

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

Appeal from Spartanburg County
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2018-CP-42-04405

RECEIVED

FEB 28 2020

SC Court of Appeals

The Estate of Mary Solesbee, by her personal
representative, Connie Bayne,

Respondent,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; THI of
South Carolina at Magnolia Manor-Inman, LLC d/b/a
Magnolia Manor-Inman; Inpatient Consultants of North
Carolina, P.C.; and Angela Brown, ACNP,

Defendants,

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

Appellants.

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

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Russell G. Hines (SC Bar No. 72100)
Gaillard T. Dotterer, III (SC Bar No. 103620)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29402
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Appellants

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

Appellants propose the following to be included in the Record on Appeal (omitting any duplicative material contained therein):

Orders, Judgments, Decrees, or Decisions

1. Order Denying Facility's Motion to Compel Arbitration, filed September 11, 2019;

Pleadings

2. Summons and Complaint, filed December 27, 2018;
3. Amended Complaint, filed January 3, 2019;

Transcripts

4. Transcript of Motion Hearing held August 16, 2019;

Other materials or documents

5. THI of South Carolina at Magnolia Manor-Inman, LLC d/b/a Magnolia Manor-Inman's Motion to Dismiss Plaintiff's Complaint, Compel Arbitration and Stay State Court Proceedings, filed February 22, 2019;
 - a. Exhibit A, Arbitration Agreement;
6. Fundamental Clinical and Operational Services, LLC's Motion to Stay, filed August 9, 2019;
7. Fundamental Administrative Services, LLC's Motion to Stay, filed August 9, 2019;
8. Plaintiff's Memorandum in Opposition to THI of South Carolina at Magnolia Manor-Inman, LLC d/b/a Magnolia Manor's Motion to Dismiss and Compel Arbitration, dated August 12, 2019;

- a. Exhibit A, Affidavit of Connie Bayne, dated March 14, 2019;
 - b. Exhibit J, Affidavit of Allen Dover, dated August 7, 2019;
9. THI of South Carolina at Magnolia Manor-Inman, LLC d/b/a Magnolia Manor-Inman's Memorandum in Support of Motion to Compel Arbitration and Stay State Court Proceedings, filed August 14, 2019;
- a. Exhibit 1, Admission Agreement;
10. Notice of Appeal/Proof of Service (in the circuit court), dated October 11, 2019;

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

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. Brown (SC Bar No. 66468)

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

Russell G. Hines (SC Bar No. 72100)

Gaillard T. Dotterer, III (SC Bar No. 103620)

25 Calhoun Street, Suite 400

Charleston, South Carolina 29402

P.O. Box 993 (29402)

(843) 720-5488

Attorneys for Appellants

Charleston, South Carolina

Dated: 2/26/20

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

Appeal from Spartanburg County
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2018-CP-42-04405
Appellate Case No. 2019-001731

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Of which Fundamental Clinical and Operational
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Appellants.

PROOF OF SERVICE


YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
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Russell G. Hines (SC Bar No. 72100)
Gaillard T. Dotterer, III (SC Bar No. 103620)
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Charleston, South Carolina 29402
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Appellants

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants, hereby certify that the **INITIAL BRIEF OF APPELLANTS** and the **DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL BY APPELLANTS** were served on all other parties to this matter by depositing a copy of the same in the U.S. Mail on February 26, 2020, properly posted for delivery to the following addressees:

W. Harold Christian, Jr., Esquire
Matthew W. Christian, Esquire
Christian & Davis, LLC
P.O. Box 332
Greenville, SC 29602
Attorneys for Respondent

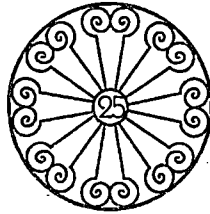
Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: 

Russell G. Hines (SC Bar No. 72100)
Attorneys for Appellants

Charleston, South Carolina

Dated: 2/26/20



YCR LAW

Kathleen B. Barnes
Secretary

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1369
E-mail: kbarnes@ycrlaw.com

February 26, 2020

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

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SC Court of Appeals

Re: The Estate of Mary Solesbee, by her personal representative, Connie Bayne vs.
Fundamental Clinical and Operational Services LLC, et al
Appellate Case No.: 2019-001731
Case No.: 2019-001731
Claim No.: HBLM# 1825909
YCR File: 14347-20180793

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the Initial Brief of Appellants, original and one (1) copy of the Designation of Matter to be Included on Appeal, and the original and one (1) copy of the Proof of Service of same.

Please file the originals and return file stamped copies to me in the enclosed envelope.

With best wishes and kindest regards, I am

Sincerely,

YCR LAW, LLP

Kathleen B. Barnes
Secretary


Enclosures

Cc: W. Harold Christian, Jr., Esquire, Christian & Davis, LLC
Matthew W. Christian, Esquire, Christian & Davis, LLC

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SC Court of Appeals

 **YCR LAW** 25 Calhoun Street, Suite 400
P.O. Box 993
Charleston, SC 29402-0993

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South Carolina Court of Appeals
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Columbia, SC 29211

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