

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Bentley D. Price  
Circuit Court Judge

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Appellate Case No. 2019-001716

**RECEIVED**

**Aug 11 2020**

**SC Court of Appeals**

Jeane Whitfield, Appellant,

v.

Dennis K. Shimpf, M.D. and Sweetgrass Plastic Surgery, LLC,

and

Patrick O'Neil, M.D. and O'Neil Plastic Surgery, LLC, Respondents.

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**AGREEMENT TO DISMISS  
RESPONDENTS PATRICK O'NEIL, M.D. AND  
O'NEIL PLASTIC SURGERY, LLC  
FROM APPEAL**

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Pursuant to Rule 260, SCACR, Appellant Jeane Whitfield and Respondents Patrick O'Neil, M.D. and O'Neil Plastic Surgery, LLC hereby consent to this dismissal of **Respondents Patrick O'Neil, M.D. and O'Neil Plastic Surgery, LLC** from this Appeal with prejudice.

This Agreement does not dismiss the appeal against any other Respondent. Each party shall remain responsible for its own costs and attorneys fees as it relates to the appeal.

We jointly move and consent:

THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez

Jesse Sanchez (SC Bar No. 101906)  
The Law Office of Jesse Sanchez, LLC  
98 ½ Broad Street, Suite B  
Charleston, South Carolina 29401  
(843) 814-8181 Telephone  
(843) 284-3953 Fax  
jesse@jessesanchezlaw.com

**Attorney for Appellant Jeane Whitfield**

HOOD LAW FIRM, LLC

s/Jesse Sanchez on behalf of John O. Radeck, with  
express permission (attached)

John O. Radeck, Jr. (SC #77849)  
172 Meeting Street ~ P.O. Box 1508  
Charleston, South Carolina 29402  
Phone: (843) 577-4435  
Facsimile: (843) 722-1630

**Attorney for Respondents Patrick O'Neill M.D.  
and O'Neil Plastic Surgery, LLC**

Charleston, South Carolina  
August 11, 2020

**From:** Jesse Sanchez <jesse@jessesanchezlaw.com>  
**Subject:** Re: DRAFT - AGREEMENT TO DISMISS RESPONDENTS PATRICK O'NEIL, M.D. AND O'NEIL PLASTIC SURGERY, LLC FROM APPEAL  
**Date:** August 11, 2020 at 4:15 PM  
**To:** John Radeck john.radeck@hoodlaw.com

JS

Thank you.

On Tue, Aug 11, 2020 at 4:15 PM John Radeck <[john.radeck@hoodlaw.com](mailto:john.radeck@hoodlaw.com)> wrote:

Yes, you may sign the dismissal on my behalf. I will pass along Dr. O's payee info shortly and you can send directly to him.

---

**From:** Jesse Sanchez <[jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com)>  
**Sent:** Tuesday, August 11, 2020 4:14 PM  
**To:** John Radeck <[john.radeck@hoodlaw.com](mailto:john.radeck@hoodlaw.com)>  
**Subject:** Re: DRAFT - AGREEMENT TO DISMISS RESPONDENTS PATRICK O'NEIL, M.D. AND O'NEIL PLASTIC SURGERY, LLC FROM APPEAL

My apologies. The total is \$1436.90. If you are agreeable, please let me know if I have your express permission to sign on your behalf. Thank you. Jesse

On Tue, Aug 11, 2020 at 4:09 PM Jesse Sanchez <[jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com)> wrote:

Thanks, John. I spoke with my client. She will pay the \$1439.96 in the underlying order within 14 days from the filing of the Agreement. Who would you like the check made out to you and your firm or directly to O

Neil?

Thanks,

Jesse

On Tue, Aug 11, 2020 at 3:58 PM John Radeck <[john.radeck@hoodlaw.com](mailto:john.radeck@hoodlaw.com)> wrote:

Ok as to the dismissal, but can you also provide assurances that the underlying order for costs amount will be paid within 14 days to Dr. O'Neill?

---

**From:** Jesse Sanchez <[jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com)>  
**Sent:** Tuesday, August 11, 2020 3:56 PM  
**To:** John Radeck <[john.radeck@hoodlaw.com](mailto:john.radeck@hoodlaw.com)>  
**Subject:** DRAFT - AGREEMENT TO DISMISS RESPONDENTS PATRICK O'NEIL, M.D. AND O'NEIL PLASTIC SURGERY, LLC FROM APPEAL

John,

Thank you for returning my call. As discussed, please find the attached DRAFT Agreement to Dismiss, which should expedite the dismissal process for your clients. If you are agreeable, please sign and scan back to me. Alternatively, I can sign on your behalf with your express permission.

Thank you,

Jesse

--

Jesse Sanchez  
The Law Office of Jesse Sanchez, LLC  
98 1/2 Broad Street, Suite B  
Charleston, SC 29401  
P: (843) 814-8181  
F: (843) 284-3953  
[jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com)

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
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The Honorable Bentley D. Price  
Circuit Court Judge

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Case No. 2017-CP-10-02758  
Appellate Case No. 2019-001716

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Jeane Whitfield, Appellant,

v.

Dennis K. Shimpf, M.D. and Sweetgrass Plastic Surgery, LLC,

and

Patrick O'Neil, M.D. and O'Neil Plastic Surgery, Respondents.

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**PROOF OF SERVICE**

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I, the undersigned, certify that I have served the *Agreement to Dismiss Respondents Patrick O'Neil M.D. and O'Neil Plastic Surgery, LLC From Appeal* on Respondents Dennis K. Shimpf, M.D. and Sweetgrass Plastic Surgery, LLC, by emailing a copy on August 11, 2020, addressed to their attorneys of record at the following email addresses: Todd Smyth, Esq. (tsmyth@smythwhitley.com), Joshua S. Whitley, Esq., (jwhitley@smythwhitley.com), Kevin Horton, Esq., (khorton@smythwhitley.com).

I have also served this same these same documents on Respondents Patrick O'Neill, M.D. and O'Neill Plastic Surgery, on this same date and in the same manner as described above, addressed to their attorneys of record at the following address: Maryrose L. Pritchard, Esq.

(maryrose.pritchard@hoodlaw.com), Julia A. Bradshaw, Esq. (julia.bradshaw@hoodlaw.com), John O. Radeck, Jr., Esq. (john.radeck@hoodlaw.com), and Deborah H. Sheffield (deborah.sheffield@hoodlaw.com).

Pursuant to the May 29, 2020 Order of the Supreme Court, a copy of the aforementioned email correspondence is attached.

Respectfully submitted,

THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez  
Jesse Sanchez (SC Bar No. 101906)  
The Law Office of Jesse Sanchez, LLC  
98 ½ Broad Street, Suite B  
Charleston, South Carolina 29401  
(843) 814-8181 Telephone  
(843) 284-3953 Fax  
[jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com)

Charleston, South Carolina  
August 11, 2020

**From:** Jesse Sanchez jesse@jessesanchezlaw.com

**Subject:** Jeane Whitfield, Appellant v. Dennis K. Shimpf, M.D. and Sweetgrass Plastic Surgery, LLC, Case No. 2017-CP-10-2758

**Date:** August 11, 2020 at 4:30 PM

**To:** Todd Smyth tsmyth@smythwhitley.com, jwhitley@smythwhitley.com, Kevin Horton khorton@smythwhitley.com, maryrose.pritchard@hoodlaw.com, julia.bradshaw@hoodlaw.com, John Radeck john.radeck@hoodlaw.com

**Cc:** Dan dan@slotchiverlaw.com, Brent Halversen Brent@halversenlaw.com, Andrew J. McCumber andrew@slotchiverlaw.com, Susan Maulden paralegal@slotchiverlaw.com, deborah.sheffield@hoodlaw.com

JS

Counsel,

Attached for service, please find the Cover Letter and Agreement to Dismiss Respondents Patrick O'Neil, MD and O'Neil Plastic Surgery, LLC from Appeal, which is being filed with the Court of Appeals momentarily via One Drive Electronic Submission.

Regards,

Jesse

--

Jesse Sanchez  
The Law Office of Jesse Sanchez, LLC  
98 1/2 Broad Street, Suite B  
Charleston, SC 29401  
P: (843) 814-8181  
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August 11, 2020

**VIA ONE DRIVE ELECTRONIC SUBMISSION**

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

**RE: Jeane Whitfield, Appellant v. Dennis K. Shimpf, M.D. and Sweetgrass Plastic Surgery, LLC, and Patrick O'Neil, M.D. and O'Neil Plastic Surgery, Respondents, Appellate Case No. 2019-001716**

Dear Ms. Kitchings:

Enclosed for filing please find the *Agreement to Dismiss Respondents Patrick O'Neil M.D. and O'Neil Plastic Surgery, LLC From Appeal* and corresponding *Proof of Service*.

Thank you for your assistance with this matter. Should you have any questions or wish to discuss the filing, please do not hesitate to contact me directly.

Sincerely,

s/Jesse Sanchez

Jesse Sanchez

Enclosures (as stated)

Cc (Via Email Only): Daniel S. Slotchiver, Esquire  
Andrew J. McCumber, Esquire  
Brent S. Halversen, Esquire  
Todd Smyth, Esquire  
Joshua S. Whitley, Esquire  
Kevin Horton, Esquire  
Maryrose L. Pritchard, Esquire  
Julia A. Bradshaw, Esquire  
John O. Radeck, Jr., Esquire

**THE LAW OFFICE OF JESSE SANCHEZ, LLC**

98½ Broad Street, Suite B, Charleston, SC 29401 P: 843.814.8181 F: 843.284.3953

[jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com) [jessesanchezlaw.com](http://jessesanchezlaw.com)



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Jeane...20.pdf



August 11, 2020

VIA ONE DRIVE ELECTRONIC SUBMISSION

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

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Sincerely,

s/Jesse Sanchez

Jesse Sanchez

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