

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Walton J. McLeod, IV, Circuit Court Judge

Appellate Case Number.: 2018-002236

Case No. 2016-CP-32-00950

RECEIVED
MAY 31 2019
SC Court of Appeals

Amy S. Davis, as Personal Representative of the Estate of
Utricia Shealy, deceased, Respondent,

v.

Agape Nursing Rehabilitation Center, Inc., Agape Management Services, Inc., John Doe, Richard
Roe Corporation, Jane Doe, and Mary Doe Corporation, Defendants

Of which Agape Nursing Rehabilitation Center, Inc. and Agape Management Services,
Inc., are the Appellants.

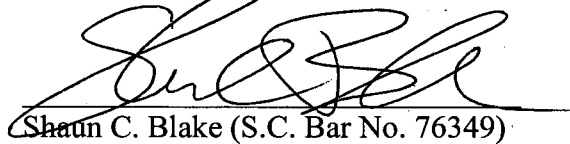
**DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL
AND OBJECTION TO APPELLANT’S DESIGNATION OF MATTER**

Appellants hereby designate the following to be included in the Record on Appeal. By signing below, the undersigned certifies that this Designation contains no matter which is irrelevant to this appeal.

1. Filed copy of the original Summons and Complaint stamped March 16, 2016.
2. Filed Motion for leave to file Second Amended Summons and Second Amended Complaint.
2. Filed copy of the Second Amended Summons and Second Amended Complaint dated 10/3/2017;
3. Filed copy of the Answer to the Second Amended Complaint dated 10/18/2017;

4. Trial Transcript from proceedings on 10/22/2018 through 10/26/2018, pp. 1-6; 125-126; 224-249; 264-265; 300-301; 333-334; 403-609; 630-648; 709-714; 714-722; 726-751; and
5. Joint Exhibit 4, pp. 1, 3, 141, 321-329;
6. Plaintiff's Exhibit 6 – DHEC Survey;
7. Deposition of Gregory Scott Middleton, pp. 1-5, 14-15, 17-19, 29-32, 33-35, 79-80;
7. Filed copy of the Verdict Form dated 10/26/2018 and filed 10/29/2018;
8. Filed copy of the Form 4 Judgment dated 10/26/2018 and filed 10/29/2018;
9. Filed copy of Appellants' Motion for Judgment Notwithstanding the Verdict, or in the alternative, a Motion for a New Trial Absolute, or in the Alternative, a Motion for a New Trial *Nisi Remittitur* dated Nov. 5, 2018;
10. Filed copy of Appellants' Motion for Leave to Deposit and Stay the Accrual of Interest and Execution Pending a Ruling on Post-Trial Motions and any Appeal dated 11/5/2018;;
11. Filed copy of the Order dated 11/30/2018 denying Appellants' Motion for Judgment Notwithstanding the Verdict, or in the alternative, a Motion for a New Trial Absolute, or in the Alternative, a Motion for a New Trial *Nisi Remittitur*;
12. Filed copy of the Order Denying Leave to Deposit and Stay Accrual of Interest and Execution dated 11/30/201;
13. Filed copy of the Notice of Filing dated 12/19/2019, together with enclosures, providing Lexington County with a copy of the Notice of Appeal and Proof of Service.

Respectfully submitted,



Shaun C. Blake (S.C. Bar No. 76349)
Jenkins M. Mann (S.C. Bar No. 74894)
ROGERS LEWIS JACKSON MANN & QUINN, LLC
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May 29, 2019

ATTORNEYS FOR APPELLANTS

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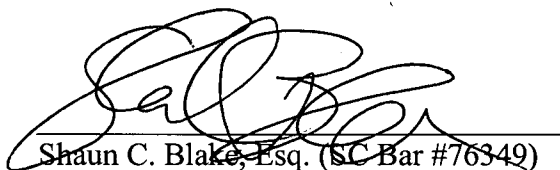
Of which Agape Nursing Rehabilitation Center, Inc. and Agape Management Services,
Inc., are the Appellants.

PROOF OF SERVICE

I certify that I have caused to be served a copy of the Initial Brief of Appellants and Appellants' Designation of Matter to be Included on Appeal on Respondent Amy S. Davis, as Personal Representative of the Estate of Utricia Shealy, deceased, causing a copy of same to be deposited in the United States mail, postage prepaid, on May 29, 2019, addressed to the following:

C. Caleb Connor, Esq.
A. Keith McAlister, Jr., Esq.
Kenneth L. Connor, Esq.
CONNOR & CONNOR, LLC
302 Park Avenue, SE
Aiken, South Carolina 29801
Tel: 803-226-0543

[Signature on Next Page]



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May 29, 2019

ATTORNEYS FOR THE APPELLANTS

ROGERS LEWIS

ATTORNEYS AT LAW

Shaun C. Blake, Esq.
Direct: (803) 978-1965
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May 29, 2019

Ms. Jenny Abbott Kitchings
Clerk of Court – South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: Amy S. Davis, as Personal Representative of the Estate of Utricia Shealy, v.
Agape Nursing & Rehabilitation Center, Inc., and Agape Management Services,
Inc.
Appellate Case Number.: 2018-002236

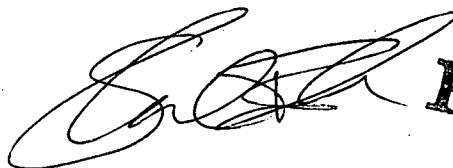
Dear Madam Clerk:

Enclosed please find an original and one (1) copy of Agape Nursing & Rehabilitation Center, Inc. and Agape Management Services, Inc.'s Initial Brief of Appellant and Designation of Matter on Appeal, together with the Proof of Service. Please return a stamped copy to my staff in the self-addressed stamped envelope enclosed herewith.

By copy of this letter, and I serving the same upon counsel for the Respondent, Amy S. Davis as Personal Representative of the Estate of Utricia Shealy. Please let me know if you have any questions or concerns.

With highest professional regards, I am

Sincerely,



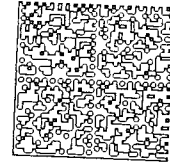
Shaun C. Blake

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cc:
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