

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

Appeal from Sumter County
Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

Case No. 2017-CP-43-01740

RECEIVED

Nov 16 2020

SC Court of Appeals

Andrietta Atkinson and Debra Clyburn-Wilson,
individually and as Personal Representatives
of the Estate of Willie Mae Clyburn,

Respondents,

v.

SSC Sumter East Operating Company, LLC
d/b/a Sumter East Health and Rehabilitation Center
and Paul Granger,

Defendants.

Of whom SSC Sumter East Operating Company, LLC
d/b/a Sumter East Health and Rehabilitation Center is

Appellant.

**APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

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)
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Attorneys for Appellant

Appellant proposes that the following be included in the Record on Appeal, but avoiding unnecessary duplication of material. With respect to duplicative material (e.g., the Affidavit of Tracey Pourmoghadam, RN, which is attached to both the original Complaint and the Amended Complaint, or the Dispute Resolution Program, which is included as or within an multiple exhibits), Appellant proposes that the material should appear only once in the Record on Appeal:

Orders

1. Order Denying Motion to Compel Arbitration, filed June 25, 2020;
2. Order Denying Motion to Alter, Amend, and/or Reconsider Order Denying Motion to Compel Arbitration, filed July 14, 2020;

Pleadings

3. Summons and Complaint, filed September 20, 2017, with Exhibit A;
4. Facility's Answer, filed November 17, 2017;
5. Amended Summons and Amended Complaint, filed June 22, 2019, which Exhibit A;
6. Facility's Answer to Amended Complaint, filed July 8, 2019;

Motions and Other Materials

7. Motion to Compel Arbitration, filed February 27, 2020, with Exhibit;
8. Plaintiff's Memo in Opposition to Motion to Compel Arbitration, filed April 30, 2020, with All Exhibits;
9. Facility's Memo in Support of Motion to Compel Arbitration, filed April 30, 2020, with Exhibits 1, 2, 3, and 4.

10. Motion to Alter, Amend, and/or Reconsider Order Regarding Defendants' Motion to Compel Arbitration, filed July 6, 2017; and
11. Notice of Appeal, with Proof of Service, filed/served August 13, 2020.

I certify that this Designation of Matter contains no matter irrelevant to this appeal.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: s/Russell G. Hines
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Charleston, South Carolina

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PROOF OF SERVICE

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Attorneys for Appellant

I, Russell G. Hines, of Young Clement Rivers, LLP, attorneys for Appellant, hereby certify that the **INITIAL BRIEF OF APPELLANT** and **APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** were served on all other parties to this appeal on November 13, 2020, via email (see attached) to the following counsel of record:

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Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
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Charleston, South Carolina

November 13, 2020

From: [Hines, Russell](#)
To: "nate@hugheyfirm.com"; "stuart@hugheyfirm.com"; "[Brad Banyas](#)"
Subject: Appellate Case No. 2020-01143 -- Atkinson v. SSC Sumter -- Initial Brief of Appellant and Designation
Date: Friday, November 13, 2020 11:57:34 PM
Attachments: [image003.png](#)
[App. Case No. 2020-001143 - Atkinson v. SSC Sumter -- Initial Brief of Appellant and POS \(for Brief and DOM\).pdf](#)
[App. Case No. 2020-001143 -- Atkinson v. SSC Sumter -- Appellant's Designation -- d. 111320.pdf](#)

Attached please find the initial brief of appellant and designation of matter. These will be filed with the Court via separate email.

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