

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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JAN 30 2015

SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY

Court of Common Pleas

William P. Keesley, Circuit Court Judge

Case No. 2007-CP-32-01981

Appellate Case No. 2014-001511

Martha Lewin Argoe,

Appellant,

v.

Three Rivers Behavioral Health, LLC;
Phyllis Brant-Mobley, MD;
David A. Steiner, MD;
Cheryl C. Dodds, MD;
Doris Ann Burrell, RN

Respondents,

DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL

Respondents Three Rivers Behavioral Health, LLC, and Doris Ann Burrell, RN, propose the following be included in the Record on Appeal.

1. Order Granting Partial Summary Judgment in Favor of Defendants Three Rivers Behavioral Health, LLC, Phyllis Bryant-Mobley, MD, and Cheryl C. Dodds, MD, filed March 7, 2014.
2. Order Granting Summary Judgment as to David A. Steiner, MD, filed March 21, 2014.
3. Order Granting Summary Judgment in Favor of Defendant Doris Ann Burrell, RN, filed March 21, 2014.

4. Order on Reconsideration, filed June 9, 2014.
5. Order [Allowing Plaintiff to file her Second Amended Complaint], filed January 5, 2012.
6. Order of Detention of Orangeburg County Probate Court, dated June 6, 2005.
7. Notification of Emergency Admission, Appointment of Designated Examiners, filed June 13, 2005.
8. Notice of Hearing, Appointment of Counsel, Appointment of Guardian Ad Litem, Appointment of Designated Examiners, dated June 14, 2005.
9. Judgment and Order of Darlington County Probate Court, dated June 21, 2005.
10. Argoe v. Three Rivers Behavioral Center and Psychiatric Solutions, Its Successor, et al., 388 S.C. 394, 697 S.E.2d 551 (2010), reh'g den. (Sept. 2, 2010).
11. Argoe v. Three Rivers Behavioral Health, LLC, et al., 392 S.C. 462, 710 S.E.2d 67 (2011).
12. Second Amended Complaint, filed January 10, 2012.
13. Defendant David Steiner, MD's Answer to Plaintiff's Second Amended Complaint, filed January 24, 2012.
14. Answer to Second Amended Complaint on Behalf of Phyllis Bryant-Mobley, MD, filed January 23, 2012.
15. Answer to Second Amended Complaint on Behalf of Defendant Cheryl C. Dodds, MD, filed January 17, 2012.
16. Answer to Plaintiff's Second Amended Complaint by Defendants Three Rivers Behavioral Health, LLC and Doris Ann Burrell, RN, filed January 24, 2012.
17. Answer to Second Amended Complaint [by Psychiatric Solutions, Inc.], filed February 6, 2012.
18. Exhibit #5 to the Deposition of Phyllis M. Mobley, MD, dated May 16, 2012.
19. Deposition of Doris Ann Burrell, RN, dated August 7, 2012, plus Exhibit #1.
20. Deposition of Dave Davis, MD, page 105, dated May 30, 2013.
21. Deposition of Lucinda L. Debruce, page 17 & 19, dated May 24, 2013.

22. Deposition of Donna Marie Schwartz-Watts, MD. Dated September 23, 2013
23. Motions hearing before the Honorable William P. Keesley on August 29, 2013
24. Motion for Summary Judgment on Behalf of Defendants Three Rivers Behavioral Health, LLC, and Doris Ann Burrell, R.N., filed November 27, 2012.
25. Motion for Summary Judgment on Behalf of the Defendant Cheryl C. Dodds, M.D., filed October 3, 2012.
26. Defendant David A. Steiner, M.D.'s Notice of Motion and Motion for Summary Judgment, filed January 3, 2013.
27. Notice of Motion and Motion for Summary Judgment [by Phyllis Bryant-Mobley, M.D.], filed January 23, 2013.
28. Defendants Three Rivers Behavioral Center's and Doris Ann Burrell, RN's Memorandum in Support of Motion for Summary Judgment, filed August 29, 2013.
29. Memorandum in Support of Motion for Summary Judgment on Behalf of Defendant Phyllis-Bryant-Mobley, MD, filed August 29, 2013.
30. Memorandum in Support of Defendant David A. Steiner, M.D.'s Motion for Summary Judgment, filed August 29, 2013.
31. Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment, filed August 29, 2013.
32. Email from Judge Keesley to all counsel dated October 4, 2013.
33. Response to Judge Keesley's Email Dated October 4, 2013, by Defendants, dated October 7, 2013.
34. Supplemental Memorandum of Law in Opposition to Defendants' Motions for Summary Judgment, filed October 7, 2013.
35. Plaintiff's Motion for Reconsideration, filed March 24, 2014.
36. Plaintiff's Motion for Reconsideration (Pertaining to Order Granting Summary Judgment to David A. Steiner, M.D.), filed April 7, 2014.
37. Plaintiff's Motion for Reconsideration (Pertaining to Order Granting [Sic] Summary Judgment in favor of Defendant Doris Ann Burrell, RN), filed April 7, 2014.
38. Reply to Plaintiff's Motion for Reconsideration of the Grant of Summary Judgment in Favor of Defendant Doris Ann Burrell, RN, filed April 10, 2014.

39. Reply to Plaintiff's Motion for Reconsideration of the Grant of Summary Judgment in Favor of David A. Steiner, MD, filed April 21, 2014.
40. Motion to File Second Amended Complaint, filed October 31, 2011.
41. Memorandum in Opposition of Plaintiff's Motion to File Second Amended Complaint, filed December 5, 2011.
42. Notice of Appeal, dated July 1, 2014, filed with Lexington County Clerk of Court on June 3, 2014.
43. Amended Notice of Appeal, dated July 15, 2014.

Pursuant to Rule 210(g) of the South Carolina Appellate Court Rules, counsel for Respondents certify that this designation contains no materials that are irrelevant to this appeal.

Respectfully submitted,

COLLINS & LACY, PC



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RIVERS BEHAVIORAL HEALTH, LLC, AND

DORIS ANN BURRELL, RN

January 30, 2014

Columbia, South Carolina

THE STATE OF SOUTH CAROLINA

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APPEAL FROM LEXINGTON COUNTY

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Martha Lewin Argoe,

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Three Rivers Behavioral Health, LLC;
Phyllis Brant-Mobley, MD;
David A. Steiner, MD;
Cheryl C. Dodds, MD;
Doris Ann Burrell, RN

Respondents,

CERTIFICATE OF SERVICE

The undersigned certifies that on this 30th day of January 2015, a copy of the foregoing Designation of Matters to be Included in the Record on Appeal, was served by depositing said copy in the US Mail, with sufficient first class postage, on the following counsel at the addresses listed below.

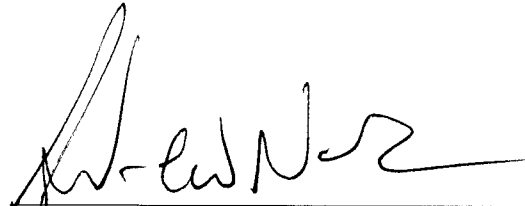
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January 30, 2015

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Martha Lewin Argoe v. Three Rivers Behavioral Health, LLC and Psychiatric Solutions, Its Successor; Phyllis Brant-Mobley, MD; Aiken Regional Medical Centers, Inc.; David A. Steiner, MD; Cheryl C. Dodds, MD; Doris Ann Burrell, RN; and Carolina Care Plan
Civil Action No. 07-CP-32-1981
Appellate Case No. 2014-001511
Claim No. 394-014015
C&L File No. 000001-02000

Dear Ms. Kitchings:

Enclosed for filing please find the original and six (6) copies of the Initial Brief of Respondents Three Rivers Behavioral Health, LLC, and Doris Ann Burrell, RN, as well as the Designation of Matters to be Included in the Record on Appeal in the above-referenced matter. Please file the original and return the clocked copies to me via my courier.

With warmest regards,

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew N. Cole".

Andrew N. Cole

Enclosures

cc/enc: Robert Dodson, Esquire
James Parham, Esquire
William Davidson, Esquire
Andrew Lindemann, Esquire
Sarah Spruill, Esquire
Kenneth Shaw, Esquire
J. Ben Alexander, Esquire
Elloree A. Ganes, Esquire