

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

Appeal from York County  
Court of Common Pleas

William A. McKinnon, Circuit Court Judge

Case No. 2018-CP-46-01459

**RECEIVED**

JAN 04 2019

SC Court of Appeals

Teresa Murphy, as Personal Representative for the Estate of Isaac Strong,  
Respondent,

v.

Hunt Valley Holdings, LLC f/k/a Fundamental Long Term Care Holdings, LLC;  
Fundamental Clinical and Operational Services, LLC; Fundamental Consulting,  
LLC; Fundamental Administrative Services, LLC; THI of Baltimore, Inc.; THI of  
South Carolina, LLC; THI of South Carolina at Rock Hill, LLC d/b/a Magnolia  
Manor of Rock Hill; and Amisub of S.C., Inc. d/b/a Piedmont Medical Center,

Defendants,

Of whom Fundamental Clinical and Operational Services, LLC; Fundamental  
Administrative Services, LLC; THI of South Carolina, LLC; and THI of South  
Carolina at Rock Hill, LLC d/b/a Magnolia Manor of Rock Hill are

Appellants.

**NOTICE OF APPEAL**

YOUNG CLEMENT RIVERS, LLP

Stephen L. Brown (SC Bar No. 66468)

D. Jay Davis, Jr. (SC Bar No. 12084)

Perry M. Buckner, IV (SC Bar No. 100031)

J. Joseph Owens (SC Bar No. 102794)

Russell G. Hines (SC Bar No. 72100)

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*Attorneys for Appellants*

**Other Counsel of Record:**

Chad A. McGowan  
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*and*

John Gressette Felder, Jr.  
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1517 Hampton Street  
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*Attorneys for Respondent  
Teresa Murphy, as Personal Representative  
for the Estate of Isaac Strong*

William B. Darwin, Jr.  
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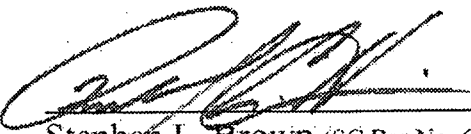
*Attorneys for Defendant  
Amisub of South Carolina, Inc.  
d/b/a Piedmont Medical Center*

Appellants, i.e., Defendants Fundamental Clinical and Operational Services, LLC ("FCOS"); Fundamental Administrative Services, LLC ("FAS"); THI of South Carolina, LLC ("THISC"); and THI of South Carolina at Rock Hill, LLC d/b/a Magnolia Manor of Rock Hill (the "Facility"), hereby appeal the following orders of the Honorable William A. McKinnon, Circuit Court Judge:

- **Order filed October 24, 2018** (denying the Facility's motion to dismiss and compel arbitration or, alternatively, to compel arbitration and stay proceedings and also denying FCOS, FAS, and THISC's motions to stay), and
- **Order filed December 5, 2018** (denying Appellants' respective Rule 59(e) motions in regard to the Order filed October 24, 2018).

Copies of the appealed orders are attached hereto and incorporated herein by reference. Appellants received written notice of entry of the most recent order on December 5, 2018.

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

By:   
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
Perry M. Buckner, IV (SC Bar No. 100031)  
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*Attorneys for Appellants*

Charleston, South Carolina

Dated: 1/4/19

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Defendants,

Of whom Fundamental Clinical and Operational Services, LLC; Fundamental  
Administrative Services, LLC; THI of South Carolina, LLC; and THI of South  
Carolina at Rock Hill, LLC d/b/a Magnolia Manor of Rock Hill are

Appellants.

**PROOF OF SERVICE**

YOUNG CLEMENT RIVERS, LLP

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*Attorneys for Appellants*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants, hereby certify that the foregoing **NOTICE OF APPEAL** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on January 4, 2019, properly posted for delivery to the following addressees:

Chad A. McGowan, Esquire  
Eve S. Goodstein, Esquire  
McGowan, Hood & Felder, LLC  
1539 Health Care Drive  
Rock Hill, SC 29732

William B. Darwin, Jr., Esquire  
A. Walker Barnes, Esquire  
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P.O. Box 1897  
Spartanburg, SC 29304

*and*


John Gressette Felder, Jr., Esquire  
McGowan, Hood & Felder, LLC  
1517 Hampton Street  
Columbia, SC 29201

*Attorneys for Defendant  
Amisub of South Carolina, Inc.  
d/b/a Piedmont Medical Center*

*Attorneys for Respondent  
Teresa Murphy, as Personal Representative  
for the Estate of Isaac Strong*

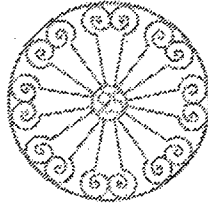
I further certify that a copy of this **NOTICE OF APPEAL** is this day, January 4, 2019, being E-Filed with the lower court (which will also, i.e., in addition to service by mail, effect service electronically on all counsel of record).

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

By:   
\_\_\_\_\_  
Russell G. Hines (SC Bar No. 72100)  
*Attorneys for Appellants*

Charleston, South Carolina

Dated: 1/4/19



# YCR LAW

Russell G. Hines  
Partner

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January 4, 2019

**VIA U.S. MAIL & FAX**

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

**RECEIVED**

JAN 04 2019

SC Court of Appeals

Re: Murphy v. Hunt Valley Holdings, LLC  
Case No.: 2018-CP-46-01459  
YCR File: 14347-20170985

Dear Ms. Kitchings:

Enclosed—along with our firm's check in the amount of \$250.00 to cover the required fee, as well as a pre-addressed, postage-paid envelope, in which I ask that you kindly return to us a court-stamped copy of each filed document—please find the following for filing with respect to the above-referenced matter:


- The original and two (2) copies of a **Notice of Appeal**, attached to which are copies of the appealed orders referenced therein, and
- The original and two (2) copies of a **Proof of Service** regarding the same.

By copy of this correspondence, I am serving the Notice of Appeal on all other parties to this action—I am also E-Filing the notice in the lower court. Of course, if the Court has any questions or concerns, or needs anything further from us at this time, please just let me know.

With kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP



Russell G. Hines

RGH/  
Enclosures

**VIA U.S. MAIL & FAX**

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
January 4, 2019  
Page 2 of 2

ce: **Via Email & U.S. Mail**

Chad A. McGowan, Esquire  
Eve S. Goodstein, Esquire  
John Grosseto Felder, Jr., Esquire  
William B. Darwin, Jr., Esquire  
A. Walker Barnes, Esquire

ce: **Via E-Filing**

The Honorable David Hamilton, York County Clerk of Court