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Feb 10 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable H.W. Funderburk, Jr., Administrative Law Judge

APPELLATE CASE No.: 2019-000358
ADMINISTRATIVE LAW COURT CASE No.: 16-ALJ-07-0386-CC

Trident Medical Center, LLC, d/b/a Trident Medical CenterRespondent,
v.

South Carolina Department of Health and Environmental Control
and Roper St. Francis Hospital-Berkeley, Inc. d/b/a Roper
St. Francis Hospital – Berkeley Respondents below,

Of Which South Carolina Department of Health and Environmental
Control is aRespondent,

And Roper St. Francis Hospital – Berkeley, Inc. d/b/a
Roper St. Francis Hospital - Berkeley is theAppellant.

**MOTION FOR CONTINUANCE BY RESPONDENT
TRIDENT MEDICAL CENTER, LLC**

William R. Thomas, SC Bar #16348
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*Attorneys for Respondent
Trident Medical Center, LLC, d/b/a
Trident Medical Center*

Respondent Trident Medical Center, LLC (Trident") hereby moves the Court for an order pursuant to SCACR 216(b)(2) continuing the oral arguments scheduled for February 15, 2022 in the above captioned case. This request is based on the following reasons:

1. The above captioned parties ("Parties") are very close to reaching a compromise in a contested case currently before the South Carolina Administrative Law Court that is related to the above captioned appeal ("Related Case Compromise"). The Related Case Compromise would result in a stipulation of dismissal of the instant appeal, thereby obviating the need for oral arguments or an opinion by this Court.

2. While the Parties believe the Related Case Compromise is imminent, the parties require additional time to seek regulatory approval of the Related Case Compromise that cannot be achieved by February 15, 2022; however, the parties believe that the regulatory approval can be achieved in the next ten days.

3. The continuance or abeyance would result in the furtherance of judicial economy and efficiency; and

4. Trident has conferred with counsel for the Parties and all have given their consent to the continuance of oral arguments to the next available term as determined by the court or to hold the case in abeyance for a period of sixty days from the date of this motion.

CONCLUSION

Based on the above, Respondent respectfully request an order from the Court continuing oral arguments to the next available term of court or to hold the case in abeyance for 60 days from the date of this motion.

Respectfully submitted,



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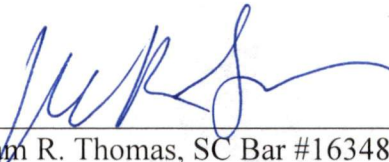
And Roper St. Francis Hospital – Berkeley, Inc. d/b/a
Roper St. Francis Hospital, Berkeley is the..... Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that on February 10, 2022, s/he caused a copy of the Motion for Continuance of Respondent Trident Medical Center, LLC to be served upon all parties of record by e-mail and US Mail a copy of the same, addressed as follows:

Ashley C. Biggers, Esquire
Vito Wicevic, Esquire
South Carolina Department of Health
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2600 Bull Street
Columbia, South Carolina 29201

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February 10, 2022

VIA HAND DELIVERY AND US. MAIL

ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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**Re: *Appellate Case No. 2019-000358
Trident Medical Center, LLC, d/b/a Trident Medical Center vs. South Carolina
Department of Health and Environmental Control, and Roper St. Francis
Hospital – Berkeley, Inc., d/b/a Roper St. Francis Hospital – Berkeley***

Dear Ms. Kitchings:

Enclosed for filing please find an original and one copy of **MOTION FOR CONTINUANCE BY RESPONDENT TRIDENT MEDICAL CENTER, LLC** our firm's check for \$50 for the filing fee. Please return the file-stamped copy of the same to our courier.

As copied on this letter, and as evidenced by the Proof of Service, we are providing copies of the same to all counsel of record. Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

William R. Thomas

WRT/jcp
Enclosures

cc: Ashley C. Biggers, Esquire (*Via Hand Delivery and U.S. Mail*)
Vito Wicevic, Esquire (*Via Hand Delivery and U.S. Mail*)
James G. Long, III, Esquire (*Via Hand Delivery and U.S. Mail*)
Jennifer J. Hollingsworth, Esquire (*Via Hand and U.S. Mail*)