

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR**

**ACTION REFERRAL**

TO  <i>Roberts</i>	DATE  <i>8-5-13</i>
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DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER  <i>000055</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR  _____	<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.			



## Holcombe Bomar, P.A.

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William U. Gunn  
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A. Todd Darwin  
J. Hayes Walsh  
Joshua T. Thompson  
Kyle T. Clelland  
Vollie C. Bailey, IV  
J. Hollis Inabinet

Neville Holcombe, 1902-1983  
Horace L. Bomar, 1912-1994

**RECEIVED**

AUG 02 2013

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

July 29, 2013

Charles L. Henshaw, Jr., Esquire  
Furr & Henshaw  
Attorneys at Law  
1534 Blanding Street  
Columbia, South Carolina 29201

RE: Angela D. Worthy and Hubert K. Holmes, Jr., an infant under the age of fourteen (14) years by and through his next friend, Angela D. Worthy v. Piedmont Medical Center and Trish G. Hathcock, R.N.  
C. A. No. 10-CP-46-0037

Dear Charles:

I enclose for you and the other parties to whom you have provided copies of the Petition for Settlement in the case a copy of the Return of Defendants.

I will be out of town next week, but Josh Thompson, a very able associate of this firm, will attend the hearing before Judge Alford on our behalf.

Should the court grant the relief sought, we would want to reserve the right to participate in preparation of the proposed Order granting the relief sought. Additionally, I think it would be premature at this point to order a check, and as you know, we are able to obtain funds rather quickly from this client, so I would suggest we wait until the judge has had an opportunity to hear the matter.

If you have any questions or comments, do not hesitate to let me know.

July 29, 2013  
Page 2

With best regards,

Yours very truly,



William U. Gunn

WUG:dl  
Enclosure

cc: Ms. Deborah Johnson  
Casualty Department  
Division of Accountability & Collections  
South Carolina Department of Human Services  
P.O. Box 100127  
Columbia, SC 29202-3127

Mr. Anthony E. Keck  
South Carolina Department of Human Services  
P.O. Box 100127  
Columbia, SC 29202-3127

The Honorable Alan Wilson  
South Carolina Attorney General  
P.O. Box 11549  
Columbia, SC 29211

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF YORK )

IN THE COURT OF COMMON PLEAS

Angela D. Worthy, )  
 )  
Petitioner, )

In re: )

Angela D. Worthy and Hubert K. )  
Holmes, Jr., an infant under the age of )  
fourteen (14) years, by and through his )  
next friend, Angela D. Worthy, )

Plaintiffs, )

v. )

Trish G. Hathcock, R.N.; and )  
Amisub of South Carolina, Inc., d/b/a )  
Piedmont Medical Center, )

Defendants. )

RETURN TO PETITION FOR  
APPROVAL OF SETTLEMENT

C. A. No. 10-CP-46-0037

Defendants above-named, through their undersigned counsel, make Return to the  
Petition for Approval of Settlement as follows:

1. Each and every allegation of the Petition not hereinafter admitted, qualified,  
or explained, is denied.
2. Paragraph 1 is admitted.
3. In answer to paragraph 2, it is admitted that Hubert K. Holmes, Jr. may have  
some minor deficit, however it is denied his deficit is a result of any professional negligence  
on the part of any Defendant herein.
4. Paragraph 3 is admitted.

5. In answer to paragraph 4, all allegations are admitted, except that the undersigned is a member of the firm of Holcombe Bomar, P.A. of Spartanburg, South Carolina.

6. Paragraphs 5 through 8 are admitted.

7. In answer to paragraph 9, it is admitted on information and belief that Plaintiff's attorney has advanced funds in pursuing this claim, and upon information and belief, the sum of \$18,000.00 sounds reasonable for such advances.

8. Paragraph 10 is admitted on information and belief.

9. In answer to paragraph 11, these Defendants are without sufficient information to form a belief as to any other claims or obligations against the minor or any Plaintiff herein. These Defendants join in the remaining requests in paragraph 11.

10. In answer to paragraph 12, these Defendants assert these are conclusions of law and defers to rulings of the Court.

11. Paragraph 13 is admitted on information and belief.

12. Defendants join in the relief sought in paragraph 14.

13. These Defendants are without sufficient information to form a true and accurate belief as to the allegations of paragraph 15, therefore the allegations are denied and strict proof thereof demanded.

14. These Defendants join with Petitioner in asking the Court to grant the relief set forth in paragraphs 16 through 19.

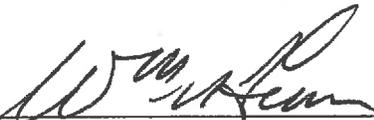
15. In answer to paragraph 20, the allegations thereof are admitted on information and belief.

16. In response to paragraph 21, these Defendants join in the assertion that the

settlement is in the best interests of the minor and that it is fair, just and equitable and should be approved by the Court. Defendants also join in the request that Petitioners be authorized, empowered, and directed to execute a binding settlement and release.

WHEREFORE, Defendants join in the request of Petitioner for approval of the settlement agreement on the terms outlined.

HOLCOMBE BOMAR, P.A.

By:   
William U. Gunn  
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[bgunn@holcombebomar.com](mailto:bgunn@holcombebomar.com)

Attorneys for Defendants

Spartanburg, SC

July 29, 2013





**Holcombe Bomar, P.A.**

P.O. Box 1897  
Spartanburg, SC 29304

**RECEIVED**

**AUG 02 2013**

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

Mr. Anthony E. Keek  
South Carolina Department of Human Services  
P.O. Box 100127  
Columbia, SC 29202-3127

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