

27199

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BAMBERG COUNTY
In the Court of Common Pleas for the Fifth Circuit

Maite D. Murphy, Circuit Court Judge

Case No. 2017-CP-05-00038

RECEIVED

JUL 05 2018

SC Court of Appeals

Willie Clay Banks as Personal
Representative of the Estate of
Willie Banks, deceased,

Respondent.

v.

PruittHealth – Bamberg, LLC,

Appellant.

NOTICE OF APPEAL

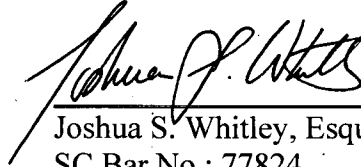
Defendant/Appellant PruittHealth – Bamberg, LLC, appeals the following orders:

- (a) ORDER DENYING DEFENDANT’S MOTION TO DISMISS AND COMPEL ARBITRATION entered on JUNE 4, 2018 (attached hereto as Exhibit A).
- (b) ORDER DENYING DEFENDANT’S MOTION FOR RECONSIDERATION entered on JUNE 25, 2018 (attached hereto as Exhibit B).

Defendant/Appellant received written notice of entry of the most recent order on June 25, 2018.

[SIGNATURE PAGE TO FOLLOW]

July 2, 2018



Joshua S. Whitley, Esquire

SC Bar No.: 77824

Kevin R. Horton, Esquire

SC Bar No.: 101250

126 Seven Farms Drive

First Citizens Plaza, Suite 150

Charleston, South Carolina 29492

Tel.: (843) 606-5635

Fax: (843) 654-4095

Attorneys for Appellant

Other Counsel of Record:

Kenneth M. Suggs, Esquire
Gerald D. Jowers, Jr., Esquire
Janet Jenner & Suggs, LLC
500 Taylor Street, Suite 301
Columbia, SC 29201

Attorneys for Respondent

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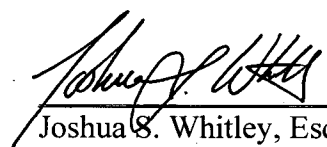
v.

PruittHealth – Bamberg, LLC,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Willie Clay Banks as Personal Representative of the Estate of Willie Banks, deceased, by depositing a copy of it in the United States Mail, postage prepaid, on July 2, 2018, addressed to his attorneys of record, Kenneth M. Suggs, Esquire, and Gerald D. Jowers, Jr., Esquire, of the law firm of Janet Jenner & Suggs, LLC, 500 Taylor Street, Suite 301, Columbia, SC 29201.


Joshua S. Whitley, Esquire
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126 Seven Farms Drive
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Tel.: (843) 606-5635
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Attorneys for Appellant



SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

July 2, 2018

VIA UNITED STATES MAIL

Honorable Jenny Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RECEIVED
JUL 05 2018
SC Court of Appeals

Re: Willie Clay Banks as Personal Representative of the Estate of Willie Banks, deceased v.
PruittHealth-Bamberg, LLC
Bamberg County Civil Case No.: 2017-CP-05-00038
Appellate Case No.: pending

Dear Ms. Kitchings:

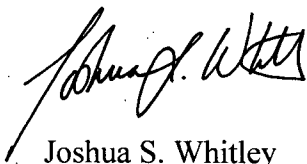
Enclosed for filing please find an original and one (1) copy of a Notice of Appeal on behalf of
PruittHealth-Bamberg, LLC in this matter. Also enclosed are the following:

1. Proof of Service of the Notice of Appeal on the Respondents;
2. Copy of Order Denying Defendant PruittHealth-Bamberg, LLC's Motion to Dismiss and
Compel Arbitration;
3. Copy of Order Denying Motion to Reconsider; and
4. A filing fee of \$100.00

Please file the originals and return the clocked copies in the enclosed self-addressed envelope.
By copy of this correspondence, I am serving a copy on the Bamberg County Clerk of Court and
counsel of record in this matter.

With warm personal regards, I remain,

Very truly yours,

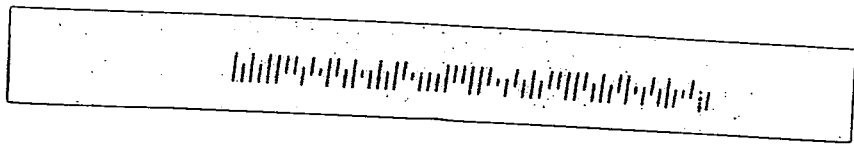


Joshua S. Whitley

JSW:tmm
Enclosures

cc: Gerald Jowers, Esquire
Ken Suggs, Esquire
Bamberg County Clerk of Court

2018
\$1.840
US POSTAGE
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SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

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Charleston, South Carolina 29492

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The Honorable Jenny Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211