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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Gordon G. Cooper, Master-In-Equity  
Trial Court Case No. 2014-CP-42-04205

RECEIVED  
MAY 17 2018  
SC Court of Appeals

Appellate Case No. 2016-000916

Ex Parte Anthony L. Mathis, .....Appellant,  
Invacare Corporation, Inc. and all of its subsidiaries, assignors, and assignees,.....Respondent,  
v.  
MD Medical, LLC and Gary Day, .....Defendants.

APPELLANT'S MOTION FOR REHEARING

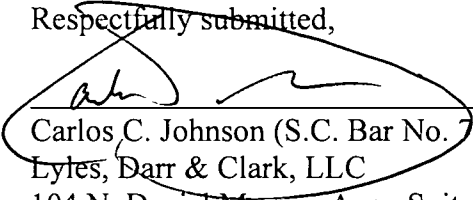
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YOU WILL PLEASE TAKE NOTICE that pursuant to Rules 221(a) and 240 of the South Carolina Appellate Court Rules, the undersigned, as attorney for Dr. Anthony L. Mathis, DPM (hereinafter "Appellant"), hereby moves before this Honorable Court for a rehearing of this matter and an order vacating this Court's May 2, 2018 Opinion and issuing a new opinion reversing the Circuit Court's Orders of December 14, 2015 and March 30, 2016. Appellant's request should be granted because this Court's May 2, 2018 Opinion overlooks and/or misapprehends Appellant's argument regarding the lack of proper notice of the relief being sought against him. The Circuit Court lacked jurisdiction and authority (1) to make any finding regarding the nature of the contract between Appellant and Dr. John Petrich (hereinafter "Dr. Petrich"), (2) to enter judgment against Appellant personally and (3) to order Dr. John Petrich to redirect payments made under his contract with Appellant because: (a) Appellant and Dr. Petrich were not given proper notice that such relief was being sought, and (b) the relief granted by the Circuit Court was not properly requested in the supplemental proceedings before the Court.

Accordingly, this Honorable Court should grant Appellant's request for a rehearing of this matter, issue an order vacating this Court's May 2, 2018 Opinion and issue a new opinion reversing the Circuit Court's Orders of December 14, 2015 and March 30, 2016.

Respectfully submitted,



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May 16, 2018  
Spartanburg, South Carolina

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