

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL # **2016-001379** FROM CHARLESTON COUNTY COURT OF COMMON PLEAS
CIVIL ACTION 2015-CP-10-6819
ORDER OF DISMISSAL HONORABLE KRISTI LEE HARRINGTON PRESIDING JUDGE

Tracy Smith, Appellant

v.

Sarah Gainey SAVE, Inc. Respondent

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BRIEF – Common Knowledge Exception and Misstatement of Material Facts

Exhibit 1 – Transcript – Motion for Summary Judgement - Smith V. SAVE

Exhibit 2 – Order of Dismissal – Prepared by Defense Counsel

Exhibit 3 – Defendant’s Amended Notice of Motion and Motion to Dismiss
Plaintiff’s Complaint

Exhibit 4 – Pro Se Plaintiff’s Notice of Civil Appeal

Exhibit 5 – Pro SE Plaintiff’s Motion to Compel Release of Medical Records

Exhibit 6 – SAVE EAP Literature stating “**Confidentiality is the most important
element in the counseling relationship**”

Exhibit 7 – Employee Assistance Certification Commission Standards and **Client
Bill of Rights**

Exhibit 8 – Initial Lawsuit filed by Plaintiff including CIVIL ACTION COVERSHEET
citing Nature of Action as **Breach of Contract and Personal Injury**

Exhibit 9 – Release of HIPPA Approved Designated Record Set

Exhibit 10 – Jonathon Kessler’s Confidential Work Product in Response to
Litigation

PROOF OF SERVICE OF APPEAL BRIEF

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY COURT OF COMMON PLEAS

Tracy Smith v. Sarah Gainey and SAVE, Inc.

CIVIL ACTION 2015-CP-10-6819

ORDER OF DISMISSAL

HONORABLE KRISTI LEE HARRINGTON PRESIDING JUDGE

Appellate Case No. 2016-001379

Tracy Smith Appellant.

V.

Sarah Gainey and SAVE Inc.
Respondent
Represented by Lauren Spears
40 Calhoun Street, Suite 550
Charleston, SC 29401

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SC Court of Appeals

PROOF OF SERVICE

*Hand Delivered Tracy Smith
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I certify that I have served the Brief and Transcript related to Appeal on Sarah Gainey and SAVE Inc. by ~~depositing a copy of it in the United States Mail, postage prepaid on November 17, 2016 addressed to his attorneys of record, Jack G. Gresh and Lauren Spears of Hall Booth and Smith at 40 Calhoun Street, Suite 550, Charleston, SC 29401.~~

November 17, 2016

Tracy Smith Pro Se Plaintiff/Appellant
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