

RECEIVED

Aug 31 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM
THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
APPELLATE CASE NO. 2022-000154
SCWCC FILE NO. 1907252

Steven M. Brant, Employee, Respondent,

v.

Core Services, LLC, South Carolina Department of Transportation, Employers, Berkshire Hathaway Direct Insurance Co., Carrier, Markel Ins. Co. and South Carolina State Accident Fund, Carriers, and South Carolina Workers' Compensation Uninsured Employers' Fund, Defendants,

of which Berkshire Hathaway Direct Insurance Co. is the Appellant,

and South Carolina Department of Transportation, South Carolina State Accident Fund, and South Carolina Workers' Compensation Uninsured Employers' Fund are the Respondents.

**RESPONDENTS DOT AND SAF'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

The Respondent/Appellant Fund respectfully proposes that the following matter be included in the Record on Appeal pursuant to the provisions of Rule 209, SCACR.

1. Berkshire Hathaway's APA Submissions, Exhibits 17 – 25;
2. Margaret Yoh's Deposition Transcript, 5/19/2020;
3. Transcript of Hearing Before Single Commissioner, 8/20/2020;
4. Transcript of Hearing Before Appellate Panel, 9/20/2021;
5. Order of Single Commissioner;
6. Order of Appellate Panel of the Full Commission; and
7. UEF's Exhibit A, Compliance Agreement.

August 31, 2022



Timothy B. Killen, S.C. Bar No. 0072501
Holder Padgett Littlejohn + Prickett, LLC
349 West Coleman Blvd, Suite 300
Mt. Pleasant, South Carolina 29464
Office: (843) 277-0826
Fax: (843) 589-9000
tkillen@hplplaw.com
Attorneys for Respondents DOT and SAF

Other Counsel of Record:

George D. Gallagher, Esquire
Speed, Seta, Martin, Trivett, Stublely & Fickling
Post Office Box 11669
Columbia, South Carolina 29211

Alan Tanenbaum, Esquire
Tanenbaum Law
Post Office Box 12
Charleston, South Carolina 29402

Lisa C. Glover, Esquire
South Carolina Uninsured Employers' Fund
Post Office Box 1815
Lexington, South Carolina 29071

Margaret M. Urbanic, Esquire
Matthew J. Story, Esquire
Clawson & Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492

RECEIVED

Aug 31 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM

THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

APPELLATE CASE NO. 2022-000154

SCWCC FILE NO. 1907252

Steven M. Brant, Employee, Respondent,

v.

Core Services, LLC, South Carolina Department of Transportation, Employers, Berkshire Hathaway Direct Insurance Co., Carrier, Markel Ins. Co. and South Carolina State Accident Fund, Carriers, and South Carolina Workers' Compensation Uninsured Employers' Fund, Defendants,


of which Berkshire Hathaway Direct Insurance Co. is the Appellant,

and South Carolina Department of Transportation, South Carolina State Accident Fund, and South Carolina Workers' Compensation Uninsured Employers' Fund are the Respondents.

CERTIFICATE OF COUNSEL

I hereby certify on this 31st day of August 2022, that the Respondents DOT's and SAF's Designation of Matter to be Included in the Record on Appeal contains no matter which is not relevant to the appeal.

August 31, 2022



Timothy B. Killen, Esq.
Holder Padgett Littlejohn + Prickett, LLC
945 Houston Northcutt Boulevard
Mt. Pleasant, South Carolina 29464
Office: (843) 277-0826
Fax: (843) 589-9000
tkillen@hplplaw.com
Attorneys for Respondent Fund

Other Counsel of Record:

George D. Gallagher, Esquire
Speed, Seta, Martin, Trivett, Stubley & Fickling
Post Office Box 11669
Columbia, South Carolina 29211

Alan Tanenbaum, Esquire
Tanenbaum Law
Post Office Box 12
Charleston, South Carolina 29402

Lisa C. Glover, Esquire
South Carolina Uninsured Employers' Fund
Post Office Box 1815
Lexington, South Carolina 29071

Margaret M. Urbanic, Esquire
Matthew J. Story, Esquire
Clawson & Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492

RECEIVED

Aug 31 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM

THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

APPELLATE CASE NO. 2022-000154

SCWCC FILE NO. 1907252

Steven M. Brant, Employee, Respondent,

v.

Core Services, LLC, South Carolina Department of Transportation, Employers, Berkshire Hathaway Direct Insurance Co., Carrier, Markel Ins. Co. and South Carolina State Accident Fund, Carriers, and South Carolina Workers' Compensation Uninsured Employers' Fund, Defendants,

of which Berkshire Hathaway Direct Insurance Co. is the Appellant,

and South Carolina Department of Transportation, South Carolina State Accident Fund, and South Carolina Workers' Compensation Uninsured Employers' Fund are the Respondents.

PROOF OF SERVICE

I hereby certify that I have served Respondent Department of Transportation and State Accident Fund's Initial Brief and Designation of Matter to be included in the Record on Appeal of the attorneys for all other parties and the Workers' Compensation Commission by electronic mail to the represented parties and by U.S. Mail, sufficient postage prepaid, on August 31, 2022, addressed as follows:

The Honorable Amy Bracy, Judicial Director
South Carolina Workers' Compensation Commission
Post Office Box 1715
Columbia, South Carolina 29202
judicial@wcc.sc.gov

George D. Gallagher, Esquire
Speed, Seta, Martin, Trivett, Stubley & Fickling

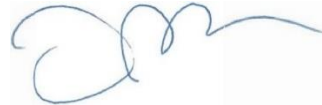
Post Office Box 11669
Columbia, South Carolina 29211
ggallagher@speed-seta.com

Alan Tanenbaum, Esquire
Tanenbaum Law
Post Office Box 12
Charleston, South Carolina 29402
alan@tanlaw.com

Lisa C. Glover, Esquire
South Carolina Uninsured Employers' Fund
Post Office Box 1815
Lexington, South Carolina 29071
lglover@saf.sc.gov

Core Services, LLC
828 East High Street
Lexington, Kentucky 40502

Margaret M. Urbanic, Esquire
Matthew J. Story, Esquire
Clawson & Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492
purbanic@clawsonandstaubes.com
mstory@clawsonandstaubes.com



Timothy B. Killen
Holder Padgett Littlejohn + Prickett, LLC
945 Houston Northcutt Boulevard
Mt. Pleasant, South Carolina 29464
Office: (843) 277-0826
Fax: (843) 589-9000
tkillen@hplplaw.com
Attorneys for Respondent Fund

June 8, 2022

RECEIVED
Aug 31 2022
SC Court of Appeals

VIA EMAIL ONLY - ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: Steven M. Brant, Employee, Respondent v. Core Services, LLC, South Carolina Department of Transportation, Employers, Berkshire Hathaway Direct Insurance Co., Carrier, Markel Ins. Co. and South Carolina State Accident Fund, Carriers, and South Carolina Workers' Compensation Uninsured Employers' Fund, Defendants, of which Berkshire Hathaway Direct Insurance Co. is the Appellant, and South Carolina Department of Transportation, South Carolina State Accident Fund, and South Carolina Workers' Compensation Uninsured Employers' Fund are the Respondents.

Appellate Case No. 2022-000154

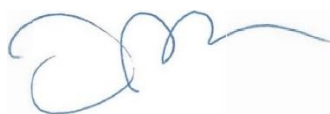
Dear Ms. Kitchings:

I am enclosing herewith the following documents to be filed in your office:

1. One copy of the Initial Brief of the Appellants; and
2. Appellants' Designation of Matter to be Included in Record on Appeal; and
3. Certificate of Counsel; and
4. Proof of Service upon counsel for the Respondent.

Respectfully,

HOLDER PADGETT LITTLEJOHN + PRICKETT



Timothy B. Killen



cc: The Honorable Amy Bracy, Judicial Director
South Carolina Workers' Compensation Commission
Post Office Box 1715
Columbia, South Carolina 29202
judicial@wcc.sc.gov

George D. Gallagher, Esquire
Speed, Seta, Martin, Trivett, Stublely & Fickling
Post Office Box 11669
Columbia, South Carolina 29211
ggallagher@speed-seta.com

Alan Tanenbaum, Esquire
Tanenbaum Law
Post Office Box 12
Charleston, South Carolina 29402
alan@tanlaw.com

Lisa C. Glover, Esquire
South Carolina Uninsured Employers' Fund
Post Office Box 1815
Lexington, South Carolina 29071
lglover@saf.sc.gov

Core Services, LLC
828 East High Street
Lexington, Kentucky 40502

Margaret M. Urbanic, Esquire
Matthew J. Story, Esquire
Clawson & Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492
purbanic@clawsonandstaubes.com
mstory@clawsonandstaubes.com)