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**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2016-CP-10-5319

Thayer W. Arredondo, as Personal Representative of the  
Estate of Hubert Whaley, deceased,..... Respondent,

v.


SNE SE Ashley River Tenant, LLC; FVE Managers, Inc.;  
Five Star Quality Care, Inc.; SNH SE Tenant TRS, Inc.;  
Senior Housing Properties Trust; SNH TRS, Inc.; Candy D.  
Cure; John Doe; Jane Doe; Richard Roe Corporation; and  
Mary Doe Corporation, of whom SNE SE Ashley River  
Tenant, LLC; FVE Managers, Inc.; Five Star Quality Care,  
Inc.; SNH SE Tenant TRS, Inc.; Senior Housing Properties  
Trust; SNH TRS, Inc.; and Candy D. Cure are the ..... Appellants.

**NOTICE OF APPEAL**

Defendants SNE SE Ashley River Tenant, LLC, FVE Managers, Inc., Five Star Quality Care, Inc., SNH SE Tenant TRS, Inc., Senior Housing Properties Trust, SNH TRS, Inc., and Candy D. Cure appeal the Orders of the Honorable J.C. Nicholson, Jr. filed on April 18, 2017 and on May 10, 2017. The Defendants received written notice of the entry of the latter order subsequent to its filing on May 10, 2017.

[SIGNATURE ON FOLLOWING PAGE]

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: \_\_\_\_\_

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*Counsel for Appellants*

June 6, 2017

Other Counsel of Record:

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Kenneth L. Connor  
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*Counsel for Respondent*

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Inc.; SNH SE Tenant TRS, Inc.; Senior Housing Properties  
Trust; SNH TRS, Inc.; and Candy D. Cure are the ..... Appellants.

**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on Thayer W. Arredondo, as Personal Representative of the Estate of Hubert Whaley, by depositing a copy of it in the United States Mail, postage prepaid, on June 6, 2017, addressed to their counsel of record, Laura S. Jordan and C. Caleb Connor, CONNOR & CONNOR, LLC, 224 Park Avenue SE, Aiken, South Carolina 29801.

[SIGNATURE ON FOLLOWING PAGE]

NELSON MULLINS RILEY & SCARBOROUGH LLP

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June 6, 2017

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SC Court of Appeals

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June 6, 2017

## Via Federal Express

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

RE: Thayer W. Arredondo, as Personal Representative of the Estate of Hubert Whaley, Deceased v. SNE SE Ashley River Tenant, LLC; FVE Managers, Inc.; Five Star Quality Care, Inc.; SNH SE Tenant TRS, Inc.; Senior Housing Properties Trust; SNH TRS, Inc.; Candy D. Cure; John Doe; Jane Doe; Richard Roe Corporation; and Mary Doe Corporation  
Case No. 2016-CP-10-5319  
Our File No. 41123/01507

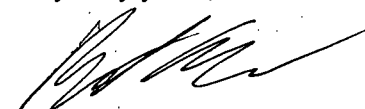
Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal in the above-referenced matter. Also enclosed are the following:

- (1) Proof of Service of the Notice of Appeal on the Respondents;
- (2) A copy of the Order Denying Defendants' Motion to Dismiss and to Compel Arbitration;
- (3) A copy of the Order Denying Defendants' Motion to Reconsider; and
- (4) A filing fee of \$100.

Please file the original and return a file-stamped copy to me in the envelope provided. By copy of this letter to the Charleston County Clerk of Court, we are serving the Clerk with a copy of the Notice of Appeal.

Very truly yours,



Robert W. Whelan

RWW:kds

Enclosures

cc: Charleston County Clerk of Court  
Laura S. Jordan, Esquire (*both via regular mail*)

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KAYCE SMOAK  
NELSON MULLINS  
LIBERTY CENTER, SUITE 600  
151 MEETING STREET  
CHARLESTON, SC 29401  
UNITED STATES US

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BILL SENDER

TO THE HONORABLE JENNY A. KITCHINGS  
COURT OF APPEALS  
1220 SENATE ST

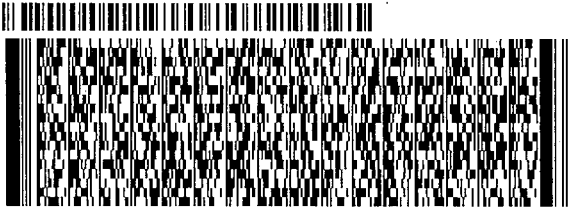
COLUMBIA SC 29201

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