

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

Lisa McKaughan, Individually and as the
Personal Representative of the Estate of
William Farr;

Plaintiff,

v.

Upstate Lung and Critical Care Specialists,
P.C. and Sau-Yin Wan, M.D.;

Defendants

IN THE COURT OF COMMON PLEAS

C.A. No. 2013-CP-42-02404

**ORDER GRANTING PLAINTIFF'S
MOTION TO DISCLOSE
ADDITIONAL EXPERT**

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SEP 14 2015

SC Court of Appeals

Plaintiff Lisa McKaughan, through counsel, moved this Court for permission to disclose an expert witness, pathologist Dr. Willard P. Milby, subsequent to the deadline set in the operative scheduling order, by filing her Motion to Disclose Additional Expert.

This action is a medical malpractice action alleging Defendant Sau-Yin Wan, M.D. misread a January 2010 chest x-ray she ordered on William Farr, Plaintiff's father. Plaintiff alleges that this misreading of the x-ray proximately caused Mr. Farr's death from complications of lung cancer. A right lung tumor was surgically removed in late 2010, and then in 2012, another tumor was found in Mr. Farr's left lung and complications from these tumors allegedly led to his death.

Dr. John Latham, a defense expert pathologist was deposed on December 3, 2014 by mutual consent of the parties. Dr. Latham offered an opinion that the 2012 tumor was not metastatic and was a second primary.

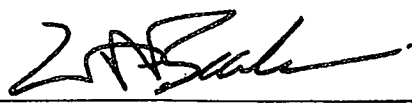
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CLERK OF COURT
SPARTANBURG COUNTY
2015 MAR -4 AM 9:34
M. HOPE BLACKLEY

Plaintiff identified a pathology expert in response, Dr. Milby, on December 18, 2014, approximately two weeks after the deposition of Dr. Latham, and almost four months before this matter's "backup" date certain trial on April 6, 2015.

The Court has heard oral argument and read the memoranda of law submitted by both parties, and this motion is granted.

MOTION GRANTED. SO ORDERED.

2/13, 2015
Marion, SC



Hon. William H. Seals, Jr.
Circuit Judge, At-Large

FILED
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SPARTANBURG COUNTY
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CERTIFICATE OF SERVICE BY MAIL

SEP 14 2015

SC Court of Appeals

I, Kennardy Jones, employee of McGowan, Hood & Felder, LLC, attorney(s) for the Plaintiff, do hereby certify that I have served copy(s) of the **Plaintiff's Notice of Appeal**, on the parties listed below by depositing them in the United States Postal Service, with proper postage affixed thereto, on this 9th day of September, 2015, addressed to the attorney(s) listed below:

David Williford, Esquire
Ashby W. Davis, Esquire
Davis, Snyder & Williford, PA
5 Hawthorne Park Court
Greenville, SC 29615
864-335-3500
864-335-3505 (fax)

South Carolina Court of Appeal
Jenny Abbott Kitchings
Clerk of Court
PO Box 11629
Columbia, SC 29211

Honorable Hope Blackley
Spartanburg County Clerk of Court
PO Box 3483
Spartanburg, SC 29304-3483

Kennardy Jones
Kennardy Jones
Paralegal to Jordan Calloway

September 9th, 2015

McGowan, Hood & Felger, LLC

Chad A. McGowan (SC,GA,NC) S.
Randall Hood
John G. Felder, Jr.
W. Jones Andrews, Jr.
Jordan C. Calloway
Susan F. Campbell
Deborah Casey (NC)*
Ashley White Creech
Shawn B. Deery



Chance M. Farr (NC)
Lara Pettiss Harrill
Patrick M. Killen
William A. McKinnon (SC,DC)
Anna S. Magann
Robert V. Phillips
James Stephen Welch* (SC,OK)
Joseph G. Wright, III*
Of Counsel*

RECEIVED

September 9, 2015

SEP 14 2015

SC Court of Appeals

Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: Lisa McKaughan Individually and as Personal Representative of the Estate of William Farr v. Upstate Lung and Critical Care Specialists, P.C. et al.
Notice of Appeal
Civil Case No. 2013-CP-42-02404
Appellate Case No. 2015-001828

Dear Ms. Kitchings:

Please find enclosed a copy of an Order Granting Plaintiff's Motion to Disclose Additional Expert to serve as documentation of the complete caption of the above-referenced matter. Also, enclosed is a copy of the Notice of Appeal with a corrected proof of service in response to your letter.

Please contact my office with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jordan Calloway', is written over the typed name.

Jordan Calloway

JCC/ksj
Enclosure
Cc: Ashby Davis, Esquire
David Williford, Esquire