

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Case No. 2020-000381
Lower Court Case No. 2019-CP-10-00966

RECEIVED

Jun 04 2020

SC Court of Appeals

Laverne Mitchell, as Personal
Representative of the Estate of Florine
Blake,

Respondent,

v.

Sandpiper Rehab & Nursing –
Delaware, LLC d/b/a Sandpiper Rehab
& Nursing and Annette Goodwin,

Appellants.

**APPELLANTS' DESIGNATION OF MATTER
FOR INCLUSION IN THE RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

1. Plaintiff's Complaint, including Exhibits;
2. Defendants' Motion to Dismiss and Compel Arbitration;
3. Defendants' Memorandum of Law in Support of their Motion to Dismiss;
4. Affidavit of Laverne Mitchell dated October 10, 2019;
5. Transcript of Hearing on Defendants' Motion to Dismiss and Compel Arbitration;
6. Order Denying Defendants' Motion to Dismiss and Compel Arbitration;

7. Defendant's Motion to Reconsider;
8. Order Denying Defendants' Motion to Reconsider;
9. Admissions Agreement;
10. Arbitration Agreement; and
11. General Durable Power of Attorney.

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

Respectfully submitted,

s/Kevin R. Horton
Joshua S. Whitley (SC Bar No. 77824)
Kevin R. Horton (SC Bar No. 101250)
Smyth Whitley, LLC
126 Seven Farms Drive
First Citizens Plaza, Suite 260
Charleston, South Carolina 29492
Tel: (843) 606-5635
Fax: (843) 654-4095

Attorneys for Appellants

June 4, 2020
Charleston, South Carolina

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PROOF OF SERVICE

I certify that I have served the Designation of Matter by email and by depositing it in the United States Mail, postage prepaid, on June 4, 2020, addressed to their attorneys of record at Post Office Box 348, Mt. Pleasant, SC 29465-0348.

s/Kevin R. Horton
Joshua S. Whitley (SC Bar No. 77824)
Kevin R. Horton (SC Bar No. 101250)
Smyth Whitley, LLC
126 Seven Farms Drive, Suite 260
Charleston, South Carolina 29492
Tel: (843) 606-5635 / Fax: (843) 654-4095



SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

June 4, 2020

VIA ONE DRIVE ELECTRONIC SUBMISSION

Honorable Jenny Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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Jun 04 2020

SC Court of Appeals

Re: *Laverne Mitchell as Personal Representative of the Estate of Florine Blake v. Sandpiper Rehab & Nursing-Delaware, LLC d/b/a Sandpiper Rehab & Nursing, and Annette Goodwin*
Charleston County Civil Case No.: 2019-CP-10-0966
Appellate Case No.: 2020-000381

Dear Ms. Kitchings:

Enclosed herewith for filing please find Appellants' Initial Brief, Designation of Matter and corresponding Proof of Service in this matter.

Please file the original and return the clocked copy in the enclosed self-addressed envelope. By copy of this correspondence, I am serving Respondent's counsel with the same.

Very truly yours,

s/Kevin R. Horton

Kevin R. Horton

KRH:cmr
Enclosures

cc(w/enc.): D. Nathan Hughey, Esq./Bradley H. Banyas, Esq. - *Via Email and U.S. Mail*