

tolling plus six years statute of repose. The intent of the legislature and the balance struck is best indicated by the statutory language itself. If the legislature intended the balance to be as Respondent purports, they would have written the statutes in a manner consistent with Respondent's positions.

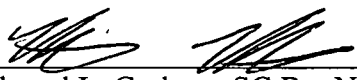
Respondent now argues not for a balance, but that the scales be tipped in their favor, and that a minor's claim be inappropriately curtailed through a strained reading of Section 15-3-545. In light of the unambiguous statutory language, it is Respondent's position that would upset the economic balance struck by the General Assembly.

CONCLUSION

For the reasons stated, the Appellant respectfully requests this Court to reverse the trial court's order granting summary judgment and remand for further proceedings. Further, Appellant requests this Court to hold that the claim was timely commenced as a matter of law. In the alternative, Appellant requests that the Court find that the date a reasonable person knew or should have known that a claim for medical negligence existed or a right had been invaded is a question of fact for the jury to determine.

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APR 23 2014
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Alison Renee Lee, Circuit Court Judge

C/A No. 2011-CP-32-02282

Tanya Bennett, as Next Friend of
Mykelvion T., a minor

Appellant,


v.

Lexington County Health Services
District, Inc. d/b/a Lexington Medical Center,
Medical Center,

Respondent.

CERTIFICATE OF COUNSEL

The undersigned counsel for Appellant certifies that this Initial Reply Brief of Appellant complies with Rule 208(a)(3), SCACR.



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