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SC Court of Appeals

**STATE OF SOUTH CAROLINA
IN THE
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

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

Respondent,

v.

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

Appellants.

***MOTION TO CORRECT/MODIFY
APPELLATE CAPTION***

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*Attorneys for the Appellant,
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TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Appellant, Carolina Orthopedic and Neurosurgical Associates, P.A. ("CONA-PA"), pursuant to Rules 240 and 263(b) of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to correct and/or modify the appellate caption in this matter from the current version:¹

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

Respondent,

v.

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

Appellants.

to the following:

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

Respondent,

v.

Chi Hum Lim, M.D.; Megan Nichols, P.A.; and Carolina
Orthopedic and Neurosurgical Associates, P.A.,

Appellants.

Even though the Trial Court issued an order on 4 September 2025, changing the case caption designation of Carolina Orthopedic and **Neurological** Associates, P.A. over to Carolina Orthopedic and **Neurosurgical** Associates, P.A. (copy attached), this name

¹ See Letter the Hon. Catherine S. Harrison, Chief Deputy Clerk for the South Carolina Court to Appeals to All Counsel of Record dated 29 August 2025, at p.3.

change/correction was inadvertently not incorporated in any of the filed *Notices of Appeal* or *Supplemental Notices of Appeal* except those submitted by the Appellant, Carolina Orthopedic and Neurosurgical Associates, ASC, LLC (“CONA-ASC”). As noted, this Court of Appeals, by letter dated 29 August 2025, designated the appellate caption of this matter to be as follows:

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

Respondent,

v.

Chi Hun Lim, M.D., Megan Nicholas, P.A., and Carolina
Orthopaedic and Neurological Associates, PA,

Appellants.

Based upon the trial record and the Circuit Court’s 4 September 2025 SCRCP Form 4 Order, to which there was no objection, *CONA-PA* respectfully requests this Court of Appeals to correct and/or modify the appellate caption to read as follows:

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

Respondent,

v.

**Chi Hum Lim, M.D.; Megan Nichols, P.A.; and Carolina
Orthopedic and Neurosurgical Associates, P.A.,**

Appellants.

Finally, *CONA-PA* respectfully requests this Court of Appeals to hold the briefing time in abeyance until such time as this consent appellate caption correction/modification motion may be considered and finally ruled upon by this Court of Appeals.

The undersigned counsel for CONA-PA has consulted with all appellate counsel hereto and no objection has been made to the motion and, in fact, all appellate counsel has consented to this motion.

Respectfully submitted:

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1 October 2026

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*Attorneys for the Appellant,
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FORM 4

STATE OF SOUTH CAROLINA

JUDGMENT IN A CIVIL CASE

COUNTY OF SPARTANBURG

IN THE COURT OF COMMON PLEAS

CASE NO. 2020-CP-40-02169_____

Andrea Allen as Personal Representative of the Estate of Chi Hun Lim, M.D., Megan Nicholas, P.A., et al.
Albert Charles Jefferies, deceased

PLAINTIFF(S)

DEFENDANT(S)

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), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN** (CHECK REASON): ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **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:

This matter came before me on August 27, 2025 during a scheduled hearing on certain pending motions. Present at the hearing were the following: counsel for the Plaintiff Gerald D. Jowers, Jr. and Luther J. Battiste, III; counsel for Dr. Lim and Megan Nicholas: Ashby Davis and Ryan Ginty; counsel for Carolina Orthopaedic and Neurosurgical Associates, P.A. and Carolina Orthopaedic and Neurosurgical Associates ASC, LLC: Adam Bach, Gregory Brown, and Louise Aponte; and personal counsel for Dr. Lim: Patrick McLaughlin. This hearing was conducted virtually and recorded by the WebEx record function. During the hearing, counsel for the Plaintiff advised the court that the court's order of July 3, 2025 amending the case caption, pursuant to stipulation by counsel, contained an error as to the name of the defendant. The court was advised that the case caption should be corrected to replace "Carolina Orthopaedic and Neurologic Associates, P.A." with "Carolina Orthopaedic and Neurosurgical Associates, P.A." There were no objections to this correction and, as such, it is hereby ordered.

Dated at _____, South Carolina, this _____ day of _____, 2025.

PRESIDING JUDGE

This judgment was entered on the day of 2025, and a copy mailed first class this
day of , 2025 to attorneys of record or to parties (when appearing pro se) as follows:

Gerald D. Jowers, Jr.

Luther J. Battiste, III

ATTORNEY(S) FOR PLAINTIFF

Gregory Brown (pro hac vice)

Louise Aponte (pro hac vice)

Adam Bach

Ashby Davis

Ryan Ginty

ATTORNEY(S) FOR DEFENDANT

CLERK OF COURT



Spartanburg Common Pleas

Case Caption: Andrea Allen , plaintiff, et al VS Spartanburg Regional Health Services District, Inc. , defendant, et al

Case Number: 2020CP4202169

Type: Order/Form 4

IT IS SO ORDERED.

S/GRACE GILCHRIST KNIE - 2760

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SC Court of Appeals

**STATE OF SOUTH CAROLINA
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Appeal from the Court of Common Pleas
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Appellants.

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FOR
MOTION TO CORRECT/MODIFY
APPELLATE CAPTION**

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I, Stephen P. Groves, Sr., Esquire, hereby certify that **1 October 2026**, pursuant to Rule 262(a)(3), SCACR, and Supreme Court Order No. 2024-04-24-01 (*amending Supreme Court Order No.. 2022-05-06-03*), I electronically served a copy of the **Motion to Correct Appellate Caption** submitted by the Appellant, Carolina Orthopedic and Neurosurgical Associates, P.A, on All Counsel of Record via e-mail at the addresses noted:

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Signed: *Stephen P. Groves, Sr.*
Stephen P. Groves, Sr.

Charleston, South Carolina

1 October 2026
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