

92459

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

Appeal from Spartanburg County
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

RECEIVED

MAR 18 2020

Case No. 2019-CP-42-03075

SC Court of Appeals

Betty Nanney,
by and through her Attorney-in-Fact, Leslie Nanney,

Respondent,

v.

THI of South Carolina at Spartanburg, LLC,
d/b/a Magnolia Manor-Spartanburg, Rusty Flathmann,
Laura Anne Winn, and Olishia Gaffney,

Appellants.

NOTICE OF APPEAL

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)
Kate C. Mettler (SC Bar No. 103762)
Gaillard T. Dotterer, III (SC Bar No. 103620)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Appellants

Other Counsel of Record:

Gary W. Poliakoff (SC Bar No. 4488)
Raymond P. Mullman, Jr. (SC Bar No. 8662)
Edward John Waelde (SC Bar No. 104275)
POLIAKOFF & ASSOCIATES, P.A.
215 Magnolia Street
Spartanburg, South Carolina 29306
P.O. Box 1571 (29304)
(843) 614-8888

Attorneys for Respondent

Defendants, THI of South Carolina at Spartanburg, LLC, d/b/a Magnolia Manor-Spartanburg, Rusty Flathmann, Laura Anne Winn, and Olishia Gaffney (collectively, "Appellants"), hereby appeal the following orders of the Honorable Grace Gilchrist Knie, Circuit Court Judge:

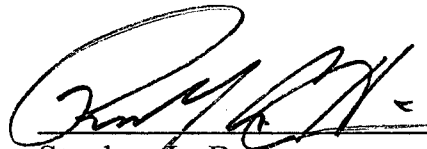
- Her Honor's **Order regarding Defendants' Motion to Compel Arbitration and Stay Action**, filed January 7, 2020, and
- Her Honor's **Order regarding Defendants' Motion to Alter, Amend, and/or Reconsideration of the Court's Order denying Defendants' Motion to Dismiss or Compel Arbitration**, filed February 13, 2020.

Copies of the appealed orders are attached hereto and incorporated herein by reference. Appellants received written notice of entry of the most recent order on February 13, 2020.

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)

Kate C. Mettler (SC Bar No. 103762)

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

25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 720-5488

Attorneys for Appellants

Charleston, South Carolina

Dated: 3/16/20

**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. 2019-CP-42-03075

RECEIVED

MAR 18 2020

SC Court of Appeals

Betty Nanney,
by and through her Attorney-in-Fact, Leslie Nanney,

Respondent,

v.

THI of South Carolina at Spartanburg, LLC,
d/b/a Magnolia Manor-Spartanburg, Rusty Flathmann,
Laura Anne Winn, and Olishia Gaffney,

Appellants.

PROOF OF SERVICE

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)

Kate C. Mettler (SC Bar No. 103762)

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

25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 720-5488

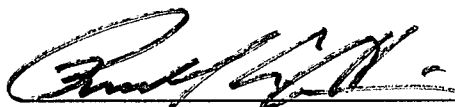
Attorneys for Appellants

I, Russell G. Hines, of Young Clement Rivers, LLP, attorneys for Appellants, hereby certify that the foregoing **NOTICE OF APPEAL** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on March 16, 2020, properly posted for delivery to the following addressees:

Gary W. Poliakoff, Esquire
Raymond P. Mullman, Jr., Esquire
Edward John Waelde, Esquire
Poliakoff & Associates, P.A.
P.O. Box 1571
Spartanburg, SC 29304
Attorneys for Respondent

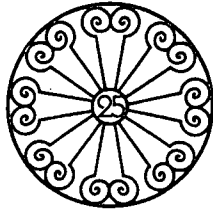
I also certify that a copy of this **NOTICE OF APPEAL** is this day, March 16, 2020, being E-Filed with the lower court (which will also, i.e., in addition to service by mail, effect service of the notice electronically on all counsel of record).

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

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

Charleston, South Carolina

Dated: 3/16/20



YCR LAW

Aimee M. Justman
Legal Assistant

Direct Dial: (843) 720-5460
Direct Fax: (843) 579-1385
E-mail: Ajustman@ycrlaw.com

March 16, 2020

RECEIVED

MAR 18 2020

SC Court of Appeals

VIA US MAIL ONLY

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

Re: Betty Nanney, by and through her Attorney-In-Fact, Leslie Nanney v. THI of South Carolina at Spartanburg, LLC d/b/a Magnolia Manor- Spartanburg; Rusty Flathmann; Laura Anne Winn; and Olishia Gaffney
Case No.: 2019-CP-42-03075
YCR File: 14347-20190411

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced matter please find the following:

- The original and two (2) copies of a Notice of Appeal;
- The original and two (2) copies of a Proof of Service regarding the same;
- Three (3) copies each of the orders referenced in/attached to the Notice of Appeal; and
- Our firm's check in the amount of \$250.00 for the required filing fee.

Please file these documents and return a file-stamped copy of each to us in the envelope provided.

By copy of this correspondence, I am serving the Notice of Appeal upon the Respondent (as well as all other parties to this action), and I am also e-filing the Notice of Appeal in the lower court. Of course, if the Court has any questions or concerns, or needs anything further from me, please just let me know. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Aimee M. Justman
Legal Assistant

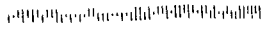
Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
March 16, 2020
Page 2 of 2

/amj

Enclosures

cc (w/enc., via email & U.S. Mail): Gary W. Poliakoff, Poliakoff & Associates, P.A.
Raymond P. Mullman, Jr., Poliakoff & Associates, P.A.
Edward John Waelde, Poliakoff & Associates, P.A.

cc (w/enc., via e-filing): Amy W. Cox, Spartanburg County Clerk of Court



Master PMS-017-010
304167-000
US POSTAGE \$007.50⁰⁰

ZIP NET
011012550537

FIRST CLASS MAIL



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

RGH
14347-
20190411

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

RECEIVED
MAR 18 2020
SC Court of Appeals

