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January 8, 2021

VIA E-MAIL

Daniel E. Shearouse, Clerk
South Carolina Supreme Court
1231 Gervais Street
P.O. Box 11330 (29211-1330)
Columbia, SC 29201

Re: *Myat v. Tuomey Regional Medical Center*,
Appellate Case No. 2019-001757

Dear Mr. Shearouse:

In the spirit of Rule 208(b)(7), SCACR, I submit this letter to provide additional information regarding issues raised in the amicus brief filed by the South Carolina Hospital Association and how these issues impact more than just this case.

In its amicus brief, the Association noted that, if S. C. Code Ann. § 33-56-170 is not interpreted as imposing bright-line rule for determining whether the damages cap in section 33-56-180 applies, “any tort plaintiff” could challenge a defendant’s 501(c)(3) status, which “would require substantial discovery,” including “third-party discovery.” Amicus Br. 16. Unfortunately, such attacks on a defendant’s 501(c)(3) status are already underway. In *Pratt v. Prisma Health*, No. 2019-CP-40-4937, the plaintiff has issued a subpoena to the Department of Revenue, seeking every scrap of paper the Department has related to Prisma Health since January 1, 2016, in an effort to challenge Prisma Health’s 501(c)(3) status.

By affirming the Court of Appeals’ decision and holding that section 33-56-170 is a bright line rule, this Court can put a stop to such costly discovery sideshows (while at the same time giving effect to the plain language of the statute).

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "W. Grayson Lambert". The signature is stylized and cursive.

Wm. Grayson Lambert

cc: Counsel of Record (via email)