

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Greenville
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2026CP2300722

David Allen et al
PLAINTIFF(S)

Aff18 Oakview Park Alf Llc et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED** (CHECK REASON): ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled);
☐ Other
- ☐ **ACTION STRICKEN** (CHECK REASON): ☐ Rule 40(j), SCRCP; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
☐ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** (CHECK APPLICABLE BOX):
☐ Affirmed; ☐ Reversed; ☐ Remanded;
☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

Please see page 2 below.

ORDER INFORMATION

This order ☐ ends ☒ does not end the case.

☒ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 08/04/2026 .

Donna Allen Estate
David Allen Prs

RECEIVED
Aug 10 2026
SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

This matter came before this Court on June 23, 2026 upon Defendant's Motion to Compel Arbitration. Plaintiff appeared represented by Mr. Sauls and Defendant appeared represented by Mr. Maio.

After hearing arguments made by Parties and a thorough review of the filings in this matter, this Court's decision is as follows:

1) Whether a valid arbitration agreement exists is subject to debate under the attendant circumstances.

2) Nonetheless, the agreement contains unconscionable terms, and thus, is unenforceable because of the following:

a) Arbitration terms/provisions number from page 8 to page 11. The arbitration clause is not conspicuous in a 20 page document.

b) Because of the exigent circumstances regarding placement of the patient, there was an inherent disparity in bargaining power between the Parties.

c) The arbitration terms are clearly directed at the expense of the Plaintiff. Favorable treatment is unquestionably provided to the Defendant.

Therefore, Defendant's Motion to Compel Arbitration is respectfully denied.

IT IS SO ORDERED.

Mr. Sauls, please prepare formal order if such is warranted.



Greenville Common Pleas

Case Caption: David Allen , plaintiff, et al vs. Aff18 Oakview Park Alf Llc ,
defendant, et al
Case Number: 2026CP2300722
Type: Order/Electronic Form 4

So Ordered

Vernon F. Dunbar
