

Barbara Owens et al
PLAINTIFF(S)

Fundamental Clinical And Operational Services, Llc et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter came before the Court on the defendants' motion to compel arbitration. After considering the arguments and reviewing the information on file, the Court asks plaintiff's counsel to prepare a formal order denying the motion finding no valid arbitration agreement to enforce, as the Admission Agreement is separate from the Arbitration Agreement. Additionally the documents were not signed by Ms. Owens and there has been no showing that Ms. McCraw had authority to bind Ms. Owens to the agreements. With no evidence present to suggest Ms. McCraw had authority, this Court declines to order discovery on this issue. The formal order, once signed and filed, will be the final order of this court.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 08/23/2019 .

Mary Jane Mccraw Personal Representative
Barbara Owens Estate

RECEIVED
Aug 12 2020
SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Spartanburg Common Pleas

Case Caption: Barbara Owens , plaintiff, et al VS Fundamental Clinical And Operational Services, Llc , defendant, et al
Case Number: 2018CP4203447
Type: Order/Electronic Form 4

IT IS SO ORDERED

s/ J. Mark Hayes, II #2132