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**Jan 12 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM Horry COUNTY  
Steven H. John, Circuit Court Judge

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Appellate Case No.: 2021-001342

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Jessica Bennett, individually and on  
behalf of those similarly situated, .....Respondent,

v.

ACS Primary Care Physicians-Southeast P.C., .....Appellant.

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**APPELLANT’S DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD  
ON APPEAL**

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Appellant ACS Primary Care Physicians-Southeast P.C. (“ACS”) proposes the following documents to be included in the Record on Appeal:

1. Summons and Complaint, filed on March 3, 2020.
2. Notice of Removal to the United States District Court for the District of South Carolina, Florence Division, filed on April 20, 2020.
3. Order remanding case to state court, filed on August 13, 2020.
4. Motion to Compel Arbitration and Dismiss or Stay and all Exhibits thereto, filed on August 31, 2020.
5. Reply in Support of Defendant’s Motion to Dismiss, filed on October 15, 2020.
6. Supplemental Brief in Support of Motion to Compel Arbitration and Dismiss, filed on January 4, 2022.
7. Order Denying Motion to Stay / Dismiss and Compel Arbitration of Plaintiff’s Claims, filed on June 21, 2021.

8. Rule 59(e) Motion for Reconsideration of Denial of Motion to Compel Arbitration and Dismiss or Stay, filed on July 1, 2021.
9. Order Denying ACS's Motion to Reconsider, filed on November 5, 2021.
10. Notice of Appeal, filed on July 12, 2021.

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

Dated: January 12, 2022

GORDON REES SCULLY MANSUKHANI

By s/Victoria T. Kepes  
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Physicians-Southeast P.C.*

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE COURT OF COMMON PLEAS

Steven H. John, Circuit Court Judge

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Case No. 2020-CP-26-01982

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ACS Primary Care Physicians-Southeast P.C., Appellant,

v.

Jessica Bennett, individually and on  
behalf of those similarly situated, Respondent.

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PROOF OF SERVICE

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I certify that I have served Appellant's Designation of Matters to be Included in the Record on Appeal on the Respondent, Jessica Bennett, individually and on behalf of those similarly situated, via E-mail, upon their respective attorneys of record as properly addressed below this 12<sup>th</sup> day of January, 2022:

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*Attorneys for Jessica Bennett, individually  
and on behalf of those similarly situated*

Dated: January 12, 2022

By



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January 12, 2022

**VIA ELECTRONIC FILING**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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**Jan 12 2022**

**SC Court of Appeals**

Re: *Jessica Bennett, individually and on behalf of those similarly situated v. ACS  
Primary Care Physicians-Southeast, P.C.*  
Appellate Case No.: 2021-001342

Dear Ms. Kitchings:

Please find enclosed for filing, Appellant's Initial Brief with Proof of Service and Appellants Designation of Matters to be Included in the Record on Appeal with Proof of Service. Please file all and forward a file-stamped copy for our records. We appreciate your assistance in this matter and please do not hesitate to contact me should you need anything further.

Sincerely,

GORDON REES SCULLY MANSUKHANI, LLP



Stacey A. Smith  
Paralegal

SAS:  
Enclosures