

**RECEIVED**

**Jul 01 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM AIKEN COUNTY  
Court of Common Pleas  
The Honorable Courtney Clyburn Pope, Circuit Court Judge

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Appellate Case No. 2020-001441

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Thelma Rudd, as Personal Representative of the Estate of Charles S. Rudd., Respondent,

v.

Pepper Hill Nursing & Rehab Center, LLC d/b/a Pepper Hill Nursing & Rehab Center, The Place at Pepper Hill, LLC, Pepper Hill Senior Properties, LLC, n/k/a The Place at Pepper Hill, LLC, and Shiloh Management Company, Inc., Defendants,

of which Shiloh Management Company, Inc., Pepper Hill Nursing & Rehab Center, LLC d/b/a Pepper Hill Nursing & Rehab Center are the Appellants.

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

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Appellants propose the following be included in the Record on Appeal:

1. Summons and Complaint;
2. Affidavit of Paige Swatman, RN, LNC;
3. Amended Summons and Complaint;
4. Appellants' Motion to Dismiss and to Compel Arbitration with Exhibit;
5. Respondent's Memorandum in Opposition to Defendants' Motion to Dismiss and Compel Arbitration and Exhibits;
6. Appellants' Memorandum Supporting Motion to Dismiss and Compel Arbitration;
7. Answer to Amended Complaint;
8. August 14, 2020 Order Denying Motions to Strike, Dismiss, and Compel Arbitration;
9. Appellants' Motion to Reconsider;
10. October 29, 2020 Order Denying Motion to Reconsider;
11. Transcript of May 5, 2020 Hearing on Motion to Dismiss and Compel Arbitration;
12. Pepper Hill Admission Agreement.

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

**SWEENY, WINGATE & BARROW, P.A.**

s/Brandon R. Gottschall

Mark V. Gende, SC Bar No. 72835

Brandon R. Gottschall, SC Bar No. 100621

Sweeny, Wingate & Barrow, P.A.

Post Office Box 12129

Columbia, SC 29211

(803) 256-2233

**ATTORNEYS FOR DEFENDANTS  
SHILOH MANAGEMENT COMPANY, INC.,  
PEPPER HILL NURSING CENTER, INC.,  
AND PEPPER HILL NURSING & REHAB  
CENTER, LLC D/B/A PEPPER HILL  
NURSING & REHAB CENTER**

Columbia, South Carolina

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APPEAL FROM AIKEN COUNTY  
Court of Common Pleas  
Courtney Clyburn-Pope, Circuit Court Judge

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Case No. **2019-CP-02-2840**

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The Estate of Charles S. Rudd, deceased, through the duly appointed  
Personal Representative, Thelma Rudd, individually and on behalf of  
statutory beneficiaries, .....Respondent,

v.

Pepper Hill Nursing & Rehab Center, LLC d/b/a Pepper Hill Nursing  
& Rehab Center n/k/a The Place at Pepper Hill, LLC; and Shiloh  
Management, Inc. ....Appellants.

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**PROOF OF SERVICE**

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I certify that I have served Appellants' Designation of Matter to be Included in the Record on Appeal on The Estate of Charles S. Rudd, deceased, through the duly appointed Personal Representative, Thelma Rudd, individually and on behalf of statutory beneficiaries, by depositing a copy of it in the United States Mail, postage prepaid, on July 1, 2021, addressed to Respondent's attorneys of record, Gary W. Poliakoff, Ray Mullman, and Edward John Waelde, Esqs, 215 Magnolia Street, P.O. Box 1571, Spartanburg, SC 29304. Respondent's attorneys of record were also served by email.

July 1, 2021

s/Brandon R. Gottschall  
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**Attorneys for Appellants**