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THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Thomas A. Russo, Circuit Court Judge

Case No. 2016-CP-40-1651

RECEIVED

AUG 15 2017

SC Court of Appeals

Sisters of Charity Providence Hospitals, ..... Respondents,

v.

Palmetto Health, ..... Appellant.

NOTICE OF APPEAL

Palmetto Health, (hereinafter Appellant) appeals the order of the Honorable Thomas A. Russo filed July 12, 2017. Appellant timely moved to reconsider this order on July 24, 2017.<sup>1</sup> The trial court denied this motion in an order filed August 14, 2017, and also filed an Amended Order on August 14, 2017. Appellant also appeals those orders.



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ATTORNEYS FOR APPELLANT

August 15, 2017  
Columbia, SC

<sup>1</sup> The order was entered on July 12, 2017. The tenth day thereafter was July 22, a Saturday, so the tenth day for moving to reconsider pushed to the following Monday, July 24, the date on which Appellant made its motion. See Rules 6(a), 52(b), and 59(e), SCRPC.

Other Counsel of Record:

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ATTORNEYS FOR RESPONDENT

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CERTIFICATE OF SERVICE

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I, Lisa Gibson, an employee of McNair Law Firm, P.A., hereby certify that a true and correct copy of the foregoing *Notice of Appeal* was served upon counsel for the Plaintiff in the above-captioned matter, by causing a copy of same to be deposited in the United States Mail, first class postage prepaid, this 15 day of August, 2017, addressed as follows:

James G. Carpenter, Esq.  
The Carpenter Law Firm, P.C.  
819 E. North Street  
Greenville, SC 29601

  
\_\_\_\_\_

Columbia, SC

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SC Court of Appeals

August 15, 2017

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**Via Courier**

Honorable Jenny Abbott Kitchings  
Clerk of Court  
S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RECEIVED  
AUG 15 2017  
SC Court of Appeals

Re: Sisters of Charity Providence Hospitals -v- Palmetto Health  
Case Number: 2016-CP-40-1651

Dear Ms. Kitchings:

Enclosed for filing, please find the following documents related to the above referenced civil action:

1. Notice of Appeal with Certificate of Service
2. Motion for Abeyance and Limited Remand with Certificate of Service, and
3. Check for \$100 for filing Notice of Appeal and check for \$25 for filing motion

Please file the notice and motion in your office and return a file stamped copy of each to me via our courier. By copy of this letter we are serving counsel for the Respondent with a copy of each. The Notice of Appeal is being filed with the circuit court under separate cover.

**Please Note:** The Motion for Abeyance and Limited Remand is somewhat time sensitive as to the issue of remand. The circuit court has scheduled a hearing for August 30, 2017, to determine the amount of attorney's fees and costs that were awarded in the appealed order(s). To avoid any question of whether the circuit court has jurisdiction to hold this hearing and thereafter issue an order, the motion seeks a remand to the circuit court so that the circuit court may hold the hearing and issue an order.

**Also please note:** Appellant has already received the transcript of the hearing that led to the appealed orders, making Appellant's Initial Brief and Designation due to be served and filed on or before September 14, 2017. Appellant has moved to hold the appellate timelines in abeyance due to the above-noted hearing on the

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Honorable Jenny Abbott Kitchings  
August 15, 2017  
Page 2


MCNAIR  
ATTORNEYS

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award of attorney's fees and costs, and the anticipated appeal from an order setting the amount of fees and costs.

Respectfully yours,

McNAIR LAW FIRM, P.A.



Robert L. Widener

RLW/as

Enclosures: as stated

cc: James G. Carpenter Esquire