

Daniel J. Westbrook  
T 803.255.9456 F 803.255.5164  
dan.westbrook@nelsonmullins.com

1320 Main Street | 17th Floor  
Columbia, SC 29201  
T 803.799.2000 F 803.256.7500  
nelsonmullins.com

August 26, 2020

**RECEIVED**

**Aug 26 2020**

**SC Court of Appeals**

**Via Electronic Mail**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: CareAlliance Health Services, et al vs. South Carolina Department of Health and Environmental Control and Medical University Hospital Authority, d/b/a MUSC Health Emergency Services  
Docket No. 17-ALJ-07-0444-CC

Trident Medical Center, LLC, et al vs. South Carolina Department of Health and Environmental Control and Medical University Hospital Authority, d/b/a MUSC Health Emergency Services  
Docket No. 17-ALJ-07-0441  
Our File No. 019243/01525

Dear Ms. Kitchings:

Pursuant to Rules 208 and 240 of the South Carolina Appellate Court Rules, Appellant Medical University Hospital Authority d/b/a MUSC Health Emergency Services ("MUSC") respectfully requests a thirty (30) day extension of time to file its Initial Appellant's Brief and Designation of Matter.

Undersigned counsel seeks this extension because they are heavily engaged in other litigation during the next two weeks. This is the first requested extension of time by Appellant in this appeal. Undersigned counsel has communicated with counsel of record for the other parties to this action, and they consent to this extension request. (See attached emails re: consent.)

The current due date for Appellant's Initial Brief and Designation of Matters is August 31, 2020. With the thirty-day extension, Appellant's initial brief and designation would be due on Wednesday, September 30, 2020.

The Honorable Jenny Abbott Kitchings  
August 26, 2020  
Page 2

Thank you for your kind consideration of this request.

Very truly yours,



Daniel J. Westbrook

DJW:kh

cc: Ashley C. Biggers, Esq.  
Vito M. Wicevic, Esq.  
David B. Summer, Jr., Esq.  
William R. Thomas, Esq.  
Walter H. Cartin, Esq.  
Amy Flanary-Smith, Esq.  
Jennifer J. Hollingsworth, Esq.  
Shannon V. Lipham, Esq.

## Katie Hallmark

---

**From:** Biggers, Ashley <biggerac@dhec.sc.gov>  
**Sent:** Wednesday, August 19, 2020 3:06 PM  
**To:** jhollingsworth@nexsenpruet.com; Dan Westbrook; willthomas@parkerpoe.com  
**Cc:** Lipham, Shannon V.; Wicevic, Vito; Summer, David B., Jr.; Cartin, Walt H.; Travis Dayhuff; Caroline Warner; Tammie Pope  
**Subject:** Re: Trident v. SCDHEC and MUHA AND CareAlliance v. SCDHEC and MUHA, Court of Appeals case no. 2020-001072 [IWOV-NPCOL1.FID1853813]

No objection here either.

Thanks,  
Ashley

**Ashley C. Biggers**  
Chief Counsel for Healthcare Quality  
S.C. Dept. of Health & Environmental Control  
Office: (803) 898-3362  
Mobile: (803) 354-2928  
Connect: [www.scdhec.gov](http://www.scdhec.gov) [Facebook](#) [Twitter](#)



**RECEIVED**  
**Aug 26 2020**  
**SC Court of Appeals**

PRIVACY NOTICE: The information contained in this message and all attachments transmitted with it may contain legally privileged and/or confidential information intended solely for the use of the individual or entity to whom it is addressed. Access to this information by any other individual is unauthorized and may be unlawful. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the information without retaining any copies. Thank you.

---

**From:** Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>  
**Sent:** Wednesday, August 19, 2020 2:45 PM  
**To:** dan.westbrook@nelsonmullins.com <dan.westbrook@nelsonmullins.com>; willthomas@parkerpoe.com <willthomas@parkerpoe.com>  
**Cc:** Lipham, Shannon V. <SVLipham@nexsenpruet.com>; Biggers, Ashley <biggerac@dhec.sc.gov>; Wicevic, Vito <wicevivo@dhec.sc.gov>; Summer, David B., Jr. <davidsummer@parkerpoe.com>; Cartin, Walt H. <waltcartin@parkerpoe.com>; Travis Dayhuff <travis.dayhuff@nelsonmullins.com>; Caroline Warner <caroline.warner@nelsonmullins.com>; Tammie Pope <tammie.pope@nelsonmullins.com>  
**Subject:** RE: Trident v. SCDHEC and MUHA AND CareAlliance v. SCDHEC and MUHA, Court of Appeals case no. 2020-001072 [IWOV-NPCOL1.FID1853813]

\*\*\* Caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*

No objection here.

Take care,  
Jennifer

**Jennifer J. Hollingsworth**

Member

Nexsen Pruet, LLC

1230 Main Street, Suite 700

Columbia, SC 29201

Post Office Box 2426 (29202)

T: 803.540.2112, F: 803.727.1446

[JHollingsworth@nexsenpruet.com](mailto:JHollingsworth@nexsenpruet.com)

[www.nexsenpruet.com](http://www.nexsenpruet.com)



---

**From:** Dan Westbrook <[dan.westbrook@nelsonmullins.com](mailto:dan.westbrook@nelsonmullins.com)>

**Sent:** Wednesday, August 19, 2020 2:38 PM

**To:** Thomas, William R. <[willthomas@parkerpoe.com](mailto:willthomas@parkerpoe.com)>

**Cc:** Hollingsworth, Jennifer J. <[JHollingsworth@nexsenpruet.com](mailto:JHollingsworth@nexsenpruet.com)>; Lipham, Shannon V. <[SVLipham@nexsenpruet.com](mailto:SVLipham@nexsenpruet.com)>; Ashley Biggers <[BIGGERAC@dhec.sc.gov](mailto:BIGGERAC@dhec.sc.gov)>; Vito Wicevic <[wicevivi@dhec.sc.gov](mailto:wicevivi@dhec.sc.gov)>; Summer, David B., Jr. <[davidsummer@parkerpoe.com](mailto:davidsummer@parkerpoe.com)>; Cartin, Walt H. <[waltcartin@parkerpoe.com](mailto:waltcartin@parkerpoe.com)>; Travis Dayhuff <[travis.dayhuff@nelsonmullins.com](mailto:travis.dayhuff@nelsonmullins.com)>; Caroline Warner <[caroline.warner@nelsonmullins.com](mailto:caroline.warner@nelsonmullins.com)>; Tammie Pope <[tammie.pope@nelsonmullins.com](mailto:tammie.pope@nelsonmullins.com)>

**Subject:** Re: Trident v. SCDHEC and MUHA AND CareAlliance v. SCDHEC and MUHA, Court of Appeals case no. 2020-001072

{EXTERNAL EMAIL}

Thanks

Sent from my iPhone

On Aug 19, 2020, at 2:31 PM, Thomas, William R. <[willthomas@parkerpoe.com](mailto:willthomas@parkerpoe.com)> wrote:

Dan,

No problem. Will

---

**William Thomas**

Partner

Find our latest health care analysis [here](#).



1221 Main Street | Suite 1100 | Columbia, SC 29201

Office: 803.253.8658 | Fax: 803.255.8017 | [vcard](#) | [map](#)

---

**From:** Dan Westbrook <[dan.westbrook@nelsonmullins.com](mailto:dan.westbrook@nelsonmullins.com)>

**Sent:** Wednesday, August 19, 2020 2:24 PM

**To:** Jennifer J. Hollingsworth <[JHollingsworth@nexsenpruet.com](mailto:JHollingsworth@nexsenpruet.com)>; Shannon V. Lipham

<[SVLipham@nexsenpruet.com](mailto:SVLipham@nexsenpruet.com)>; Ashley Biggers <[BIGGERAC@dhec.sc.gov](mailto:BIGGERAC@dhec.sc.gov)>; Vito Wicevic <[wicevism@dhec.sc.gov](mailto:wicevism@dhec.sc.gov)>; Summer, David B., Jr. <[davidsummer@parkerpoe.com](mailto:davidsummer@parkerpoe.com)>; Thomas, William R. <[willthomas@parkerpoe.com](mailto:willthomas@parkerpoe.com)>; Cartin, Walt H. <[waltcartin@parkerpoe.com](mailto:waltcartin@parkerpoe.com)>  
**Cc:** Travis Dayhuff <[travis.dayhuff@nelsonmullins.com](mailto:travis.dayhuff@nelsonmullins.com)>; Caroline Warner <[caroline.warner@nelsonmullins.com](mailto:caroline.warner@nelsonmullins.com)>; Tammie Pope <[tammie.pope@nelsonmullins.com](mailto:tammie.pope@nelsonmullins.com)>  
**Subject:** Trident v. SCDHEC and MUHA AND CareAlliance v. SCDHEC and MUHA, Court of Appeals case no. 2020-001072

\*\*\*Caution: External email\*\*\*

Counsel, would you consent to an extension of time for us to file our initial appellate brief and designation of matter at the court of appeals in the appeal referenced above? Our current deadline is Aug. 31, 2020. I intend to request 30 additional days, making the new deadline September 30, 2020. Please let me know if you have any objection. Thank you very much for this courtesy.

Dan

Sent from my iPhone

Nelson Mullins is continuing to monitor developments related to COVID-19, including guidance from the Centers for Disease Control and various health officials; and federal, state, and local government authorities. The firm has implemented precautionary measures and plans to ensure the continuation of all firm services to clients from both in office and remote work arrangements across our 25 geographically dispersed offices. Click here to visit the Nelson Mullins Coronavirus Resources page.<<https://www.nelsonmullins.com/coronavirus-resources>> Information described therein is subject to change.

#### Confidentiality Notice

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately either by phone (800-237-2000) or reply to this e-mail and delete all copies of this message.

**PRIVILEGED AND CONFIDENTIAL:** This electronic message and any attachments are confidential property of the sender. The information is intended only for the use of the person to whom it was addressed. Any other interception, copying, accessing, or disclosure of this message is prohibited. The sender takes no responsibility for any unauthorized reliance on this message. If you have received this message in error, please immediately notify the sender and purge the message you received. Do not forward this message without permission.