
COMES NOW the Appellant, Carolina Orthopedic and Neurological Associates, P.A. (“CONA-PA”), pursuant to Rule 209 of the South Carolina Appellate Court Rules, and hereby designates the parts of the transcripts, orders, pleadings, affidavits, exhibits, and/or other materials which CONA-PA proposes to include in the Record on Appeal.

### **ORDERS**

1. Order On Defendant [CONA-PA's] Motion to Intervene and Motion to Set Aside Order issued by the Honorable Grace Christ Knie, Circuit Court Judge, dated 22 September 2025, and filed with the Spartanburg County Court of Common Pleas on 22 September 2025 and received by CONA-PA's legal counsel on 22 September 2025;
2. Order Denying Motion to Alter or Amend or Amend Judgment Regarding Prejudgment Interest issued by the Honorable Grace Christ Knie, Circuit Court Judge, dated 22 September 2025, and filed with the Spartanburg County Court of Common Pleas on 22 September 2025 and received by CONA-PA's legal counsel on 22 September 2025;
3. SCRCP Form 4 Order (Denying Motion on Pre-judgment Interest) of the by the Honorable Grace Christ Knie, Circuit Court Judge, dated 16 September 2025, and filed with the Spartanburg County Court of Common Pleas on 16 September 2025 and received by CONA-PA's legal counsel on 16 September 2025;
4. SCRCP Form 4 Order (Denying Motion to Intervene) of the by the Honorable Grace Christ Knie, Circuit Court Judge, dated 16 September 2025, and filed with the Spartanburg County Court of Common Pleas on 16 September 2025 and received by CONA-PA's legal counsel on 16 September 2025;
5. SCRCP Form 4 Order (Name Change) of the by the Honorable Grace Christ Knie, Circuit Court Judge, dated 4 September 2025, and filed with the Spartanburg County Court of Common Pleas on 4 September 2025 and received by CONA-PA's legal counsel on 4 September 2025;

6. Order Regarding Post-Trial Motions Not Addressed in Orders Issued on July 3, 2025 issued by the Honorable Grace Christ Knie, Circuit Court Judge, dated 25 July 2025, and filed with the Spartanburg County Court of Common Pleas on 28 July 2025 and received by CONA-PA's legal counsel on 28 July 2025;
7. SCRCP Form 4 Order (Party Substitution) issued by the Honorable Grace Christ Knie, Circuit Court Judge, dated 2 July 2025, and filed with the Spartanburg County Court of Common Pleas on 3 July 2025 and received by CONA-PA's legal counsel on 3 July 2025;
8. SCRCP Form 4 Order (Affirming Verdict and Judgment) issued by Honorable Grace Christ Knie, Circuit Court Judge, dated 10 June 2025, and filed with the Spartanburg County Court of Common Pleas on 10 June 2025 and received by CONA-PA's legal counsel on 10 June 2025;
9. Verdict Form dated 6 June 2025;
10. SCRCP Form 4 Order (Denying Amendment of Answer) issued by the Honorable J. Derham Cole, Jr., Circuit Court Judge, dated 9 May 2025, and filed with the Spartanburg County Court of Common Pleas on 9 May 2025 and received by CONA-PA's legal counsel on 9 May 2025;
11. Consent Scheduling Order issued by the Honorable J. Mark Hayes, II, Circuit Judge, dated 12 September 2023, and filed with the Spartanburg County Court of Common Pleas on 13 September 2023 and received by CONA-PA's legal counsel on 13 September 2023;
12. Consent Scheduling Order issued by the Honorable R. Keith Kelly, Circuit Judge, dated 15 November 2022, and filed with the Spartanburg County Court of Common Pleas on 17 November 2022, and received by CONA-PA's legal counsel on 17 November 2022;
13. Consent Amended Scheduling Order issued by the Honorable R. Keith Kelly, Circuit Judge, dated 3 May 2022, and filed with the Spartanburg County Court of Common Pleas on 5 May 2022, and received by CONA-PA's legal counsel on 5 May 2022;
14. Consent Scheduling Order issued by the Honorable J. Derham Cole, Jr., Circuit Judge, dated 15 December 2021, and filed with the Spartanburg County Court of Common Pleas on 16 December 2021, and received by CONA-PA's legal counsel on 16 December 2021;

## **PLEADINGS**

1. Complaint dated 9 July 2020, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 9 July 2020;
2. Amended Complaint dated 30 September 2020, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 30 September;
3. Second Amended Complaint dated 29 June 2021, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 29 June 2021;
4. Answer to Second Amended Complaint (Dr. Lim, PA Nicholas, CONA-ASC) dated 30 August 2021, and filed with the Clerk of Court for the Charleston County Court of Common Pleas on 30 August 2021;
5. Motion for Amend Answer by Dr. Lim, *et.al.* dated and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 17 April 2025;
6. Motion for Judgment Notwithstanding the Verdict by Dr. Lim, *et.al.* dated 16 June 2025 and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 17 June 2025;
7. Motion for New Trial 13<sup>th</sup> Juror Doctrine by Dr. Lim, *et.al.* dated 16 June 2025 and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 17 June 2025;
8. Motion for New Trial Nisi Remmittur by Dr. Lim, *et.al.* dated 16 June 2025 and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 17 June 2025;
9. Motion for Set Off by Dr. Lim, *et.al.* dated 16 June 2025 and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 17 June 2025;
10. Motion to Alter or Amend Judgment by Dr. Lim, *et.al.* dated 16 June 2025 and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 17 June 2025;
11. Motion to Apply Non-Economic Damages Cap by Dr. Lim, *et.al.* dated 16 June 2025 and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 17 June 2025;

12. Motion to Intervene by CONA-PA dated and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 14 July 2025;
13. Motion to Set Aside Order by CONA-PA dated and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 14 July 2025;
14. Affidavit of Channing Willoughby, M.D., sworn to on 14 July 2025, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 14 July 2025;
15. Affidavit of Kelly Roper, sworn to on 14 July 2025, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 14 July 2025;
16. Affidavit of David S. Brown, M.D., sworn to on 14 July 2025, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 14 July 2025;
17. Affidavit of Christopher Chittun, M.D., sworn to on 14 July 2025, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 14 July 2025;
18. Affidavit of Michael Hoenig, M.D., sworn to on 14 July 2025, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 14 July 2025;
19. Affidavit of Anthony Dinicola, M.D., sworn to on 24 July 2025, and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 28 July 2025;
20. Motion to Alter or Amend Judgment Regarding Pre-Judgment Interest by CONA-PA dated filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 7 August 2025;
21. Defendants' Joinder in Motion to Alter or Amend Judgment Regarding Prejudgment Interest by Dr. Lim and PA Nicholas dated and filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 7 August 2025;
22. Reply in Support of Motion to Set Aside Order by Proposed Intervenor (CONA-PA) filed with the Clerk of Court for the Spartanburg County Court of Common Pleas on 26 August 2025;

## TRANSCRIPTS

1. Transcript of Motions Hearing held on 8 May 2025:  
pp.1-17.
2. Transcript of Jury Trial:  
pp.101, 115, 265-266, 492, 515, 589-590, 598
3. Transcript of Motions Hearing held on 2 July 2025:  
pp.1-49.
4. Transcript of Motions Hearing held on 27 August 2025:  
pp.1-42.
5. Transcript of Motions Hearing held on 12 September 2025:  
pp.1-19.

I, Stephen P. Groves, Sr., Esquire, hereby certify, this 13<sup>th</sup> day of May 2026, pursuant to Rule 209(c), SCACR, that the **Designation of Matter to be Included in the Record on Appeal** submitted by the Appellant, Carolina Orthopedic and Neurological Associates, P.A., does not contain any matter and/or items which are not relevant to this appeal.

Respectfully submitted:

*BUTLER SNOW LLP*

By: *Stephen P. Groves, Sr.*

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Charleston, South Carolina

13 May 2026  
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