



SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

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FEB 27 2014

S.C. Supreme Court

February 27, 2014

VIA UNITED STATES MAIL and EMAIL to djhopkins@sccourts.org

The Honorable Debbie J. Hopkins
Clerk of Court
South Carolina Supreme Court
1231 Gervais Street
Columbia, South Carolina 29201

Re: **Appellate Case No.: 2011-199666** (consolidated cases)

*Elizabeth O'Meara v. Brookdale Senior Living, Inc., Southern Assisted Living, LLC,
d/b/a Carolina House of Hilton Head and Sonia S. King*
C/A No. 2011-CP-07-1610

*Samuel H. Pruett, as Personal Representative for the Estate of Yvonne Carrie Pruett v.
Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a Carolina House of
Hilton Head and Sonia S. King*
C/A No. 2011-CP-07-1700

*Janet Scheerle v. Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a
Carolina House of Hilton Head and Sonia S. King*
C/A No. 2011-CP-07-2654

Dear Ms. Hopkins:

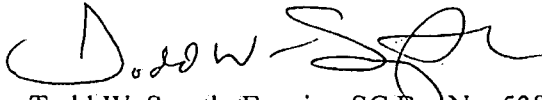
Enclosed for filing please find the original and seven copies of the Notice of Appearance entered by Todd Smyth, Esquire as counsel of record, in addition to Marcus A. Manos, Esquire and Manton M. Grier, Jr., Esquire of Nexsen Pruet, LLC, for the Appellants Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, and a Proof of Service in the above-referenced matter. Please return a clocked copy to me in the enclosed envelope.

The undersigned is writing to inform the Court that the parties have agreed to settle all of the claims in the above-referenced matter. We are working to finalize the settlement documents and still need to have the settlement approved by the Circuit Court prior to filing a formal Agreed Dismissal of the appeal but wanted to make the Court aware of this development. Further, Respondents will not agree to file an Agreed Dismissal of the Appeal until they have been paid.

Todd W. Smyth
234 Seven Farms Drive, BB&T Plaza, Suite 215, Charleston, SC 29492
main 843-606-5635 • fx. 843-654-4095 • tsmyth@smythwhitley.com
www.smythwhitley.com

Thank you for your time and assistance with this matter. Please do not hesitate to contact our office should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd W. Smyth". The signature is fluid and cursive, with the first name "Todd" being the most prominent.

Todd W. Smyth, Esquire, SC Bar No. 5380

SMYTH WHITLEY, LLC
234 Seven Farms Drive
BB&T Plaza, Suite 215
Charleston, South Carolina 29492
(843)606-5635

Attorney for the Appellants Brookdale Senior
Living, Inc. and Southern Assisted Living,
LLC, d/b/a Carolina House of Hilton Head

cc: Susan T. Wall, Esquire - *Via U.S. Mail and email*
Marcus A. Manos, Esquire - *Via U.S. Mail and email*
Manton M. Grier, Esquire - *Via U.S. Mail and email*

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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FEB 27 2014

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

S.C. Supreme Court

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2011-199666
(consolidated cases)

Case No. 2011-CP-07-1610

Elizabeth O'Meara,.....Respondent,

v.

Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a Carolina
House of Hilton Head, and Sonia S. King,.....Defendants,

Of whom Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a
Carolina House of Hilton Head are theAppellants.

Case No. 2011-CP-07-1700

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Yvonne Carrie Pruett,.....Respondent,

v.

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House of Hilton Head, and Sonia S. King,.....Defendants,

Of whom Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a
Carolina House of Hilton Head are theAppellants.

Case No. 2011-CP-07-2654

Janet Sue Scheerle,.....Respondent,

v.

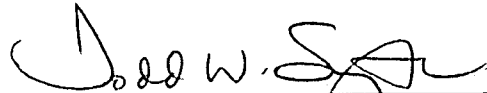
Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a Carolina House of Hilton Head, and Sonia S. King,.....Defendants,

Of whom Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a Carolina House of Hilton Head are theAppellants.

NOTICE OF APPEARANCE

YOU WILL PLEASE TAKE NOTICE that Todd W. Smyth, Esquire of Smyth Whitley, LLC, hereby enters an appearance as counsel of record, in addition to Marcus A. Manos, Esquire and Manton M. Grier, Jr., Esquire of Nexsen Pruet, LLC, for the Appellants Brookdale Senior Living, Inc. and Southern Assisted Living, LLC..

Respectfully Submitted,



Todd W. Smyth, Esquire, SC Bar No. 5380
Joshua S. Whitley, Esquire, SC Bar No. 77824

Claude O. Tackett, Esquire, SC Bar No. 72988

SMYTH WHITLEY, LLC
234 Seven Farms Drive
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Charleston, South Carolina 29492
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Attorney for the Appellants Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a Carolina House of Hilton Head

February 27, 2013

Charleston, South Carolina

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S.C. Supreme Court

THE STATE OF SOUTH CAROLINA
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APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

S.C. Supreme Court

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2013-199666
(consolidated cases)

Case No. 2011-CP-07-1610

Elizabeth O'Meara,.....Respondent,

v.

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House of Hilton Head, and Sonia S. King,.....Defendants,

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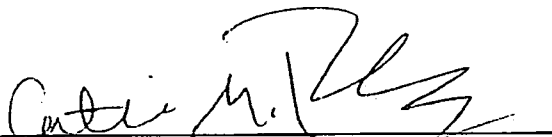
Of whom Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a Carolina House of Hilton Head are theAppellants.

PROOF OF SERVICE

The undersigned certifies that a copy of the Notice of Appearance entered by Todd Smyth, Esquire as counsel of record, in addition to Marcus A. Manos, Esquire and Manton M. Grier, Jr., Esquire of Nexsen Pruet, LLC, for the Appellants Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, has been served upon counsel of record by depositing a copy of same, first-class postage prepaid in the United States Mail, on the 27th day of February, 2014, to the addresses shown below and via email to the email addresses shown:

Susan Taylor Wall, Esquire
swall@mcnair.net
McNAIR LAW FIRM, P.A.
Post Office Box 1431
Charleston, SC 29402

Marcus A. Manos, Esquire
mmanos@nexsenpruet.com
Manton M. Grier, Jr., Esquire
mgrier@nexsenpruet.com
NEXSEN PRUET, LLC
1230 Main Street, Suite 700
(29201)
Post Office Drawer 2426
Columbia, South Carolina 29201


Catherine M. Rhodes, Paralegal
Smyth Whitley, LLC