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THE STATE OF SOUTH CAROLINA DEC 18 2015
IN THE COURT OF APPEALS
SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable S. Phillip Lenski, Administrative Law Judge

Appellate Case No. 2015-000056

Amisub of South Carolina, Inc., d/b/a Piedmont Medical Center,
d/b/a Fort Mill Medical CenterRespondent,

v.

South Carolina Department of Health and Environmental Control
and The Charlotte Mecklenburg Hospital Authority, d/b/a Carolinas
Medical Center-Fort Mill Respondents,

Of whom The Charlotte Mecklenburg Hospital Authority, d/b/a Carolinas
Medical Center-Fort Mill, is.....Appellant.

PROOF OF SERVICE

This is to certify that I have this day served counsel of record in the foregoing matter with a copy of the foregoing *Supplemental Appendix to the Record on Appeal* by depositing same in the United States Mail with proper postage affixed, addressed as follows:

Douglas M. Muller, Esquire
Trudy H. Robertson, Esquire
E. Brandon Gaskins, Esquire
Moore & Van Allen PLLC
78 Wentworth Street
Charleston, SC 29401

Ashhley C. Biggers, Esquire
Vito M. Wicevic, Esquire
South Carolina Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201



Myriam Brown
Administrative Assistant
Nelson Mullins Riley & Scarborough LLP

December 18, 2015
Columbia, South Carolina

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
1320 Main Street / 17th Floor / Columbia, SC 29201
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DEC 18 2015
SC Court of Appeals
Daniel J. Westbrook
Tel: 803.255.9456
Fax: 803.255.5164
dan.westbrook@nelsonmullins.com

December 18, 2015

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RE: Amisub of South Carolina, Inc. d/b/a Piedmont Medical Center d/b/a Fort Mill
Medical Center vs. South Carolina Department of Health and Env. Control, et al
Appellate Case No. 2015-000056
Our File No. 05946/01509

Dear Ms. Kitchings:

Pursuant to Rule 212(b) of the South Carolina Appellate Court Rules, Respondent Amisub of South Carolina, Inc., hereby supplements the Record on Appeal with the original and sixteen copies of the enclosed *Supplemental Appendix to the Record on Appeal* and *Proof of Service*. Please file mark the extra copy and return it to our office with our courier.

We have obtained written consent of opposing counsel, a copy of which is enclosed with this letter. By copying opposing counsel hereon, we are also serving them with a copy of this filing.

Very truly yours,



Daniel J. Westbrook

DJW:myb
Encls.

cc: Douglas M. Muller, Esquire
Trudy H. Robertson, Esquire
E. Brandon Gaskins, Esquire
Ashley C. Biggers, Esquire
Vito M. Wicevic, Esquire

Myriam Brown

From: Leslie Sackett
Sent: Thursday, September 10, 2015 4:51 PM
To: Leslie Sackett
Subject: FW: Record on appeal

From: Dan Westbrook
Sent: Wednesday, September 09, 2015 9:12 PM
To: Biggers, Ashley
Cc: Doug Muller; Stuart Andrews; Leslie Sackett; Trudy Robertson; Brandon Gaskins; Wicevic, Vito
Subject: Re: Record on appeal

Thanks to all

Sent from my iPhone

On Sep 9, 2015, at 12:56 PM, Biggers, Ashley <biggerac@dhec.sc.gov> wrote:

We consent also.

Thanks,

Ashley

Ashley C. Biggers
Associate General Counsel
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, SC, 29201
Office: 803-898-3362
Fax: 803-898-3367

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From: Doug Muller <dougmuller@mvalaw.com>
Sent: Wednesday, September 9, 2015 12:55 PM
To: Dan Westbrook
Cc: Stuart Andrews; Leslie Sackett; Trudy Robertson; Brandon Gaskins; Biggers, Ashley; Wicevic, Vito
Subject: RE: Record on appeal

Dan:

We consent – I assume you will file the request for supplementation.

My only question is whether you really need to include a dictionary definition – the record is already 17 volumes long, so not sure you need that added to it.

From: Dan Westbrook [<mailto:dan.westbrook@nelsonmullins.com>]
Sent: Wednesday, September 09, 2015 12:42 PM
To: Doug Muller; Trudy Robertson; Brandon Gaskins; Biggers, Ashley (biggerac@dhec.sc.gov); Wicevic, Vito (wicevivm@dhec.sc.gov)
Cc: Stuart Andrews; Leslie Sackett
Subject: RE: Record on appeal

Ashley and Vito, sorry, I forgot to copy you on this email. I need your consent, as well.

From: Dan Westbrook
Sent: Wednesday, September 09, 2015 11:36 AM
To: Doug Muller (dougmuller@mvalaw.com); Trudy Robertson (trudyrobertson@mvalaw.com); Brandon Gaskins (gaskinsb@mvalaw.com)
Cc: Stuart Andrews; Leslie Sackett
Subject: Record on appeal

Doug, Trudy, and Brandon, pursuant to App. Rule 212(b) I'm writing to ask your consent to supplement the record on appeal in our Ft. Mill case. We'd like to add the following to the record:

Trial Transcript pp. 1548-1552 (Murphy direct exam testimony), cited in our brief on pp. 16 and 23.

CHS Trial Exhibit 18, cited in our brief on p. 43

Webster's Unabridged, p. 1421 (defining "sufficient"), cited in our brief on p. 43.

Give me a call if you'd like to discuss.

Thanks, Dan

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