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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

CERTIFIED QUESTION

Paul V. Niemeyer; Roger L. Gregory; and Henry F. Floyd, Judge; Chief
Judge; and Senior Judge, respectively, of the United States Court of Appeals
for the Fourth Circuit

Appellate Case No.: 2022-000094

Lucinda Ruh... Plaintiff,

v.

Metal Recycling Services, LLC Defendant.

**Motion for Leave to File an Amicus Curiae Brief for
the South Carolina Association for Justice**

Pursuant to South Carolina Appellate Court Rule 213, the South Carolina Association for Justice (SCAJ) moves for leave of the Court to file an amicus brief in this matter.

SCAJ was founded more than sixty years ago to serve its members and those persons whom the members were sworn to protect. Currently, SCAJ has over 1, 200 members who are lawyers and advocates for those who are harmed by the actions of others. SCAJ members primarily consider themselves trial lawyers and are engaged in litigation on behalf of these injured parties. Appreciating and accounting for the liability of an employer who carelessly or recklessly hires an independent contractor is an important issue that transcends our litigation, including cases that involve trucking, products liability, medical liability, and personal injury. The Court’s determination of this issue will impact the ability of SCAJ members to adequately represent clients

in all types of litigation.

The issue before this Court is a serious one—the adoption Restatement section 411. SCAJ’s proposed brief includes a neutral fifty-state survey that provides further information and insight into the adoption of section 411. For these reasons, SCAJ requests to file an amicus brief to assist the Court.

Respectfully submitted,

s/Whitney B. Harrison

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