

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

Appeal from Spartanburg County  
Court of Common Pleas

J. Mark Hayes II, Circuit Court Judge

Case No. 2019-CP-42-02449

**RECEIVED**

**Nov 30 2020**

**SC Court of Appeals**

Estate of Maggie McCraw,  
through the appointed personal representative, Ruby Knight,

Respondent,

v.

Fundamental Clinical and Operational Services, LLC;  
Fundamental Administrative Services, LLC; THI of South  
Carolina at Magnolia Place at Spartanburg, LLC d/b/a Physical  
Rehabilitation and Wellness Center of Spartanburg f/k/a  
Magnolia Place at Spartanburg; Vohra Post-Acute Care  
Physicians of the East, P.A.; and David Violette, M.D.,

Defendants,

Of whom Fundamental Clinical and Operational Services, LLC;  
Fundamental Administrative Services, LLC; and THI of South  
Carolina at Magnolia Place at Spartanburg, LLC d/b/a Physical  
Rehabilitation and Wellness Center of Spartanburg f/k/a  
Magnolia Place at Spartanburg are

Appellants.

**NOTICE OF 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)

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*Attorneys for Vohra Post-Acute Care Physicians  
of the East, P.A., and David Violette, M.D.*

Defendants Fundamental Clinical and Operational Services, LLC; Fundamental Administrative Services, LLC; and THI of South Carolina at Magnolia Place at Spartanburg, LLC d/b/a Physical Rehabilitation and Wellness Center of Spartanburg f/k/a Magnolia Place at Spartanburg (collectively, “Appellants”) hereby appeal the following orders of the Honorable J. Mark Hayes II, Circuit Court Judge, all of which are attached hereto and incorporated herein:

- Form 4 Order re: motion to compel arbitration and motions to stay, filed June 25, 2020;
- Formal Order re: motion to compel arbitration and motions to stay, filed July 16, 2020;
- Form 4 Order re: motion to alter, amend, and/or reconsider, filed October 16, 2020; and
- Formal Order re: motion to alter, amend, and/or reconsider, filed October 30, 2020.

Appellants received written notice of entry of the most recent order on October 30, 2020.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: s/Russell G. Hines

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Charleston, South Carolina

November 30, 2020

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Defendants,

Of whom Fundamental Clinical and Operational Services, LLC;  
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Appellants.

**PROOF OF SERVICE**

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*Attorneys for Appellants*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants above named, do hereby certify that I have served Appellants' **NOTICE OF APPEAL** on all parties to this matter by depositing a copy of the same in the United States Mail, postage prepaid, on 30, 2020, addressed as follows to counsel of record, as well as via email to such counsel (see attached) and via E-filing the Notice of Appeal in the lower court:

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

November 30, 2020

**From:** [Hines, Russell](#)  
**To:** [Boss Poliakoff](#); [Ray Mullman](#); ["John Waelde"](#); [Bobby Hood, Jr.](#); [Collier Jones](#)  
**Cc:** [Brown, Stephen L.](#); [Davis, Jay](#); [Wakeham, Rebecca \(Becky\)](#); [Mettler, Kate C.](#); [Dotterer III, Gaillard T. \(Gilly\)](#); [Bell, Pollyana \(Polly\)](#); [McNeil, Tasha](#); [Justman, Aimee](#)  
**Subject:** McCraw v. Fundamental et al. -- Notice of Appeal  
**Date:** Monday, November 30, 2020 12:50:58 PM  
**Attachments:** [image003.png](#)  
[McCraw v. Fundamental et al. -- Notice of Appeal.pdf](#)  
[Appealed Order No. 1 - 2020 6-25 -- Form 4 Order.pdf](#)  
[Appealed Order No. 2 - 2020 7-16 -- Formal Order.pdf](#)  
[Appealed Order No. 3 - 2020 10-6 -- Form 4 Order.pdf](#)  
[Appealed Order No. 4 - 2020 10-30 -- Formal Order.pdf](#)

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Please find the attached **Notice of Appeal** (along with copies of the appealed orders) in the above-referenced matter.

Russ

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