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**Mar 25 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM  
THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Case No. 17-ALJ-07-0441-CC  
Case No. 17-ALJ-07-0444-CC  
Appellate Case No. 2020-001072

Trident Medical Center, LLC d/b/a Trident Medical  
Center and Summerville Medical Center,.....

Petitioner/  
Respondent,

v.

South Carolina Department of Health and Environmental  
Control and Medical University Hospital Authority d/b/a  
MUSC Health Emergency Services,.....

Respondents,

Of Whom, Medical University Hospital Authority d/b/a  
MUSC Health Emergency Services is .....

Appellant.

CareAlliance Health Services, d/b/a Roper St. Francis  
Healthcare, Roper Hospital, Inc., Bon Secours-St.  
Francis Xavier Hospital, Inc., Roper Mount Pleasant  
Hospital and Roper St. Francis Berkeley Hospital, .....

Petitioner/  
Respondent,

v.

South Carolina Department of Health and Environmental  
Control and Medical University Hospital Authority d/b/a  
MUSC Health Emergency Services,.....

Respondents,

Of Whom, Medical University Hospital Authority d/b/a  
MUSC Health Emergency Services is .....

Appellant.

**MOTION TO WITHDRAW OR DISMISS MOTION TO SUPPLEMENT RECORD ON  
APPEAL**

Appellant Medical University Hospital Authority moves to withdraw or dismiss its pending Motion to Supplement the Record on Appeal. At the time Appellant filed the pending motion it had not obtained consent of all parties. Since then, however, Petitioner/Respondent CareAlliance Health Services, Petitioner/Respondent Trident Medical Center LLC, and Respondent South Carolina Department of Health and Environmental Control have filed Returns consenting to the pending motion.

Appellate Court Rule 212(b) provides, in pertinent part: “With the written consent of all attorneys of record, a party may supplement the Record on Appeal at any time before argument commences.” Now that all parties have consented to the proposed supplementation, the pending motion is unnecessary.

For the reasons set forth above, Appellant moves the Court to dismiss the pending motion or allow Appellant to withdraw it.

By: /s Daniel J. Westbrook

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March 25, 2021



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**SC Court of Appeals**

**Via Electronic Mail**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street (29201)  
P.O. Box 11629  
Columbia, SC 29211

RE: Trident Medical Center, LLC, d/b/a Trident Medical Center and Summerville Medical Center v. South Carolina Department of Health and Environmental Control and Medical University Hospital Authority d/b/a MUSC Health Emergency Services AND

CareAlliance Health Services, d/b/a Roper St. Francis Healthcare, Roper Hospital, Inc., Bon Secours-St. Francis Xavier Hospital, Inc., Roper Mt. Pleasant Hospital and Roper St. Francis Berkeley Hospital v. South Carolina Department of Health and Environmental Control and Medical University Hospital Authority d/b/a MUSC Health Emergency Services

Appellate Case No. 2020-001072  
Our File No. 019243/01525

Dear Ms. Kitchings:

I am writing on behalf of Appellant Medical University Hospital Authority in the referenced appeal. Appellant intends to supplement the Record on Appeal, pursuant to South Carolina Appellate Court Rule 212(b) and with the consent of all parties, with MUSC Exhibits 18, 30-32, 34,49 and pp. 16 and 19 of Exhibit 60. Appellant further intends, also with consent of all parties, to remove from the Record on Appeal MUSC Exhibits 9-11,38, 39, and 41. So that the parties will not need to renumber Final Briefs, Appellant will remove page numbers 4351-5405, 5699, 5700 and 5702 from the Record on Appeal and replace them with page holders indicating these pages were intentionally removed. Volumes 1-10 of the Record will be unchanged, but the parties will be provided with the remaining volumes in their updated form.

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Very truly yours,



/s Daniel J. Westbrook  
Daniel J. Westbrook

DJW:ss  
Enclosure

cc:

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