

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. 2020-000473

White Oak Manor of Spartanburg Plaintiff,

v.

Paulette Smith-Young, Defendant,

AND

Paulette Smith-Young, Individually and as The Personal Representative of the Estate of Genobia
Smith, Deceased, Third-Party Plaintiff,

v.

White Oak Manor-Spartanburg, Inc., d/b/a White Oak of Spartanburg, and White Oak
Management, Inc., Third-Party Defendants,

OF WHOM

White Oak Management, Inc. is Appellant,
and

Paulette Smith-Young, Individually and as The Personal Representative of the Estate of Genobia
Smith, Deceased is Respondent.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

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

1. Order Regarding Third-Party Defendant White Oak Management's Motion to Reconsider the Court's Order Denying Defendant's Motion to Compel Arbitration, February 14, 2020
2. Defendant White Oak Management, Inc.'s Motion to Reconsider, 2018-CP-42-04174, January 23, 2020
3. Order Regarding Third-Party Defendant White Oak Management, Inc.'s Motion to Compel Arbitration, 2018-CP-42-04174, January 13, 2020
4. Proposed Order Granting White Oak Management, Inc.'s Motion to Compel Arbitration, 2018-CP-42-04174
5. Plaintiffs' Third Motion to Compel Discovery Responses from Defendant White Oak Management, Inc., 2018-CP-42-04174, February 26, 2020
6. Memorandum in Support of Motion to Compel Arbitration and Exhibits thereto, 2018-CP-42-04174, December 17, 2019
7. Complaint, December 11, 2019, C.A. No. 2019-CP-42-04347.
8. Second Motion to Compel Discovery to White Oak Management, Inc., 2018-CP-42-04174, October 14, 2019
9. Motion to Compel Arbitration and exhibits thereto, 2018-CP-42-04174, September 13, 2019
10. Memorandum in Support of Third Party Defendants' Motion to Dismiss and Opposing Third Party Plaintiffs' Motion to Compel, 2018-CP-42-04174, September 6, 2019
11. Return to Notice of Intent, The Estate of Genobia Smith, through the duly appointed Personal Representative, Paulette Smith Young, Individually and on behalf of statutory beneficiaries v. White Oak Manor-Spartanburg, Inc., August 1, 2019
12. Notice of Intent, The Estate of Genobia Smith, through the duly appointed Personal Representative, Paulette Smith Young, Individually and on behalf of statutory beneficiaries v. White Oak Manor-Spartanburg, Inc., July 10, 2019
13. Motion to Compel Discovery Responses from Defendant White Oak Manor Spartanburg, Inc. D/B/A White Oak of Spartanburg, 2018-CP-42-04174, July 9, 2019
14. Motion to Compel Discovery Responses from Third Party Defendant White Oak Management, Inc., 2018-CP-42-04174, July 9, 2019
15. White Oak Manor-Spartanburg, Inc.'s Responses to Requests for Admission, June 10, 2019
16. Motion to Dismiss, 2018-CP-42-04174, June 9, 2019
17. Consent Order, White Oak Manor of Spartanburg v. Paulette Smith-Young AND Paulette Smith-Young, Individually and as the Personal Representative of the Estate of Genobia Smith, Deceased, Third Party Plaintiff v. White Oak Manor-Spartanburg, Inc. d/b/a White Oak of Spartanburg, and White Oak Management, Inc., Third-Party Defendant, 2018-CP-42-04174, December 3, 2018

18. Plaintiff's Responses to Standard Interrogatories, White Oak Manor of Spartanburg v. Paulette Smith-Young AND Paulette Smith-Young, Individually and as the Personal Representative of the Estate of Genobia Smith, Deceased, Third Party Plaintiff v. White Oak Manor-Spartanburg, Inc. d/b/a White Oak of Spartanburg, and White Oak Management, Inc., Third-Party Defendant, 2018-CV-42-10106803, October 12, 2018
19. Notice of Appearance, White Oak Manor of Spartanburg v. Paulette Smith-Young AND Paulette Smith-Young, Individually and as the Personal Representative of the Estate of Genobia Smith, Deceased, Third Party Plaintiff v. White Oak Manor-Spartanburg, Inc. d/b/a White Oak of Spartanburg, and White Oak Management, Inc., Third-Party Defendant, 2018-CV-42-10106803, September 6, 2018
20. Defendant's Summons for Third-Party Complaint, White Oak Manor of Spartanburg v. Paulette Smith-Young AND Paulette Smith-Young, Individually and as the Personal Representative of the Estate of Genobia Smith, Deceased, Third Party Plaintiff v. White Oak Manor-Spartanburg, Inc. d/b/a White Oak of Spartanburg, and White Oak Management, Inc., Third-Party Defendant, 2018-CV-42-10106803, August 21, 2018
21. Defendant's Answer and Counterclaim and Third-Party Complaint, White Oak Manor of Spartanburg v. Paulette Smith-Young AND Paulette Smith-Young, Individually and as the Personal Representative of the Estate of Genobia Smith, Deceased, Third Party Plaintiff v. White Oak Manor-Spartanburg, Inc. d/b/a White Oak of Spartanburg, and White Oak Management, Inc., Third-Party Defendant, 2018-CV-42-1010680, August 21, 2018
22. Complaint, White Oak of Spartanburg v. Paulette Smith-Young, 2018-CV-42-10106803, July 23, 2018
23. Transcript of Hearing, 2018-CP-42-04174, December 18, 2019
24. Order Granting Motion to Compel Arbitration, Weninger v. White Oak Management, Inc., et al., C.A. No. 2016-CP-10-02905
25. Certificate of Appointment, January 9, 2017
26. Arbitration Agreement, March 22, 2016
27. Authorized Representative Agreement, March 22, 2016
28. Resident and Facility Admission Agreement, March 22, 2016
29. Re-Admission Agreement, May 19, 2016

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

June 12, 2020

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2018-CP-42-04174

White Oak Manor of Spartanburg Plaintiff,

v.

Paulette Smith-Young, Defendant,

AND

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v.

White Oak Manor-Spartanburg, Inc., d/b/a White Oak of Spartanburg, and White Oak Management, Inc., Third-Party Defendants,

OF WHOM

White Oak Management, Inc. is Appellant,
and

Paulette Smith-Young, Individually and as The Personal Representative of the Estate of Genobia Smith, Deceased is Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the Appellant's Initial Brief and Designation of Matter to be Included in Record of Appeal was served upon the following on June 12, 2020 via electronic transmission and via United States Postal Service, with proper postage affixed thereto to the following address(es):

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June 12, 2020

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June 12, 2020

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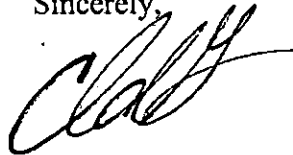
The Honorable Jenny Abbott Kitchings
Court of Appeals Clerk of Court
PO Box 11629
Columbia, South Carolina 29211

Re: White Oak Manor v. Paulette Smith-Young
Appellate Case No. 2020-000473

Dear Ms. Kitchings:

Enclosed find one (1) original and one (1) copy of the Initial Brief and Designation of Matter to be included in Record on Appeal of Appellant, White Oak Management, Inc. Also, please find a Certificate of Service enclosed herewith. Please file the originals and return the clocked copies to me in the postage-paid, self-addressed envelope provided.

Sincerely,



Chad M. Graham

CMG/rlr
Enclosures

Cc: Raymond P. Mullman, Jr., Esquire
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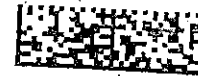
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