

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

M1585

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Steven H. John, Circuit Court Judge

Case No. 2011-CP-26-7403

Randall M. Green and Ann Green,.....Respondents-Appellants,  
v.  
Wayne B. Bauerle, M.D. and  
Wayne B. Bauerle, M.D., P.C.,.....Appellants-Respondents.

NOTICE OF APPEAL

RECEIVED

MAR 17 2014

SC Court of Appeals

Randall M. Green and Ann Green appeal the post-trial order of the Honorable Steven H. John, dated October 16, 2013, Granting in Part and Denying in Part Appellants-Respondents', Wayne B. Bauerle, MD, and Wayne B. Bauerle, MD, PC, Motion for Set-off. This appeal is taken from the order dated February 13, 2014 denying Respondents-Appellants', Randall M. Green and Ann Green, Motion to Alter or Amend the Order Granting in Part and Denying in Part Appellants-Respondents' Motion for Set-off, said order having constituted the final judgment of the trial court. Respondents-Appellants received a notice of appeal from Appellants-Respondents on March 11, 2013.

(Signature follows on the next page.)

March 14, 2014

E. Brooks Hurt for OGG

O. Grady Query, Esquire  
Elizabeth Brooks Hurt  
Query Sautter Forsythe, LLC  
The Wappoo Centre  
147 Wappoo Creek Drive, Suite 202  
Charleston, South Carolina 29413  
(843) 795-9500

L. Morgan Martin, Esquire  
L. Morgan Martin, PA  
1121 Third Avenue  
Conway, South Carolina 29526  
(843) 248-3177

Cristin Uricchio, Esquire  
Uricchio Law Firm  
The Wappoo Centre  
147 Wappoo Creek Drive, Suite 205  
Charleston, South Carolina 29412  
(843) 795-9300

Counsel for Respondents-Appellants

Other Counsel of Record:

John B. McCutcheon, Jr., Esquire  
Lisa A. Thomas, Esquire  
Thompson & Henry, PA  
1300 Second Avenue, Third Floor  
Post Office Box 1740  
Conway, South Carolina 29528  
(843) 248-5741

Andrew F. Lindemann, Esquire  
Davidson & Lindemann, P.A.  
1611 Devonshire Drive  
Post Office Box 8568  
Columbia, South Carolina 29202  
(803) 806-8222

Counsel for Appellants-Respondents

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Steven H. John, Circuit Court Judge

---

Case No. 2011-CP-26-7403

---

Randall M. Green and Ann Green,..... Respondents-Appellants,

v.

Wayne B. Bauerle, M.D. and

Wayne B. Bauerle, M.D., P.C.,.....Appellants-Respondents.

---

**PROOF OF SERVICE**

---

I certify that I have served the Notice of Appeal on Wayne B. Bauerle, M.D. and Wayne B. Bauerle, M.D., P.C. by depositing a copy of it in the United States Mail, postage prepaid, on March 14, 2014, addressed to his attorneys of record at their offices as follows:

John B. McCutcheon, Jr., Esquire  
Lisa A. Thomas, Esquire  
Post Office Box 1740  
Conway, South Carolina 29528

Andrew F. Lindemann, Esquire  
Davidson & Lindemann, P.A.  
Post Office Box 8568  
Columbia, South Carolina 29202

**RECEIVED**

MAR 17 2014

**SC Court of Appeals**

March 14, 2014

E. Brooks Hurt for OGG

O. Grady Query, Esquire  
Elizabeth Brooks Hurt  
Query Sautter Forsythe, LLC  
The Wappoo Centre  
147 Wappoo Creek Drive, Suite 202  
Charleston, South Carolina 29413  
(843) 795-9500

L. Morgan Martin, Esquire  
L. Morgan Martin, PA  
1121 Third Avenue  
Conway, South Carolina 29526  
(843) 248-3177

Cristin Uricchio, Esquire  
Uricchio Law Firm  
The Wappoo Centre  
147 Wappoo Creek Drive, Suite 205  
Charleston, South Carolina 29412  
(843) 795-9300

Counsel for Respondents-Appellants

# QUERY SAUTTER FORSYTHE, LLC

ATTORNEYS AND COUNSELORS AT LAW

The Wappoo Centre  
147 Wappoo Creek Drive  
Suite 202  
Charleston, South Carolina 29412

Telephone 843.795.9500

Facsimile 843.762.1500

O. Grady Query\*

\*Certified Circuit Court Arbitrator and Mediator

\*Certified National Trial Advocacy Civil Trial Specialist

Michael W. Sautter\*\*

\*\*Managing Partner

Michèle Patrão Forsythe\*\*\*

\*\*\*Certified Family Court Mediator

Elizabeth Brooke Hurt

March 14, 2014

## Via U.S. Mail and E-Mail

Jenny Abbott Kitchings  
South Carolina Court of Appeals Clerk of Court  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Randall M. Green and Ann Green vs. Wayne B. Bauerle, MD and Wayne B. Bauerle, MD, PC  
Case: 2011-CP-26-7403

Dear Ms. Kitchings:

Please find enclosed for filing a Notice of Appeal for Respondents-Appellants' cross-appeal in the above-referenced matter. Also enclosed for filing are:

- (1) Proof of Service of the Notice of Cross Appeal on the Appellants-Respondents;
- (2) A copy of the Order of the Honorable Steven H. John Granting in Part and Denying in Part Defendants Wayne B. Bauerle, MD, and Wayne B. Bauerle, MD, PC's Motion for Set Off;
- (3) A copy of the Order of the Honorable Steven H. John Denying Plaintiff's Motion to Alter or Amend Order Granting Partial Set-Off;
- (4) A copy of my letter to the Horry County Clerk of Court confirming that the Notice of Cross Appeal has been filed with the Circuit Court; and
- (5) A check for \$100.00 for the filing fee.

I have also enclosed one (1) additional copy of the Notice of Cross Appeal and would appreciate you returning a clocked copy to me in the self-addressed, stamped envelope I have provided.

Thank you for your assistance. Should you have any questions, please do not hesitate to contact this office.

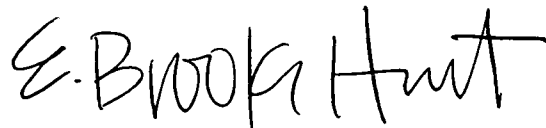
**RECEIVED**

MAR 17 2014

**SC Court of Appeals**

With kindest regards, I remain,

Very truly yours,

A handwritten signature in black ink that reads "E. Brooke Hurt". The signature is written in a cursive, slightly slanted style.

Brooke Hurt

OGQ/EBH  
Enclosures

cc: L. Morgan Martin  
Cristin Uricchio  
Andrew Lindemann  
Jack B. McCutcheon, Jr.

QUERY SAUTTER FORSYTHE, LLC

ATTORNEYS AND COUNSELORS AT LAW