

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Need to get to CAP Board Mr. Singleton</i>	DATE <i>1-15-08</i>
---	------------------------

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <b>000355</b>	<input type="checkbox"/> I Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>cc: Quinden, Host Myers, Merson, Ms. Fairer</i>	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <u>1-25-08</u> <input type="checkbox"/> FOIA DATE DUE _____ <input checked="" type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1. <i>Clean 1/16/08 letter attached.</i>			
2.			
3.			
4.			

*For back to original to Mr. Quinden*

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

ACTION REFERRAL

TO	DATE
Singleton	1-15-08

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER	000355	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____	
2. DATE SIGNED BY DIRECTOR	CC: Singleton, Host Myers, Merson, Ms. Feltner	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input type="checkbox"/> FOIA DATE DUE _____ <input checked="" type="checkbox"/> Necessary Action	

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			

Log: Singleton  
cc: Quinlan, Foster,  
Myers, Morrison  
EF

**JOHN ROBERT PEACE, P.A.**

ATTORNEY & COUNSELOR AT LAW

Telephone: (864) 298-0500  
Facsimile: (864) 271-3130

*Mailing Address*  
PO Box 8087  
Greenville, SC 29604-8087

John Robert Peace, JD, MBA  
John@PeaceLawFirm.com

*Street Address*  
1225 South Church Street  
Greenville, SC 29605

Licensed in SC & NC  
South Carolina Circuit Court Mediator

January 9, 2008

**RECEIVED**

JAN 14 2008

Emma Forkner, Director  
Department of Health & Human Services  
PO Box 8206  
Columbia, SC 29202-8206

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

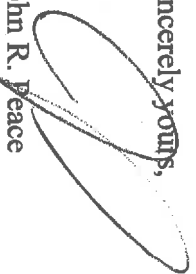
**Re: C.A. Name: Bradburn v. Spartanburg Regional Healthcare System,  
Medical Transportation Management, Inc., and South  
Carolina Department of Health & Human Services.  
C.A. No.: 08-CP-42-0101**

Dear Ms. Forkner:

Please find enclosed for service upon you as Director of the Department of Health and Human Services a copy of the Summons, Complaint, and Plaintiff's First Set of Discovery to Defendant's in the above referenced action. Please contact my office with any questions or comments.

With kindest regards, I remain

Sincerely yours,



John R. Peace

JRP:lf  
Enclosure  
cc: Frances Bradburn

STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG

IN THE COURT OF COMMON PLEAS  
C.A. NO. 08-CP-42-0101

Frances E. Bradburn,

Plaintiff,

v.

Spartanburg Regional Healthcare  
System, Medical Transportation  
Management Inc., and  
South Carolina Department  
of Health & Human Services,

Defendant,

**CERTIFICATE OF SERVICE**

I, John R. Peace, attorney for plaintiff do hereby certify that I served a copy of the

hereinbelow listed pleading(s) to the party(s) shown below by Certified Mail, Return Receipt

Requested, Restricted Delivery, postage prepaid, on January 09, 2008

**PLEADING:**

**Summons**  
**Complaint**  
**Plaintiff's First Set of Discovery to Defendants**

**PARTIES SERVED:**


**CT Corp System**  
**75 Beattie Place**  
**Greenville, SC 29601**

**Judy P. Hamer, Esq., General Counsel**  
**Spartanburg Regional Medical Center**  
**101 East Wood Street**  
**Spartanburg, SC 29303**

Emma Forkner, Director  
Department of Health & Human Services  
PO Box 8206  
Columbia, SC 29202-8206

Henry McMaster, Attorney General  
PO Box 11549  
Columbia, SC 29211

Perry D. Boulter, Esq.  
100 Dunbar Street, Suite 200  
Spartanburg, SC 29306



---

John R. Peace, Esquire  
Attorney for the Plaintiff  
1225 S. Church Street  
Greenville, SC 29605

Greenville, South Carolina  
January 09, 2008

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

IN THE COURT OF COMMONS PLEAS  
C.A. NO: 08-CP-42-0101

Frances E. Bradburn, )

Plaintiff, )

VS. )

Spartanburg Regional )  
Healthcare System, )  
Medical Transportation )  
Management, Inc., and )  
South Carolina Department of )  
Health & Human Services, )

Defendants. )

**PLAINTIFF'S FIRST SET OF DISCOVERY  
REQUESTS TO DEFENDANTS**

**REQUESTS FOR ADMISSIONS**

Pursuant to Rule 36, South Carolina Rules of Civil Procedure, you are hereby requested to admit or deny the numbered statements below to Plaintiffs' counsel at the office of JOHN ROBERT PEACE, PA, within thirty (30) days of service of this report.

1. Plaintiff Frances Bradburn fell on a Medicaid bus on June 14, 2007.
2. Defendant Spartanburg Regional Healthcare System operates the Medicaid bus on which Plaintiff fell on June 14, 2007.
3. Defendant Medical Transportation Management, Inc. operates a network of local Medicaid transportation providers in South Carolina.
4. Defendant Spartanburg Regional Healthcare System operates Medicaid buses under contract with Defendant Medical Transportation Management, Inc.
5. Defendant S.C. Department of Health and Human Services contracted with Defendant Medical Transportation Management, Inc. to operate Medicaid transportation in Spartanburg County.
6. Plaintiff Frances Bradburn was transported by ambulance to Spartanburg Regional Medical Center on June 14, 2007.

7. On October 31, 2007, Plaintiff Frances Bradburn had surgery on her back at Spartanburg Regional Medical Center for injuries sustained on June 14, 2007.

### INTERROGATORIES

Plaintiff, by and through her undersigned attorney, hereby require Defendants to answer under oath the Interrogatories hereinafter set forth within thirty (30) days after the serving hereof in accordance with Rule 33 of the South Carolina Rules of Civil Procedure. Production is to be made by mail or hand-delivery at the offices of JOHN ROBERT PEACE, PA, PO BOX 8087, 1225 SOUTH CHURCH STREET (29605), GREENVILLE, SC 29604-8087.

1. Give the names and addresses of persons known to the parties or counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.
2. For each person known to the parties or counsel to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.
3. Set forth a list of photographs, plats, sketches or other prepared documents in possession of the party that relate to the claims and/or defenses in the case.
4. Set forth the names and addresses of all insurance companies which have liability, medpay, or other applicable insurance coverage relating to the claim and set forth the number or numbers of the policies involved and the amount or amounts of liability coverage provided in each policy.
5. List the names and addresses of any expert witnesses whom the party proposes to use as a witness at the trial of the case.
6. Please identify the Medicaid bus driver who brought Frances Bradburn to her home on June 14, 2007, and please provide the driver's name, address, and telephone number.
7. Please identify every other person on the Medicaid bus at the time that it brought Frances Bradburn to her home on June 14, 2007, and please provide each such person's name, address, and telephone number.
8. Please describe with particularity all training provided to Medicaid bus drivers working in Spartanburg County.

9. Please provide an explanation for each and every denial of any Request for Admission above.
10. If you believe that any other entity may be liable to Plaintiff for injuries which she sustained on June 14, 2007, please identify that entity and provide the name, address, and telephone number of any such entity.

#### **REQUESTS FOR PRODUCTION**

Pursuant to Rule 34, South Carolina Rules of Civil Procedure you are hereby requested to produce the documents described below to Plaintiff's counsel at the office of JOHN ROBERT PEACE, PA, PO BOX 8087, GREENVILLE, SC 29604-8087, within thirty (30) days of service of this report.

1. Please produce all documents identified in your responses to Interrogatories.
2. Please produce each and every document used to answer Plaintiffs' Requests for Admissions and Interrogatories.
3. Please produce all training materials, documents, videotapes and/or any other materials used to train Medicaid bus drivers working Spartanburg County.
4. Please produce a complete copy of the personnel file for the Medicaid bus driver who brought Frances Bradburn to her home on June 14, 2007.
5. Please produce a complete copy of the personnel file for each and every employee that was on the Medicaid bus at the time of Plaintiff's fall on June 14, 2007.
6. Please produce a complete copy of the S.C. Medicaid Driver's Handbook for 2007.
7. Please produce a complete copy of the Medicaid Transportation Service Agreement between Defendant Spartanburg Regional Healthcare System and Defendant Medical Transportation Management, Inc. for the year 2007.
8. Please produce a complete copy of the contract between Defendant S.C. Department of Health and Human Services and Defendant Medical Transportation Management, Inc.
9. Please produce any and all contracts or other agreements between Defendant S.C. Department of Health and Human Services and Defendant Spartanburg Regional Healthcare System.



10. Please produce a complete copy of any and all medical records and bills regarding Plaintiff Frances Bradburn's medical care since June 14, 2007 that are in possession of the party answering this request.
11. Please produce an itemized statement of all medical charges paid by South Carolina Medicaid on behalf of Frances Bradburn since June 14, 2007.
12. If you assert any privilege regarding any document(s) or information requested in these discovery requests, please provide a comprehensive list of all such documents and/or information, pursuant to Rule 26(b)(5), SCRPC.



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John Robert Peace, Esq.  
PO Box 8087  
Greenville, SC 29604-8087  
Plr. (864) 298-0500

**Attorneys for Plaintiff Francis Bradburn**

January 9, 2008

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

Frances E. Bradburn,

Plaintiff(s)

vs.

Spartanburg Regional  
Transportation System,  
Medical Transportation  
Management, Inc., and  
South Carolina Department of  
Health & Human Services

Defendant(s)

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

08 - CP - 42 - 0101

(Please Print)

Submitted By: JOHN R. PEACE, Esq.

Address: P. O. Box 8087

Greenville, SC 29604-8087

SC Bar #: 15521

Telephone #: 864-298-0500

Fax #: 864-271-3130

Other:

E-mail: pa220@bellsouth.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this cover sheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

\*If Action is Judgment/Settlement do not complete

☒ JURY TRIAL demanded in complaint. ☐ NON-JURY TRIAL demanded in complaint.

☐ This case is subject to ARBITRATION pursuant to the Circuit Court Alternative Dispute Resolution Rules.

☐ This case is subject to MEDIATION pursuant to the Circuit Court Alternative Dispute Resolution Rules.

☐ This case is exempt from ADR (certificate attached).

NATURE OF ACTION (Check One Box Below)

- |   |  |   |  |
|---|--|---|--|
| <b>Contracts</b>                                  | <b>Torts - Professional Malpractice</b>            | <b>Torts - Personal Injury</b>                            | <b>Real Property</b>                                   |
| <input type="checkbox"/> Constructions (100)      | <input type="checkbox"/> Dental Malpractice (200)  | <input type="checkbox"/> Assault/Slender/Libel (300)      | <input type="checkbox"/> Claim & Delivery (400)        |
| <input type="checkbox"/> Debt Collection (110)    | <input type="checkbox"/> Legal Malpractice (210)   | <input type="checkbox"/> Conversion (310)                 | <input type="checkbox"/> Condemnation (410)            |
| <input type="checkbox"/> Employment (120)         | <input type="checkbox"/> Medical Malpractice (220) | <input type="checkbox"/> Motor Vehicle Accident (320)     | <input type="checkbox"/> Foreclosure (420)             |
| <input type="checkbox"/> General (130)            | <input type="checkbox"/> Other (299)               | <input type="checkbox"/> Premises Liability (330)         | <input type="checkbox"/> Mechanic's Lien (430)         |
| <input type="checkbox"/> Breach of Contract (140) |  | <input type="checkbox"/> Products Liability (340)         | <input type="checkbox"/> Partition (440)               |
| <input type="checkbox"/> Other (199)              |  | <input checked="" type="checkbox"/> Personal Injury (350) | <input type="checkbox"/> Possession (450)              |
|   |  | <input type="checkbox"/> Other (399)                      | <input type="checkbox"/> Building Code Violation (460) |
|   |  |   | <input type="checkbox"/> Other (499)                   |

- |  |  |   |  |
|--|--|---|--|
| <b>Inmate Petitions</b>                        | <b>Judgments/Settlements</b>                         | <b>Administrative Law/Relief</b>                          | <b>Appeals</b>   |
| <input type="checkbox"/> PCR (500)             | <input type="checkbox"/> Death Settlement (700)      | <input type="checkbox"/> Reinstate Driver's License (800) | <input type="checkbox"/> Arbitration (900)               |
| <input type="checkbox"/> Sexual Predator (510) | <input type="checkbox"/> Foreign Judgment (710)      | <input type="checkbox"/> Judicial Review (810)            | <input type="checkbox"/> Magistrate-Civil (910)          |
| <input type="checkbox"/> Mandamus (520)        | <input type="checkbox"/> Magistrate's Judgment (720) | <input type="checkbox"/> Relief (820)                     | <input type="checkbox"/> Magistrate-Criminal (920)       |
| <input type="checkbox"/> Habeas Corpus (530)   | <input type="checkbox"/> Minor Settlement (730)      | <input type="checkbox"/> Permanent Injunction (830)       | <input type="checkbox"/> Municipal (930)                 |
| <input type="checkbox"/> Other (599)           | <input type="checkbox"/> Transcript Judgment (740)   | <input type="checkbox"/> Forfeiture (840)                 | <input type="checkbox"/> Probate Court (940)             |
|  | <input type="checkbox"/> Lis Pendens (750)           | <input type="checkbox"/> Other (899)                      | <input type="checkbox"/> SCDOT (950)                     |
|  | <input type="checkbox"/> Other (799)                 |   | <input type="checkbox"/> Worker's Comp (960)             |
|  |  |   | <input type="checkbox"/> Zoning Board (970)              |
|  |  |   | <input type="checkbox"/> Administrative Law Judge (980)  |
|  |  |   | <input type="checkbox"/> Public Service Commission (990) |
|  |  |   | <input type="checkbox"/> Employment Security Comm (991)  |
|  |  |   | <input type="checkbox"/> Other (999)                     |

Special/Complex /Other

- |  |   |
|--|---|
| <input type="checkbox"/> Environmental (600)   | <input type="checkbox"/> Pharmaceuticals (630)          |
| <input type="checkbox"/> Automobile Arb. (610) | <input type="checkbox"/> Unfair Trade Practices (640)   |
| <input type="checkbox"/> Medical (620)         | <input type="checkbox"/> Out-of State Depositions (650) |
| <input type="checkbox"/> Other (699)           |   |

Submitting Party Signature:

Date: January 8, 2008

**Note:** Frivolous civil proceedings may be subject to sanctions pursuant to SCRPC, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

**FOR MANDATED ADR COUNTIES ONLY**

Florence, Horry, Lexington, Richland, Greenville\*\*, and Anderson\*\*

\*\* Contact Respective County Clerk of Court for modified ADR Program Rules

**SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.**

**You are required to take the following action(s):**

1. The parties shall select a neutral within 210 days of filing of this action, and the Plaintiff shall file a "Stipulation of Neutral Selection" on or before the 224<sup>th</sup> day after the filing of the action. If the parties cannot agree upon the selection of the neutral within 210 days, the Plaintiff shall notify the Court by filing a written "Request for the Appointment of a Neutral" on or before the 224<sup>th</sup> day after the filing of this action. The Court shall then appoint a neutral from the Court-approved mediator/arbitrator list.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Case are exempt from ADR only upon the following grounds:
  - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
  - b. Cases which are appellate in nature such as appeals or writs of certiorari;
  - c. Post Conviction relief matters;
  - d. Contempt of Court proceedings;
  - e. Forfeiture proceedings brought by the State;
  - f. Cases involving mortgage foreclosures; and
  - g. Cases that have been submitted to mediation with a certified mediator prior to the filing of this action.
4. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference had been concluded.

**Please Note: You must comply with the Supreme Court Rules regarding ADR.**

**Failure to do so may affect your case or may result in sanctions.**



STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

IN THE COURT OF COMMONS PLEAS  
C.A. NO: 08-CP-42- 0161

Frances E. Bradburn,

Plaintiff,

vs.

Spartanburg Regional  
Healthcare System,  
Medical Transportation  
Management, Inc., and  
South Carolina Department of  
Health & Human Services,

Defendants.

**COMPLAINT**

(Jury Trial Requested)

Plaintiff Frances Bradburn, by and through her undersigned counsel, complaining of the  
above-named Defendants would respectfully show to this honorable Court:

**JURISDICTION & VENUE**

1. Plaintiff is a citizen and resident of Spartanburg County, South Carolina.
2. Upon information and belief, Defendant Spartanburg Regional Healthcare System  
(hereinafter "SRHS") is a corporation organized pursuant to South Carolina law, which  
provides Medicaid transportation in Spartanburg County.
3. Defendant South Carolina Department of Health & Human Services (hereinafter "SC  
DHHS") operates the South Carolina State Plan for Medical Assistance. In addition to  
liability for its own wrongful conduct, Defendant SC DHHS is liable for the wrongful  
conduct of Defendant SRHS by virtue of the doctrines of *respondent superior*,  
principal/agent, and master/servant.

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SPARTANBURG COUNTY  
JAN 8 2009  
KITCHENS  
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4. Upon information and belief, Medical Transportation Management, Inc. (hereinafter “MTM”) is a corporation organized under the laws of the State of Missouri, which operates a network of local Medicaid transportation providers in South Carolina, under contract with Defendant South Carolina Department of Health & Human Services. In addition to liability for its own wrongful conduct, Defendant MTM is liable for the wrongful conduct of Defendant SRHS by virtue of the doctrines of *respondent superior*, principal/agent, and master/servant.

### FACTS

5. All other allegations, to the extent that they are not inconsistent herewith, are incorporated by reference.
6. Plaintiff Frances Bradburn is a Medicaid beneficiary who relies on Medicaid transportation to travel to and from appointments with her physicians and other medical providers in Spartanburg County.
7. Defendants SC DHHS, MTM, and SRHS undertook to provide Medicaid transportation to Medicaid beneficiaries in Spartanburg County.
8. On June 14, 2007, Mrs. Frances Bradburn was severely injured when she fell while attempting to exit a Medicaid bus operated by Defendants SC DHHS, MTM, and SRHS.
9. At the time of her fall, the SRHS Medicaid bus was parked in Mrs. Bradburn’s driveway at 10085 Highway 221, Woodruff, SC 29388.
10. Plaintiff is informed that, at the time of her fall, two persons employed by Defendants were on the Medicaid bus, a driver and a trainee.
11. At the time of her fall, Mrs. Bradburn was attempting to walk down the steps of the

Medicaid bus. Plaintiff's feet slipped on the steps of the Medicaid bus and she fell down the stairs on her back.

12. At no time did either SRHS employee assist Plaintiff, or offer to assist Plaintiff, down the steps of the Medicaid bus.

13. After her fall, the SRHS employees assisted Mrs. Bradburn into her home and then left Plaintiff's home.

14. Plaintiff is informed and believes that neither of Defendants' employees called their dispatcher, EMS, or any other medical provider or emergency responder to seek assistance with Plaintiff and her injuries.

15. Due to severe pain in her low back, Mrs. Bradburn called 9-1-1 approximately 1 hour after her fall.

16. EMS transported Mrs. Bradburn to Spartanburg Regional Medical Center's (SRMC) Emergency Room.

17. At SRMC, Mrs. Bradburn was diagnosed with a "L2 compression/burst fracture".

18. Plaintiff Bradburn was subsequently hospitalized from June 17-20, 2007 at SRMC. Plaintiff continues treating for her back injuries at the present time.

#### **FOR A FIRST CAUSE OF ACTION**

#### **Recklessness, Gross Negligence, Negligence *Per Se***

19. All other allegations, to the extent that they are not inconsistent herewith, are incorporated by reference.

20. Under applicable regulations and contract provisions, Defendants' bus drivers and other employees have a duty to assist Medicaid beneficiaries who are attempting to get on and



off of Medicaid buses.

21. The Defendants' employees on the Medicaid bus acted in a reckless and grossly negligent manner when they:

- a. Failed to offer assistance to Mrs. Bradburn when she started down the steps of the Medicaid bus;
- b. Failed to assist Mrs. Bradburn down the steps of the Medicaid bus;
- c. Failed to prevent Mrs. Bradburn from falling down the steps of the Medicaid bus;
- d. Failed to keep the bus steps clean and dry in order to prevent injuries on the steps;
- e. Failed to call Emergency Medical Services (EMS) or other emergency medical responders after Mrs. Bradburn fell down the steps and broke her back;
- f. Failed to contact Mrs. Bradburn's family to advise the family of Mrs. Bradburn's fall and serious back injury;
- g. Failed to contact the SRHS dispatcher to seek assistance or advice about how to deal with Mrs. Bradburn's fall and serious back injury;
- h. Directed Mrs. Bradburn to get up and move around after she had broken her back in the fall on the steps of their Medicaid bus;
- i. Directed Mrs. Bradburn to go into her home after she had fallen and broken her back, where there were no adults in the home that could properly look after Mrs. Bradburn in her injured condition;
- j. Left Mrs. Bradburn in her home without any adult supervision after Mrs. Bradburn had fallen and broken her back; and
- k. In other such particulars as the evidence may show.

22. The aforementioned conduct of Defendants' employees violated standards established by state law and state regulations governing the operation of Medicaid transportation and therefore constitutes negligence/recklessness *per se*.
23. As a direct and proximate result of Defendants' wrongful conduct, Plaintiff was seriously injured as alleged herein.

**FOR A SECOND CAUSE OF ACTION**

**Reckless, Grossly Negligent, and Negligent Supervision and Training**

24. All other allegations, to the extent that they are not inconsistent herewith, are incorporated by reference.
25. Defendants have a duty to properly train and supervise their employees that are engaged in providing day-to-day Medicaid transportation.
26. Defendants breached their duties to properly train and/or supervise their employees that were on the Medicaid bus at Plaintiff's home on June 14, 2007.
27. Defendants breached their duties to properly train their employees in the proper method of assisting Medicaid beneficiaries to get on and off Medicaid buses.
28. Defendants breached their duties to properly train their employees in the proper method of responding to a serious injury to a passenger on a Medicaid bus.
29. Defendants breached their duties to properly supervise their employees who are engaged in providing Medicaid transportation services in a manner that would ensure that such employees complied with state law, regulations, and contract provisions which require Defendants' employees to assist Medicaid beneficiaries on and off Medicaid buses.
30. Defendants breached their duties to properly supervise their employees who are engaged

in providing Medicaid transportation services in a manner that would ensure that such employees complied with state law, regulations, and contract provisions and which require Defendants' employees to contact the Emergency Medical System, or other suitable medical providers, after a Medicaid beneficiary has sustained a serious injury on a Medicaid bus.

31. As a direct result of the wrongful conduct of Defendants and their employees, Plaintiff

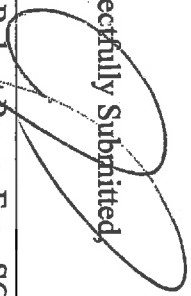
Frances Bradburn has suffered the following:

- a. A fractured L2 vertebra;
- b. Severe physical injury and physical pain, from which Claimant is informed that she will never fully recover;
- c. Substantial medical expenses for her extensive medical treatment; and
- d. In other such particulars as the evidence may show.

WHEREFORE, Plaintiff Frances Bradburn demands a jury trial, judgment against

Defendant Spartanburg Regional Transportation Services, S.C. Department of Health & Human Services, and Medical Transportation Management, Inc., for actual and punitive damages to be determined by the Court to fully compensate Plaintiff for her damages, for the costs of this action, and for such other and further relief that this Court may deem just and equitable.

Respectfully Submitted,

  
John Robert Peace, Esq., SC Bar #15521  
PO Box 8087  
Greenville, SC 29604-8087  
Ph: 298-0500

January 8, 2008

Attorney for Frances Bradburn

FILED  
CLERK OF COURT  
SPARTANBURG COUNTY  
2008 JAN -8 PM 4:19  
JARC KITCHENS

log # 000355



*State of South Carolina*  
*Department of Health and Human Services*

Mark Sanford  
Governor

Emma Forkner  
Director

January 16, 2008

Mr. Dave Abromaitis  
Claims Manager  
Office of Insurance Services  
1200 Main Street, Suite 500  
Columbia, SC 29201

Re: Matter of Bradburn v. Spartanburg Regional Healthcare System, Medical Transportation Management, Inc., and South Carolina Department of Health and Human Services;  
C.A. No. 08-CP-42-0101

Dear Mr. Abromaitis:

Enclosed is a copy of the Summons, Complaint, and Plaintiff's First Set of Discovery Requests in the above referenced matter. This matter appears to involve an injury sustained by a Medicaid beneficiary receiving transportation services from a Medical Transportation Management (MTM) contracted transportation provider. As you will note, our agency was named as a Defendant in the matter. However, we believe this case is covered by the Insurance Reserve Fund.

Please review and let me know if you have any questions. My direct line is 898-2647.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Deirdra T. Singleton".

Deirdra T. Singleton  
General Counsel

DTS/h

Enclosures

Office of General Counsel  
P. O. Box 8206 Columbia South Carolina 29202-8206  
(803) 898-2795 Fax (803) 255-8210