

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

Appeal from Spartanburg County
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Appellate Case No. 2020-
Circuit Court Case No. 2018-CP-42-03421

Armando J. Acevedo, through his Attorney-in-Fact, Marianne
Acevedo,

Respondent,

v.

Hunt Valley Holdings, LLC; THI of South Carolina, LLC; and
THI of South Carolina at Camp Care, LLC, d/b/a Lake Emory
Post Acute Care,

Appellants.

AMENDED 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)
25 Calhoun Street, Suite 400 (29401)
P.O. Box 993
Charleston, South Carolina 29402
(843) 720-5488

Attorneys for Appellants

RECEIVED

AUG 17 2020

SC Court of Appeals

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants, do hereby certify that Appellants' **NOTICE OF APPEAL** was served on Respondent's counsel of record on August 10, 2020, as follows:

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

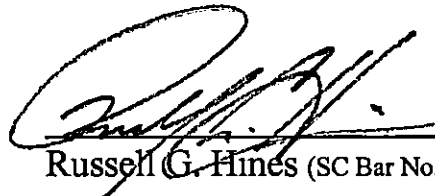
Method(s): U.S. Mail, Email (see attached), and E-filing¹ (see attached)

Served: Patrick E. Knie, Esquire
Patrick E. Knie Law Offices
250 Magnolia Street
Spartanburg, SC 29306

Method(s): Email (see attached) and E-filing (see attached).

YOUNG CLEMENT RIVERS, LLP

By:



Russell G. Hines (SC Bar No. 72100)

Attorneys for Appellants

Charleston, South Carolina

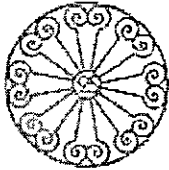
Dated: 8/13/20

¹ This refers to E-filing the Notice of Appeal in the trial court, which Appellants' counsel did on August 10, 2020.

From: Bell, Pollyana (Polly)
To: atty@gpoliakoff.com; cary@gpoliakoff.com; Amanda@gpoliakoff.com; RMullmanir@gmail.com; shelley@gpoliakoff.com; Jwaelde@gpoliakoff.com
Cc: [Hines, Russell](#); [Justman, Aimee](#)
Subject: Acevedo v. Hunt Valley Holdings; 2018-CP-42-03421
Date: Monday, August 10, 2020 4:52:47 PM
Attachments: [image001.png](#)
[Ltr re Notice of Appeal.pdf](#)
[Proof of Service.pdf](#)
[Notice of Appeal.pdf](#)
[Appealed Order 1.pdf](#)
[Appealed Order 2.pdf](#)
[Appealed Order 3.pdf](#)

Enclosed please find correspondence in the above-referenced matter and related documents. A hard-copy was mailed today.

Thank you,
Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
Phone:(843)720-5488 | Fax:(843)579-1369



YCR LAW
25 Calhoun Street • Suite 400 • Charleston, SC 29401
ycrlaw.com

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AUG 17 2020
SC Court of Appeals

Certificate of Electronic Notification

Recipients

Raymond Mullman - Notification transmitted on 08-10-2020 04:10:13 PM.

Gary Poliakoff - Notification transmitted on 08-10-2020 04:10:13 PM.

Donald Davis - Notification transmitted on 08-10-2020 04:10:13 PM.

Edward Waelde - Notification transmitted on 08-10-2020 04:10:13 PM.

John Owens - Notification transmitted on 08-10-2020 04:10:13 PM.

Patrick Knie - Notification transmitted on 08-10-2020 04:10:13 PM.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

NOTICE OF ELECTRONIC FILING [NEF]

-

A filing has been submitted to the court RE: 2018CP4203421

Official File Stamp: 08-10-2020 04:10:00 PM

Court: CIRCUIT COURT
Common Pleas
Spartanburg

Case Caption: Armando Acevedo , plaintiff, et al VS Hunt Valley Holdings, Llc , defendant, et al

Document(s) Submitted: Appeal/Notice of Appeal to Court of Appeals
- Exhibit/Filing of Exhibits
- Exhibit/Filing of Exhibits
- Exhibit/Filing of Exhibits

Letter/Letter

Service/Certificate Of Service

Filed by or on behalf of: Donald Jay Davis, Jr.

This notice was automatically generated by the Court's auto-notification system.

-

The following people were served electronically:

Edward John Waelde for Armando Acevedo et al

John Joseph Owens for Lake Emory Post Acute Care, Thi Of South Carolina At Camp Care, Llc

Donald Jay Davis, Jr. for Lake Emory Post Acute Care et al

Raymond Paul Mullman, Jr. for Armando Acevedo

Patrick E. Knie for Armando Acevedo

Gary W. Poliakoff for Armando Acevedo

ELECTRONICALLY FILED - 2020 Aug 10 4:15 PM - SPARTANBURG - COMMON PLEAS - CASE#2018CP4203421

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

Donald Jay Davis, Jr. for Hunt Valley Holdings,
Llc

Donald Jay Davis, Jr. for Thi Of South Carolina,
Llc

John Joseph Owens for Thi Of South Carolina,
Llc

From: [Hines, Russell](#)
To: "pknie@knieclaw.com"
Cc: [Bell, Pollyana \(Polly\)](#); [Justman, Aimee](#)
Subject: FW: Acevedo v. Hunt Valley Holdings; 2018-CP-42-03421
Date: Monday, August 10, 2020 11:57:08 PM
Attachments: [image001.png](#)
[Ltr re Notice of Appeal.pdf](#)
[Proof of Service.pdf](#)
[Notice of Appeal.pdf](#)
[Appealed Order 1.pdf](#)
[Appealed Order 2.pdf](#)
[Appealed Order 3.pdf](#)
[image002.png](#)

Pat,

Please accept my apologies. It looks like we inadvertently left you off this notice of appeal that we filed/served today. Even though it looks like you got service via the NEF when we e-filed the notice in the trial court, I wanted to include via email, too. I will write the Court of Appeals to advise that you are also counsel for the Plaintiff/Respondent, along with Gary, Ray, and John. Of course, if you have any questions, just let me know.

Russ

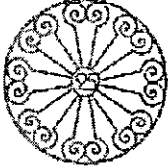
Russell G. Hines
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Fax: (843) 579-1327
Email: rhines@ycrlaw.com



From: Bell, Pollyana (Polly)
Sent: Monday, August 10, 2020 4:53 PM
To: atty@gpoliakoff.com; cary@gpoliakoff.com; Amanda@gpoliakoff.com; RMullmanjr@gmail.com; shelley@gpoliakoff.com; Jwaelde@gpoliakoff.com
Cc: Hines, Russell <RHines@ycrlaw.com>; Justman, Aimee <AJustman@ycrlaw.com>
Subject: Acevedo v. Hunt Valley Holdings; 2018-CP-42-03421

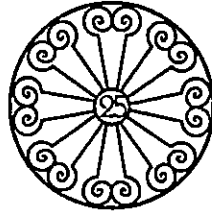
Enclosed please find correspondence in the above-referenced matter and related documents. A hard-copy was mailed today.

Thank you,
Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
Phone:(843)720-5488 | Fax:(843)579-1369



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25 Calhoun Street • Suite 400 • Charleston, SC 29403
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YCR LAW

Pollyana Bell
Project Assistant

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1369
E-mail: pbell@ycrlaw.com

August 13, 2020

RECEIVED

AUG 17 2020

SC Court of Appeals

VIA US MAIL

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

Re: Armando J. Acevedo, through his Attorney-In-Fact, Marianne Acevedo
vs. Hunt Valley Holdings, LLC; THI of South Carolina, LLC; THI of South
Carolina at Camp Care, LLC, d/b/a Lake Emory Post Acute Care and Rusty
Flathmann
Case No.: 2018-CP-42-03421
Claim No.: HBLM #: 1822830
YCR File: 14347-20180125

Dear Ms. Kitchings:

Our firm represents the defendants (now appellants) in the above-referenced case.

On Monday, August 10, 2020, we mailed the enclosed correspondence (which is still in its original envelope) to your Court. It includes a cover letter transmitting the defendants' **Notice of Appeal**, with copies of the appealed orders; a **Proof of Service** for the same; and our firm's check in the amount of \$250 for the filing fee. The correspondence was returned to us by the post office, however. Accordingly, I am resending it to the Court, asking that the defendants' Notice of Appeal etc. be filed as stated in the cover letter dated August 10, 2020.

Also, as stated in the cover letter dated August 10, 2020, we copied the plaintiff's (now respondent's) counsel at Poliakoff & Associates, P.A., on the correspondence via U.S. Mail and email. Our mailing to Poliakoff & Associates was not returned. We also E-filed the defendants' Notice of Appeal in the trial court on August 10, 2020, which in turn, effected an additional means of service on the plaintiff's counsel of record via the E-filing System.

Upon review of the NEF generated by our E-filing of the defendants' Notice of Appeal in the trial court—which, in addition to effecting service of the notice on the plaintiff's counsel of record at Poliakoff & Associates, effected service of the notice on the plaintiff's other counsel of record, Patrick E. Knie, Esquire, of Patrick E. Knie Law Offices, who is co-counsel for the plaintiff's, along with Poliakoff & Associates—I realized that we had inadvertently failed to show Mr. Knie as other counsel of record for the plaintiff in the defendants' Notice of

Appeal. Recognizing this, I sent Mr. Knie an email on the evening of August 10, 2020, copying him in on our correspondence to your Court of even date, including the defendant's Notice of Appeal etc., and advised Mr. Knie that I would write this Court to alert it that he should also be reflected as counsel of record.

Accordingly, please note that, in addition to the attorneys at Poliakoff & Associates identified in the defendant's Notice of Appeal, Mr. Knie is also counsel of record for the plaintiff (respondent). His contact information is as follows:

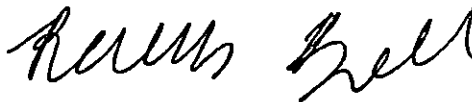
Patrick E. Knie, Esquire
PATRICK E. KNIE LAW OFFICES
250 Magnolia Street
Spartanburg, South Carolina 29306
P.O. Box 5159 (29304)
(864) 582-5118

Lastly, also enclosed herewith for filing is the original and one (1) copy of an **Amended Proof of Service**, reflecting service of the defendants' Notice of Appeal on Mr. Knie (in addition to the plaintiff's counsel at Poliakoff & Associates) on August 10, 2020. Please return a court-stamped copy to us in the envelope provided.

Of course, if you have any questions or concerns, please just let me know. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP



Pollyana Bell
Project Assistant

/pbb

Enclosures

cc (via e-mail only): E. John Waelde, Esquire
Gary W. Poliakoff, Esquire
Raymond P. Mullman, Jr., Esquire
Patrick E. Knie, Esquire

Hasler

PRIORITY MAIL

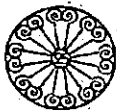
08/13/2020

US POSTAGE \$008.25⁰⁰



ZIP 29401
011E12650887

FIRST CLASS MAIL



YCRLAW

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Charleston, SC 29402-0993

RGH
14653-
20170472

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

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SC Court of Appeals