

RECEIVED

Mar 21 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2021-CP-10-05289

Medical University of South Carolina and University Medical Associates of the Medical University of South Carolina,..... Appellants,

v.

HCA Healthcare, Inc.; Trident Medical Center, LLC;
Terry A. Day; Betsy Kay Davis; Joshua D. Hornig;
Eric J. Lentsch; David M. Neskey; and Anand K. Sharma,..... Defendants,

Of Whom HCA Healthcare, Inc. and Trident Medical Center, LLC, are,..... Respondents.

NOTICE OF APPEAL

Medical University of South Carolina and University Medical Associates of the Medical University of South Carolina appeal the orders of the Honorable Jennifer B. McCoy dated December 15, 2021 and February 18, 2022. Appellants received written notice of the entry of the December 15 Order on December 15, and timely moved to alter or amend it on December 28, 2021 (December 25 was a Saturday; December 27 was a holiday). Appellants received written notice of the entry of the February 18 Order denying the motion to alter or amend on February 18, 2022.

March 21, 2022

/s/Robert L. Widener
Robert L. Widener, SC Bar #6089
Celeste T. Jones, SC Bar #3173
Burr & Forman, LLP
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800

James K. Gilliam, SC Bar #76695
BURR & FORMAN, LLP
104 South Main Street, Suite 700
Greenville, South Carolina 29601
(864) 271-4940

ATTORNEYS FOR APPELLANTS

Other Counsel of Record:

James Lynn Werner
David B. Summer
Katon E. Dawson Jr.
Ashley W. Johnson
PARKER POE ADAMS & BERNSTEIN LLP
1201 Main Street, Suite 1450
Post Office Box 1509 (29202)
Columbia, South Carolina 29201
(803) 255-8000

ATTORNEYS FOR RESPONDENTS

RECEIVED

Mar 21 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2021-CP-10-05289

Medical University of South Carolina and University Medical
Associates of the Medical University of South Carolina,..... Appellants,

v.

HCA Healthcare, Inc.; Trident Medical Center, LLC;
Terry A. Day; Betsy Kay Davis; Joshua D. Hornig;
Eric J. Lentsch; David M. Neskey; and Anand K. Sharma,..... Defendants,

Of Whom HCA Healthcare, Inc. and Trident Medical Center, LLC, are,..... Respondents.

PROOF OF SERVICE

I, Ann Shuler, an employee of Burr & Forman LLP, hereby certify that a true and correct copy of the Notice of Appeal was served upon counsel for the Respondents in the above-captioned matter by causing a copy of same to be deposited in the United States Mail, first class postage prepaid, this 21st day of March, 2022, as follows:

James Lynn Werner, Esquire
David B. Summer, Esquire
Katon E. Dawson, Jr., Esquire
Ashley W. Johnson, Esquire
Parker Poe Adams & Bernstein LLP
Post Office Box 1509
Columbia, South Carolina 29202
*Attorneys for HCA Healthcare, Inc. and
Trident Medical Center, LLC*

Ann Shuler

Ann Shuler

Robert L. Widener
SC Bar No. 6089
rwidener@burr.com

RECEIVED

Mar 21 2022

SC Court of Appeals 1221 Main Street
Suite 1800
Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

Office (803) 799-9800
Fax (803) 753-3278

BURR.COM

March 21, 2022

VIA EMAIL (ctappfilings@sccourts.org)

Honorable Jenny Abbott Kitchens
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

**Re: Medical University of South Carolina and University Medical Associates of the Medical University of South Carolina, Appellants v. HCA Healthcare, Inc.; Trident Medical Center, LLC; Terry A. Day; Betsy Kay Davis; Joshua D. Hornig; Eric J. Lentsch; David M. Neskey; and Anand K. Sharma, Defendants, of Whom HCA Healthcare, Inc. and Trident Medical Center, LLC are Respondents
Civil Action. No. 2021-CP-10-05289**

Dear Ms. Kitchens:

Please find attached for filing in your office, the Notice of Appeal and Certificate of Service in the above referenced case. The filing fee of \$250.00 is being hand delivered today, along with the original letter and original Certificate of Service.

Appellants have already received the transcript and, therefore the Initial Brief of Appellants is due on April 20, 2022.

Thank you for your assistance in this matter.

Sincerely,

Burr & Forman LLP



Robert L. Widener
Partner

Honorable Jenny Abbott Kitchens
March 21, 2022
Page 2

RLW/as
Enclosures

cc: Julie J. Armstrong, Clerk of Court
James Lynn Werner, Esquire
David B. Summer Jr. , Esquire
Katon E. Dawson, Jr., Esquire
Ashley W. Dawson, Esquire