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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Case No. 2017-CP-42-00219
Appellate Case No. 2024-001546

Jo Ann Blackwell, Michelene Brooks, and Samuel H. Owens, Jr., individually and on behalf of all others similarly situated, Respondents,

v.

Mary Black Health System, LLC, d/b/a Mary Black Memorial Hospital; CHSPSC, LLC; and Professional Account Services, Inc., Appellants.

**JOINT STATUS REPORT
REGARDING REMAND OF THE APPEAL**

Appellants Mary Black Health System, LLC, d/b/a Mary Black Memorial Hospital; CHSPSC, LLC; and Professional Account Services, Inc. (collectively, “Appellants” or “Defendants”) and Respondents Jo Ann Blackwell, Michelene Brooks, and Samuel H. Owens, Jr. (collectively, “Respondents” or “Plaintiffs”) respectfully submit this Joint Status Report in compliance with the Court’s March 23, 2026 Order.

On March 23, 2026, the Court issued an order dismissing the appeal and remanding the case to the circuit court for approval of a proposed class action settlement. The Court’s March 23 Order stated:

If the Spartanburg Circuit Court does not approve the settlement, the

Court will upon request reinstate the appeal. If the Spartanburg Circuit Court approves the settlement, the parties shall promptly notify this Court. The Court may send the remittitur upon approval of the settlement or ninety (90) days from the date of this order unless good cause is shown why the case should not be remitted. If the parties notify the Court before ninety (90) days have passed that they could not finalize the settlement, the appeal will be reinstated upon request.

On May 21, 2026, the Parties filed a Joint Motion for Preliminary Approval of the Class Settlement Agreement with the circuit court. The circuit court held a hearing on the Joint Motion on June 9, 2026. On June 15, 2026, the circuit court entered an order granting the Joint Motion. The claims administrator (The Notice Company) has begun the process of providing notice to the Settlement Class as specified in the order granting preliminary approval of the class settlement agreement. The circuit court has scheduled a final fairness hearing for October 27, 2026. The Parties continue to anticipate that they will obtain final approval and dismissal of the action in 2026.

Although the Parties have agreed to the terms of a Class Action Settlement Agreement and the circuit court has granted preliminary approval of that class action settlement agreement, the case cannot be formally and completely resolved until the notice and claims process is complete; the circuit court grants final approval of the settlement; and the deadline for all appeals from the approval of the settlement agreement have expired.

In the event an issue arises and prevents the final approval of the settlement, the Parties may need to reengage in the litigation and proceed with the above-captioned appeal. For that reason, good cause exists for the Court to abstain from remitting this appeal until the deadline to file an appeal arising from the settlement agreement approval process has passed.

Accordingly, the Parties respectfully and jointly request the Court abstain from remitting the case until the class action settlement agreement is approved and the appellate deadlines have passed. The Parties propose providing the Court with an update as to the status of the case within five (5) days of the October 27, 2026 final approval hearing, or sooner if events warrant.

s/Katon E. Dawson, Jr.

James Lynn Werner, (SC Bar No. 6029)
Katon E. Dawson, Jr. (SC Bar No. 101167)
Parker Poe Adams & Bernstein LLP
1221 Main Street, Suite 1100
Columbia, SC 29201
(803) 255-8000
jimwerner@parkerpoe.com
katondawson@parkerpoe.com

*Attorneys for Appellants Mary Black Health System, LLC,
d/b/a Mary Black Memorial Hospital; CHSPSC, LLC; and
Professional Account Services, Inc.*

s/Marghretta H. Shisko

John B. White, Jr. (S.C. Bar No. 5996)
Marghretta H. Shisko (S.C. Bar No. 100106)
Griffin L. Lynch (S.C. Bar No. 72518)
John B. White, Jr. P.A.
101 W. St. John St., Ste. 200
P.O. Box 2465 (29304)
Spartanburg, SC 29306
(864) 594-5988
jwhite@johnbwhitelaw.com
mshisko@johnbwhitelaw.com
glynych@johnbwhitelaw.com

John S. Simmons (S.C. Bar No. 10260)
Rachel G. Peavy (S.C. Bar No. 69397)
Simmons Law Firm, LLC
1711 Pickens Street
Columbia, SC 29201
(803) 779-4600
jsimmons@simmonsfirm.com
rpeavy@simmonsfirm.com

*Attorneys for Respondents Jo Ann Blackwell, Michelene
Brooks, and Samuel H. Owens, Jr.*

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