

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Kristi Lea Harrington, Circuit Court Judge

Case No. 2012-CP-10-5366 (NOI)
Case No. 2013-CP-10-4475

Johnny Eades and Barbara Eades, Appellants,

v.

Palmetto Cardiovascular and Thoracic, PA; James M. Benner, M.D.;
Mark J. Epler, M.D.; Trident Medical Center, LLC;
Columbia/HCA Healthcare Corporation of South Carolina;
HCA Healthcare-South Carolina; Trident Medical Center;
Trident Health System; Palmetto Primary Care Physicians, LLC;
Trident Emergency Physicians, LLC; Brian R. Whirreth, M.D.;
Patricia Campbell, M.D.; Christine E. McNeal, M.D.;
Matthew Wallen, M.D.; Charleston Radiologists, PA;
Joseph M. Mullane, M.D.; Tri-County Radiology Associates, PA;
and Troy Marlon, M.D. Defendants,

Of whom, Palmetto Cardiovascular and Thoracic, PA; James
M. Benner, M.D.; Mark J. Epler, M.D.; Palmetto Primary Care
Physicians, LLC; and Trident Emergency Physicians, LLC are, Respondents.

**RESPONDENTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

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SC Court of Appeals

The Respondents Mark J. Epler, M.D., James M. Benner, M.D., and Palmetto Cardiovascular and Thoracic, P.A. propose that the following be included in the Record on Appeal:

1. Motion to Dismiss of Mark J. Epler, M.D., filed April 22, 2013
2. Motion to Dismiss of James M. Benner, M.D., and Palmetto Cardiovascular and Thoracic, P.A., filed February 14, 2013
3. Notice of Intent to File Suit, filed August 15, 2012
4. Affidavit of Paul Skudder, M.D. filed August 17, 2012
5. Order filed August 16, 2013
6. Transcript of Hearing, July 18, 2013

I certify that this designation contains no matter which is irrelevant to this appeal.

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Cardiovascular and Thoracic, P.A.*

Columbia, South Carolina

May 6, 2014

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Joseph M. Mullane, M.D.; Tri-County Radiology Associates, PA;
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Of whom, Palmetto Cardiovascular and Thoracic, PA; James
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CERTIFICATE OF SERVICE

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The undersigned employee of Davidson & Lindemann, P.A., counsel for the Respondents Mark J. Epler, M.D., James M. Benner, M.D., and Palmetto Cardiovascular and Thoracic, P.A., does hereby certify that service of the below listed appeal documents in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 6th day of May 2014:

1. Initial Brief of Respondents of Mark J. Epler, M.D., James M. Benner, M.D., and Palmetto Cardiovascular and Thoracic, P.A.
2. Respondents' Designation of Matter to be Included in the Record on Appeal

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May 6, 2014

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Writer's Email: alindemann@dml-law.com

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

RE: Johnny Eades and Barbara Eades v. Palmetto Cardiovascular and Thoracic, PA, et al.
Appellate Case Number: 2013-002177
Civil Action Numbers: 2012-CP-10-5366 and 2013-CP-10-4475
Claim Number: CB127465M
Our File Number: 22.9321

Dear Ms. Kitchings:

Please find enclosed for filing the originals and one copy each of the below listed documents in the above referenced matter.

1. Initial Brief of Respondents Mark J. Epler, M.D., James M. Benner, M.D., and Palmetto Cardiovascular and Thoracic, P.A.
2. Respondents' Designation of Matter to be Included in the Record on Appeal

Please file the originals and return a clocked-in copy of each document to me in the enclosed envelope.

By copy of this letter, I am serving copies on all counsel of record.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

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The Honorable Jenny Abbott Kitchings
May 6, 2014
Page Two

cc: (w/ Enclosures)

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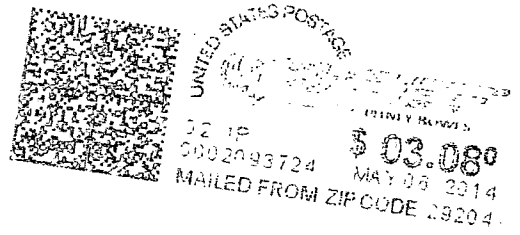
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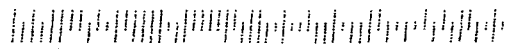
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