

IN THE STATE OF SOUTH CAROLINA
COUNTY OF HORRY

Jami Lee Gray,

Plaintiff,

v.

McLeod Health, Inc.,

Defendant.

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT

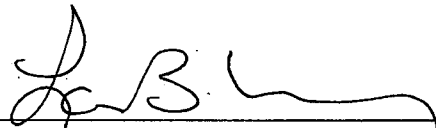
CIVIL ACTION NO.: 2017-CP-26-01907

**PROPOSED ORDER GRANTING IN
PART DEFENDANT MCLEOD
HEALTH, INC.'S PARTIAL MOTION
TO DISMISS COMPLAINT**

This matter comes before the Court pursuant to Defendant's Partial Motion to Dismiss Complaint ("Motion"). After considering Defendant's Motion, the applicable case law, and the parties' arguments, this Court finds that the Plaintiff's claim under the South Carolina Whistleblower Act, S.C Code Ann. § 8-27-10, et seq., fails to state facts sufficient to constitute a cause of action, and therefore, should be dismissed pursuant to Rule 12(b)(6) of the SCRPC. In particular, Defendant does not constitute a public employer or a state-sponsored entity. This Court, therefore, dismisses the aforementioned claim with prejudice.

It is hereby ORDERED, ADJUDGED and DECREED that Defendants' Partial Motion to Dismiss is GRANTED as to Plaintiff's claim under the South Carolina Whistleblower Act, S.C. Code Ann. § 8-27-10, et seq. and Plaintiff's claims against Defendant for alleged violations of the South Carolina Whistleblower Act, S.C Code Ann. § 8-27-10, et seq., are DISMISSED.

IT IS SO ORDERED.



The Honorable Larry B. Hyman
Circuit Court Judge, 15th Circuit

This 21 day of June 2017.

Conner, South Carolina

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SC Court of Appeals