

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

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Appeal from Oconee County  
Court of Common Pleas

R. Scott Sprouse, Circuit Court Judge

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Case No. 2018-CP-37-00271

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Betty Herrington,

Respondent,

v.

SSC Seneca Operating Company, LLC,  
d/b/a Seneca Health & Rehabilitation Center;  
SavaSeniorCare, LLC; SSC Equity Holdings, LLC;  
SavaSeniorCare Administrative Services, LLC;  
SavaSeniorCare Consulting Services, LLC,

Defendants,

Of whom SSC Seneca Operating Company, LLC,  
d/b/a Seneca Health & Rehabilitation Center;  
SavaSeniorCare Administrative Services, LLC; and  
SavaSeniorCare Consulting Services, LLC,

Appellants.

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**DESIGNATION OF MATTERS TO BE INCLUDED IN  
THE RECORD ON APPEAL BY APPELLANTS**

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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)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29402  
P.O. Box 993 (29402)  
843-720-5488

*Attorneys for Appellants*

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FEB 25 2019  
SC Court of Appeals

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

Appellants propose the following to be included in the Record on Appeal:

**Orders, Judgments, Decrees, or Decisions**

1. Order Denying Appellants’ Motions to Compel Arbitration, filed October 11, 2018;
2. Orders denying Appellants’ respective motions to reconsider, alter, and/or amend, filed October 26, 2018;

**Pleadings**

3. Summons and Complaint;
4. Appellants’ respective motions to compel arbitration (one of the motions with exhibits, the other two omitting exhibits, all exhibits being the same for each motion), filed June 25, 2018;
5. Ms. Herrington’s memo in opposition to Appellants’ motions to compel arbitration, dated September 6, 2018 (omitting exhibits, such exhibits consisting solely of documents included as exhibits to Appellants’ motions and/or memos in support;
6. Appellants’ respective memos in support of motions to compel arbitration (one memo with exhibits No. 1 and 3, the other two memos omitting exhibits—Exhibit No. 2 being the same as Exhibit No. 1 to Appellants’ motions, and all exhibits being the same for each memo), filed September 7, 2018;
7. Ms. Herrington’s supplemental memo in opposition to Appellants’ motions to compel arbitration, dated September 14, 2018;
8. Appellants’ respective motions to reconsider, alter, and/or amend, filed October 22, 2018;

**Transcripts**

9. Transcript of September 10, 2018 hearing on Appellants’ motions to

compel arbitration;

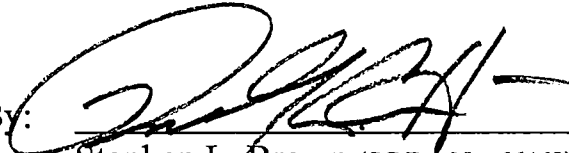
**Other materials or documents**

10. Dispute Resolution Program (Ex. A to Appellants' Motions to Compel Arbitration);
11. Email of September 14, 2018 from Ms. Herrington's counsel to presiding judge transmitting supplemental memo in opposition to Appellants' motions to compel arbitration and copy of order in *Rawl* case;
12. Email of September 14, 2018, from Appellants' counsel to presiding judge responding to Ms. Herrington's supplemental memo in opposition to Appellants' motions to compel arbitration and transmitting, among other things, copy of order in *Jenkins-Flemmings* case;
13. Copy of order in *Jenkins-Flemmings* case provided to presiding judge via email on September 14, 2018;
14. Copy of order *Rawl* case provided to the presiding judge by Ms. Herrington's counsel via email on September 14, 2018.

I certify that this Designation of Matters contains no matter which is irrelevant to this appeal.

*[Signature on next page]*

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: 2/21/15

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Of whom SSC Seneca Operating Company, LLC,  
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SavaSeniorCare Consulting Services, LLC,

Appellants.

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**PROOF OF SERVICE**

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YOUNG CLEMENT RIVERS, LLP  
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*Attorneys for Appellants*

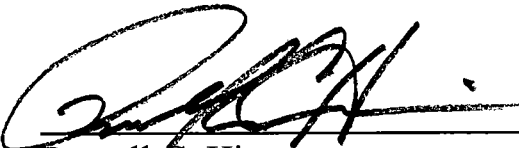
I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants, SSC Seneca Operating Company, LLC, d/b/a Seneca Health & Rehabilitation Center; SavaSeniorCare Administrative Services, LLC; and SavaSeniorCare Consulting, LLC (misidentified as “SavaSeniorCare Consulting Services, LLC”), hereby certify that the foregoing **DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL BY APPELLANTS** was served on all other parties to this matter by depositing a copy of the same in the U.S. Mail on February 21, 2019, properly posted for delivery to the following addressees:

Raymond T. Wooten, Esquire  
Smith, Jordan & Lavery, P.A.  
1810 East Main Street  
Easley, SC 29640

*Attorneys for Respondent Betty Herrington*

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

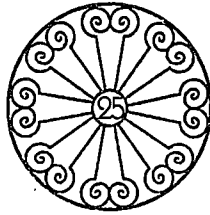
By:

  
\_\_\_\_\_  
Russell G. Hines (SC Bar No. 72100)

*Attorneys for Appellants*

Charleston, South Carolina

Dated: 2/21/19



# YCR LAW

Kathleen B. Barnes  
Secretary

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February 21, 2019

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FEB 25 2019

**SC Court of Appeals**

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

Re: Betty Herrington v. SSC Seneca Operating Company, LLC, D/B/A Seneca Health & Rehabilitation Center, SavaSeniorCare, LLC, SSC Equity Holdings, LLC, SavaSeniorCare Administrative Services, LLC, SavaSeniorCare Consulting Services, LLC  
Appellate Case No. 2018-002088  
Case No.: 2018-CP-37-00271  
Claim No.: 17-PL-000169408  
YCR File: 14653-20170810

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the Initial Brief of Appellants and Proof of Service of same and the original and one (1) copy of the Designation of Matters to Be Included in the Record on Appeal by Appellants and the Proof of Service of same. Please file the originals and return court-stamped copies to me in the envelope provided.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes  
Secretary

Enclosures

Cc: Raymond T. Wooten, Esquire, Smith, Jordan & Lavery, P.A.

Hasler

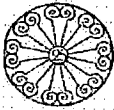
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