

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

RECEIVED
NOV 20 2019
SC Court of Appeals

Case No. 2018-CP-10-03588
Appellate Case No. 2019-001419

Nancy Callaghan, Respondent,

v.

Five Star Quality Care, Inc., Five Star Quality Care-OBX
Operator, LLC d/b/a Sweetgrass Court Senior Living
Community, Sweetgrass Village Assisted Living
Community, Lisa McLeod, and Derrick Defino Appellants.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

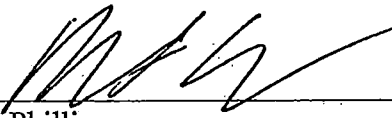
Appellants propose the following to be included in the Record on Appeal:

1. Order of July 30, 2019;
2. Plaintiff's Complaint;
3. Defendants' Answer to Complaint;
4. Defendants' Motion to Dismiss and Compel Arbitration;
 - a. Exhibit A, Arbitration Agreement;
 - b. Exhibit B, Durable Power of Attorney;
5. Plaintiff's Memorandum in Opposition to Motion to Compel Arbitration;
6. March 14, 2019 hearing transcript.

I certify that this designation contains no matter which is irrelevant to this Appeal.

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By: _____


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Charleston, South Carolina
November 20, 2019

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Community, Lisa McLeod, and Derrick Defino

Appellants.

PROOF OF SERVICE

I certify that I have served the Designation of Matter to be Included in the Record on Appeal on Nancy Callaghan, by depositing a copy of it in the United States Mail, postage prepaid, on November 20, 2019, addressed to her counsel of record, John G. Felder, Jr. and Richard A. "Trey" Jones, III, McGowan, Hood, & Felder, LLC, 1517 Hampton Street, Columbia, South Carolina, 29201 and Rose Mary Parham, Parham Law Firm, LLC, Post Office Box 1514, Florence, South Carolina, 29503.

[SIGNATURE ON FOLLOWING PAGE]

NELSON MULLINS RILEY & SCARBOROUGH LLP

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November 20, 2019



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November 20, 2019

Via Hand Delivery

The Honorable Jenny A. Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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RE: Nancy Callaghan v. Five Star Quality Care, Inc., Five Star Quality Care-OBX Operator, LLC dba Sweetgrass Court Senior Living Community, Sweetgrass Village Assisted Living Community, Lisa McLeod and Derrick Defino
Appellate Case No. 2019-001419
Case No. 2018-CP-10-3588
Our File No. 041123/01560

Dear Ms. Kitchings:

Enclosed for filing please find the original and one (1) copy of the following documents:

- (1) Appellant's Initial Brief;
- (2) Proof of Service of Appellant's Initial Brief;
- (3) Designation of Matter to be Included in the Record on Appeal; and
- (4) Proof of Service of Designation of Matter to be Included in the Record on Appeal.

Please file the originals and return a clocked-in copy to me with the bearer of this letter. By copy of this letter and the enclosures to all counsel of record, we are serving them with a copy of the same. Please do not hesitate to contact me should you require anything further.

Very truly yours,

Robert W. Whelan

RWW:gh
Enclosures

cc: John G. Felder, Jr., Esquire
Richard A. "Trey" Jones, III, Esquire
Rose Mary Parham, Esquire