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Aug 11 2026

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Fairfield County
Court of Common Pleas

Patrick C. Fant, III, Circuit Court Judge

Case No. 2023-CP-20-00268

Court of Appeals Case No. 2024-000596
Unpublished Opinion No. 2026-UP-043 (S.C. Ct. App. filed February 4, 2026)

Supreme Court Case No. 2026-001309

Thomas D. Kilpatrick
as Special Administrator for the Estate of Anthony Lemon,

Respondent,

v.

Pruitthealth-Ridgeway, LLC f/k/a Unihealth Post-Acute Care-Tanglewood, LLC, United Health Services of South Carolina, Inc., Pruitthealth Consulting Services, Inc., Pruitthealth Therapy Services, Inc. f/k/a United Rehab, Inc., Pruitthealth, Inc., Neil Pruitt, Jr., THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Clinical Consulting, LLC, Fundamental Long Term Care Holdings, Inc., Fundamental Administrative Services, LLC, and Hunt Valley Holdings, LLC,

Defendants,

Of which THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC, and Hunt Valley Holdings, LLC, are the

Petitioners.

PROOF OF SERVICE

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Attorneys for Petitioners

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioners, hereby certify that **PETITIONERS' RETURN TO RESPONDENT'S MOTION TO DISMISS THE PETITION FOR A WRIT OF CERTIORARI AND FOR SANCTIONS** was served on Respondent (and the other Defendants besides Petitioners) on August 11, 2026, by emailing (see attached email) a copy of the same to counsel of record:

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Respectfully submitted,

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August 11, 2026

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Cc: Brown, Stephen L.; Davis, Jay; Riddle, Matthew; Justman, Aimee
Subject: Kilpatrick (26-001309) -- Return to Motion to Dismiss
Attachments: Kilpatrick v. THI (26-001309) -- Return to Motion to Dismiss.pdf; Ex. 5 -- Hearing Transcript.pdf; Ex. 1 - Calloway Motion to Dismiss Appeal.pdf; Ex. 1.1 - Order Denying Calloway Motion to Dismiss Appeal.pdf; Ex. 2 - Kilpatrick Motion to Dismiss Appeal.pdf; Ex. 2.1 - Order Denying Kilpatrick Motion to Dismiss Appeal.pdf; Ex. 3 - White Motion to Dismiss Appeal.pdf; Ex. 3 .1- Order Denying White Motion to Dismiss Appeal.pdf; Ex. 4 - Bryan Motion to Dismiss Appeal.pdf; Ex. 4.1 - Order Denying Bryan Motion to Dismiss Appeal.pdf

Attached for service in the above-referenced case please find **Petitioners' Return to Respondent's Motion to Dismiss the Petition for a Writ of Certiorari and for Sanctions** and **the Exhibits thereto**.

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