

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Delores Lewis,

Appellant,

v.

Brookdale Senior Living, Inc.

Respondent.

Appellate Case No. 2019-000094

Appeal from Arbitration
F. Earl Ellis, Jr., Arbitrator

Motion to Withdraw as Counsel

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SC Court of Appeals

Lara Pettiss Harrill, counsel of record in this matter, hereby moves to withdraw as counsel of record for the Appellant. I was counsel on the underlying arbitration action, together with Herbert W. Louthian, Jr. Ms. Lewis was advised by counsel on November 15, 2018, that her best course of action following the unfavorable arbitration decision was to file a motion to vacate the award, and that the arbitration agreement contained a clause that the arbitrations decision was "final and binding without the right to appeal". Further Ms. Lewis was advised that neither I nor Mr. Louthian would be able to handle an appeal on her behalf. (See Exhibit 1, attached).

Therefore, I respectfully request the Court enter an Order relieving me as counsel of record for the Appellant in this matter.

I SO MOVE

BY: s/ Lara Pettiss Harrill 
Lara Pettiss Harrill
Spartanburg County
Department of Social Services
630 Chesnee Highway
Spartanburg, SC 29303
Lara.harrill@dss.sc.gov

February 4, 2019

Harrill, Lara P

From: Bert Louthian <bert@louthianlaw.com>
Sent: Thursday, November 15, 2018 1:29 PM
To: dlewis31481@gmail.com
Cc: Harrill, Lara P
Subject: Roxie Williams v. Sterling House
Attachments: Sterling House arbitration agreement.pdf; 2018-11-9 arbitrator's decision.pdf; 15-48-130 Vacating an award.rtf

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)

Ms. Lewis,

Attached is the arbitration agreement, arbitrator's decision and the South Carolina statute concerning vacating an arbitration award. As you can see from paragraph 10 of the arbitration agreement, the arbitrator's decision is "final and binding without the right to appeal." SC Code Section 15-48-130 describes the circumstances under which an arbitrator's award can be vacated. It also states that *the application to vacate the award must be made within 90 days of your receipt of the arbitrator's decision which was on November 9th, 2018.* As Lara and I explained yesterday, neither she nor I will be able to participate in filing this application, and we would recommend that you contact attorney Ray Mullman at 864-582-5472 to discuss this possibility. We know you are disappointed in the arbitrator's decision. Lara and I are disappointed as well but we appreciate your allowing us to represent you in this matter.

Bert Louthian

Louthian
HERBERT W. LOUTHIAN, JR.

Herbert W. Louthian, Jr.
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P.O. Box 1299
Columbia, South Carolina 29202
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CERTIFICATE OF SERVICE

I, Lara Pettiss Harrill, certify that on this date, I served a copy of Motion to Withdraw as Counsel
in this action on the following:

Delores Lewis

613 Caledon Court

Greenville, SC 29615

Mark Gende

Sweeny, Wingate & Barrow P.A.

PO Box 12129

Columbia, SC 29211

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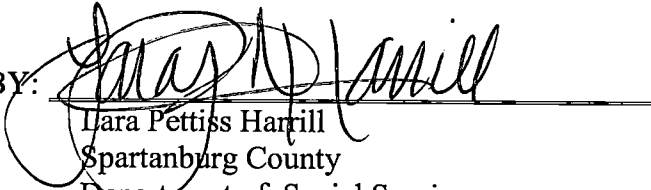
Herbert W. Louthian Jr.

P.O. Box 1299

Columbia, SC 29202

Via U.S. Mail, delivered to last known address, with sufficient postage attached.

BY:



Lara Pettiss Harrill
Spartanburg County
Department of Social Services
630 Chesnee Highway
Spartanburg, SC 29303
Lara.harrill@dss.sc.gov

Date:

FEB 4 2019

DSS SOUTH CAROLINA
DEPARTMENT of SOCIAL SERVICES

HENRY McMASTER, GOVERNOR
V. SUSAN ALFORD, STATE DIRECTOR



The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 00629
Columbia South Carolina 29211

RE: Delores Lewis v. Brookdale Senior Living, Inc.
Appellate Case No. 2019-000094

Dear Ms. Kitchings:

Enclosed for filing please find the original of my Motion to Withdraw as Counsel in the above captioned case, along with a \$50.00 filing fee, as well as a Certificate of Service indicating I have served same upon Ms. Lewis and others.

Please contact me if you have any questions or need anything further.

With best regards, I am,

Yours Truly,

A handwritten signature in black ink, appearing to read "Lara Pettiss Harrill".

Lara Pettiss Harrill

Tba
Cc: Delores Lewis
Mark V. Gende
Herbert W. Louthian, Jr.

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DSS

SOUTH CAROLINA
DEPARTMENT of SOCIAL SERVICES

SPARTANBURG COUNTY DEPARTMENT OF SOCIAL SERVICES
630 CHESNEE HWY./SUITE 1, SPARTANBURG, SC 29303

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SC Court of Appeals

The Honorable [unclear] [unclear]
South Carolina Court of Appeals
Post Office Box 0629
Columbia SC 29211



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