

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

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Case No. 2016-CP-26-3317

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**RECEIVED**

MAY 30 2017

SC Court of Appeals

Paul Sasser, M.D., Mark R. Borowicz, M.D., Lane Ingram Moore, M.D.,  
FACS and Goatee Vascular, LLC.....Appellants,

v.

Dominick Ronga, Mid Atlantic Vascular, LLC and Fresenius Vascular  
Care Myrtle Beach MSO, LLC.....Respondents.

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AMENDED NOTICE OF APPEAL

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Paul Sasser, M.D., Mark R. Borowicz, M.D., Lane Ingram Moore, M.D., FACS and Goatee Vascular, LLC hereby appeal the Order Denying Motion to Reconsider Order Granting Defendant's Motion to Compel Arbitration of the Honorable G. Thomas Cooper, Jr. dated May 3, 2017 along with the Order Granting Defendant's Motion to Compel Arbitration of the Honorable G. Thomas Cooper, Jr. dated April 6, 2017. Appellant received written notice of entry of the Order Denying Motion to Reconsider on May 3, 2017. Both Orders are attached hereto.

May 25, 2017



Thomas C. Brittain, Esq.  
The Brittain Law Firm, P.A.  
4614 Oleander Drive  
Myrtle Beach, South Carolina 29577  
843-449-8562  
Attorney for Appellant

Other Counsel of Record:

Robert Calamari, Esq.

Nelson Mullins

BNC Bank Corporate Center, Suite 300

3751 Robert M. Grissom Parkway

Myrtle Beach, SC 29577

*Attorney for Respondents Dominick Ronga  
and Mid Atlantic Vascular, LLC*

Stephen M. Cox, Esq.

Robinson, Bradshaw & Hinson, P.A.

140 East Main Street, Suite 420

Rock Hill, SC 29730

*Attorney for Respondent Fresenius Vascular  
Care Myrtle Beach MSO, LLC*

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

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Case No. 2016-CP-26-3317

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SC Court of Appeals

Paul Sasser, M.D., Mark R. Borowicz, M.D., Lane Ingram Moore, M.D.,  
FACS and Goatee Vascular, LLC.....Appellants,

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Care Myrtle Beach MSO, LLC.....Respondents.

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PROOF OF SERVICE

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I, Allison Lazar, do hereby certify that I am an employee of THE BRITAIN LAW FIRM, P.A., attorneys for the Appellants Paul Sasser, M.D., Mark R. Borowicz, M.D., Lane Ingram Moore, M.D., FACS and Goatee Vascular, LLC in the above-entitled action, and that I have this 25<sup>th</sup> day of May, 2017, caused to be served upon the following parties the **Amended Notice of Appeal with orders being challenged on appeal** by depositing a copy of same in the United States Mail, with sufficient first class postage affixed thereto, addressed as follows:

Robert Calamari, Esq.  
Nelson Mullins  
BNC Bank Corporate Center, Suite 300  
3751 Robert M. Grissom Parkway  
Myrtle Beach, SC 29577

Stephen M. Cox, Esq.  
Robinson, Bradshaw & Hinson, P.A.  
140 East Main Street, Suite 420  
Rock Hill, SC 29730

  
Allison Lazar

SWORN AND SUBSCRIBED before me  
this 25 day of May, 2017.

  
NOTARY PUBLIC FOR SOUTH CAROLINA  
My Commission Expires May 9, 2023

THE BRITTAIN LAW FIRM, P.A.

ATTORNEYS AT LAW

4614 OLEANDER DRIVE

MYRTLE BEACH, SOUTH CAROLINA 29577

THOMAS C. BRITTAIN  
MARY MADISON BRITTAIN LANGWAY  
A. PRESTON BRITTAIN  
T. CASE BRITTAIN, JR.

843-449-8562  
FAX 843-497-6124  
www.brittainlawfirm.com

May 25, 2017

Ms. Natalie Dahl  
P.O. Box 762  
Conway, SC 29528

Re: Paul Sasser, M.D., Mark R. Borowicz, M.D., Lane Ingram Moore, M.D., FACS  
and Goatee Vascular, LLC v. Dominick Ronga, Mid Atlantic Vascular, LLC and  
Fresenius Vascular Care Myrtle Beach MSO, LLC  
CA No: 16-CP-26-3317

Dear Ms. Dahl:

On May 19, 2017, I mailed to you a letter requesting a complete copy of the transcript from the Motion to Compel Arbitration heard in the above-referenced matter on March 20, 2017 in the Horry County Court of Common Pleas.

However, in that letter, I erroneously stated that the motion was heard before the Honorable Benjamin H. Culbertson. That is not correct. The transcript for the motion hearing I am requesting was heard before the Honorable G. Thomas Cooper, Jr.

Please let me know if you have any questions. Thank you.

With kindest regards, I am,

Yours truly,

THE BRITTAIN LAW FIRM, P.A.



Thomas C. Brittain  
TCB/all

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SC Court of Appeals

cc: Robert Calamari, Esquire  
Stephen M. Cox, Esquire

**THE BRITTAIN LAW FIRM, P.A.**

ATTORNEYS AT LAW  
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MYRTLE BEACH, SOUTH CAROLINA 29577

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May 25, 2017

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**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: Paul Sasser, M.D., Mark R. Borowicz, M.D., Lane Ingram Moore, M.D., FACS  
and Goatee Vascular, LLC v. Dominick Ronga, Mid Atlantic Vascular, LLC and  
Fresenius Vascular Care Myrtle Beach MSO, LLC  
CA No: 16-CP-26-3317

Dear Ms. Kitchings:

Enclosed herewith for filing please find the original and one (1) copy of the following in the above-referenced matter:


- 1) Amended Notice of Appeal with Orders which are being challenged on appeal;
- 3) Letter to court reporter requesting hearing transcript; and
- 4) Proof of Service.

The original Notice of Appeal filed in this matter mistakenly provided the incorrect name of the Circuit Court Judge.

Please file the originals and return the clocked-in copies to our office in the enclosed envelope. By copy of this letter I am serving opposing counsel as well as the lower court in this matter.

With warm regards, I am  
Yours truly,

**THE BRITTAIN LAW FIRM, P.A.**

  
Thomas C. Brittain  
TCB/all

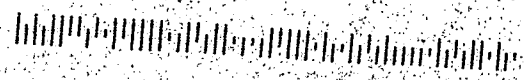
cc: Robert Calamari, Esquire  
Stephen M. Cox, Esquire  
Horry County Clerk of Court



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SC Court of Appeals



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ATTORNEYS AT LAW

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MYRTLE BEACH, SOUTH CAROLINA 29577

TO:

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201