

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF BEAUFORT)	
)	
Estate of Jose Melendez,)	C/A No. 09-CP-07-05514
)	
Plaintiff,)	ORDER
)	
Versus)	
)	
Beaufort Memorial Hospital, John)	
Crisologo, M.D., Jose Rodriguez, M.D.,)	
Patricia Devers, M.D., Richard Stewart,)	
M.D., 24 On Physicians, P.C. and, Low)	
Country Medical Group, LLC, Low)	
Country Medical Group of Beaufort)	
County, LLC,)	
)	
Defendants.)	

BEAUFORT COUNTY, S.C.
 CLERK OF COURT
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On September 24, 2012, all parties came before me for a Motions hearing. Calvin A. Rouse was present for Plaintiff; Chilton Grace Simmons was present for Defendants Jose Rodriguez, M.D., Patricia Devers, D.O., and 24 On Physicians, P.C.; Hutson S. Davis, Jr. was present for Defendants John Crisologo, M.D., Richard Stewart, M.D., Low Country Medical Group, LLC, and Low Country Medical Group of Beaufort County, LLC; and Mary Bass Lohr was present for Defendant Beaufort Memorial Hospital.

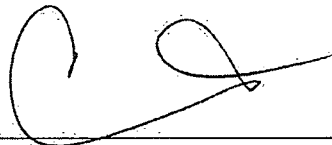
Based upon oral arguments of the parties and a review of the Motions, Memorandum in Support filed by Attorney Simmons, Memorandum in Opposition filed by Attorney Rouse, and attached documents, the Court finds as follows:

1. As to Plaintiff's Motion to Amend the Complaint, it is denied, since the paragraphs that Plaintiff's counsel seeks to add includes specific and independent alleged acts of negligence by specific employees of the Defendant "24 On Physicians", when plaintiff's expert did not testify regarding those specific employees and their specific independent acts of

alleged negligence. Further, the statute of limitations expired as to those employees on April 28, 2011.

2. As to Plaintiff's Motion to Add Expert Dr. Pogue, it is denied, based upon the fact the Scheduling Order required Plaintiff to identify experts by December 15, 2010, and the case is set for a date certain trial beginning in one month, on October 29, 2012. (The Scheduling Order was attached as a Court's Exhibit). Further, the expert that Plaintiff seeks to add has been identified by Plaintiff's counsel as a "reply expert" on an issue (hematology) that was raised early in discovery, specifically at the Plaintiff's deposition in early December of 2010.
3. Defendants Dr. Rodriguez's and Dr. Devers' Motion for Summary Judgment, is denied.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED.



The Honorable Carmen T. Mullen
Presiding Judge
14th Judicial Circuit

9-26, 2012
Beaufort, South Carolina