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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM ANDERSON COUNTY
COURT OF COMMON PLEAS
THE HONORABLE R. LAWTON McINTOSH
CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2021-001129
CIVIL ACTION NOS. 2021-NI-04-00011 and 2021-CP-04-01458

Anita and James Chabek,

APPELLANTS,

versus

AnMed Health and Larry Davidson, MD,

RESPONDENTS.

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

AnMed Health and Larry Davidson, MD, Respondents in the above-referenced appeal, propose the following to be included in the Record on Appeal:

1. Appellants' Notice of Intent to File Suit (with Exhibits A-C), filed March 12, 2021;
2. Affidavit of John Charles Hyde, II, Ph.D., filed April 21, 2021;
3. Affidavits of Sanford H. Davne, MD, filed April 21, 2021;
4. Respondent AnMed Health's Motion to Dismiss, filed May 11, 2021;
5. Respondent Larry Davidson, MD's Motion to Dismiss, filed May 13, 2021;
6. Appellants' Amended Statement of Facts, filed June 8, 2021;

7. Respondents' Memorandum in Support of Motion to Dismiss and, in the alternative, Motion for Summary Judgment, filed July 8, 2021, with exhibits:
 - A: Davne Affidavit;
 - B. Amended Statement of Facts; and
 - C: Medical Records;
8. Appellants' Memorandum in Opposition to Motion to Dismiss/Motion for Summary Judgment, filed July 20, 2021;
9. July 21, 2021 Hearing Transcript;
10. Appellants' Complaint, filed August 2, 2021;
11. Form 4 Order Granting Motions for Summary Judgment, filed September 15, 2021;
12. September 17, 2021 Email from Counsel for Respondent AnMed Health to the Trial Judge and Appellants' counsel with proposed order granting summary judgment;
13. Appellants' Motion to Reconsider, filed September 27, 2021;
14. Form 4 Order Denying Motion to Reconsider, filed September 27, 2021; and
15. Formal Order Granting Summary Judgment, filed November 17, 2021;

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

[signature on following page]

Respectfully submitted,

/s Carmen V. Ganjehsani

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**ATTORNEYS FOR RESPONDENT
LARRY DAVIDSON, MD**

March 3, 2022.

CERTIFICATE OF SERVICE

I, the undersigned, an employee of Richardson Plowden & Robinson, P.A., for Respondents, AnMed Health and Larry Davidson, MD, do hereby certify that I have this date served the foregoing Designation of Matter to be Included in the Record on Appeal, dated March 3, 2022, by personally serving the same pursuant to Section (d)(1) of the Supreme Court's Order dated August 25, 2021, on the following counsel of record using the primary email addresses listed in the Attorney Information System (if applicable):

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A copy of the sent e-mail is attached to this Certificate of Service.

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Dated: March 3, 2022.

Carmen Ganjehsani

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Sent: Thursday, March 03, 2022 2:02 PM
To: jaywright@mcgowanhood.com; jcalloway@mcgowanhood.com
Cc: Marian Scalise; tsuggs@roecassidy.com; Hope Grate
Subject: 2021-001129 Chabek v. AnMed et al.
Attachments: 2021-001129 Chabek v. AnMed et al Designations.pdf; 2021-001129 Chabek v. AnMed et al Initial Respondents' Brief.pdf

Pursuant to the Supreme Court's Order dated August 25, 2021, please find served upon you the Initial Respondents' Brief and Designation of Matter to be Included in the Record on Appeal on behalf of Respondents AnMed Health and Larry Davidson, MD.

Thank you,
Carmen Ganjehsani

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