

RECEIVED

Dec 01 2022

SC Court of Appeals

THE STATE of SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge
Brian M. Gibbons, Circuit Court Judge

Case No. 2018-CP-12-00117
2028-AP-12-00074

Appellate Case Nos. 2022-001312 and 2022-001390

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard, Plaintiffs,

Of whom Heidi Gersten is Appellant,

v.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Insurance
Company, Interinsurance Exchange of the Automobile Co, John
Ammendola, Trustgard Insurance Company, Blackwell, SC Department
of Public Safety, Chevrolet, GMC, Unknown John Does, Respondents.

APPELLANT'S RETURN OBJECTION OPPOSITION AND RESPONSE TO
RESPONDENT INTERINSURANCE EXCHANGE OF THE
AUTOMOBILE CLUB'S MOTION TO DISMISS APPEAL
PLUS EXHIBITS ABCDEF

Heidi Gersten
1438 W. Lantana Rd. #330
Lantana, FL 33462
323-245-6142
hanginhangout@gmail.com
Appellant

10635

The Appellant Heidi Gersten moves this Court for a denial of the Motion to Dismiss Appeal served and filed by the Respondent Interinsurance Exchange of the Automobile Club ('Respondent AAA') on November 9, 2022.

On September 19, 2018, the lower court did grant Respondent AAA's Motion to Dismiss it from the cases then pending, in the Court of Common Pleas for Chester County, as Reynolds Williams, the attorney for the Respondent AAA has alleged; however, the order that was signed by Judge John C. Hayes III was not served on the Appellant according to law.

The Respondent AAA served the Appellant by "email only" as evidenced by its email to the Appellant; however, the service was invalid for a variety of reasons and did not contain an actual certificate or proof of service. (Exhibit A)

The main reason that the service, by the Respondent AAA upon the Appellant of the Order of September 19, 2018, is invalid is because it was only sent by email and service by email from the Respondent AAA was never consented to or agreed to by the Appellant nor has the Respondent AAA ever sent an email to the Appellant prior to its said email dated September 19, 2018, other than a group email to all parties dated September 18, 2018. (Exhibit B)

In Wells Fargo Bank, N.A. v. Fallon Props. S.C., LLC, 422 S.C. 211, 217, 810 S.E.2d 856, 859 (2018),

our supreme court discussed the thirty-day deadline for filing a notice of appeal and stated, "[A]n email providing written notice of entry of an **order** or judgment for purposes of Rule 203(b)(1), SCACR[,] triggers the time

to appeal *as long as the email is *193 received from the court, an attorney of record, or a party.*" 422 S.C. at 217, 810 S.E.2d at 859. The court explained that the notice of entry of the **order** being appealed does not have to be formally served by the court or an opposing party but rather "[a]ll that is required to trigger the time to appeal is that the parties *receive* such notice." Id. at 215–16, 810 S.E.2d at 858. *Lemmons v. Maced. Water Works, Inc.*, 431 S.C. 186, 847 S.E.2d 471 (S.C. Ct. App. 2020)

Although the South Carolina Supreme Court ruled that an email is valid to trigger the time to file an appeal; however, it must be agreed upon by both parties, the sender and the receiver of the email, to accept service by email or for any electronic transaction for that matter.

The previous applies only if the parties have consented as SC Code § 26-6-50 (2017) states in part:

(B) This chapter applies only to transactions between parties who agree to conduct transactions by electronic means. Whether the parties agree to conduct a transaction by electronic means is determined from the context and surrounding circumstances, including the conduct of the parties.

In business law, a transaction is an event associated with business dealings conducted between two or more parties that involve the formation and performance of an obligation or contract.

To ensure clarification of this point, the South Carolina Supreme Court issued an order dated on May 6, 2022, in Appellate Case No. 2022-000029, RE: Service by E-Mail in the Trial Courts, the Supreme Court of South Carolina

3 of 35

issued an order that permitted non attorneys to serve attorneys via email. It states in part:

(d) E-Mail Service By and On Self-Represented Litigants. A self-represented litigant who is not a lawyer admitted to practice in this state may consent in writing to be served by e-mail and designate a correct e-mail address for service. A lawyer may consent in writing to accept service by e-mail from a self-represented litigant.

Notice the importance of the word “may” when used before the word “consent” indicating the intention for the instruction to be permissive rather than mandatory. This said order of May 6, 2022, is not a new one, only a clarification of existing law and when applied with the decision in, the previously mentioned case, In Wells Fargo, it was the intention for the service by email to not include those parties who had not consented to service by email.

The permission of orders to be served on parties or their attorneys has only ever applied when mutually consented by the sender and receiver. The said order of the South Carolina Supreme Court reaffirms, emphasizes, and clarifies this. A new law has brought an old law clearer interpretation.

The Respondent AAA’s sole argument is that the appeal has already been dismissed. It was not dismissed on the merits. It was dismissed because the Appellant was unable to provide dates of when she received orders. Receiving is not the same as obtaining. Actual notice is not the same as receiving.

The Appellant was suffering from her disability of being paralyzed as a result of a collision that is the premise of her claims, while dealing with secondary complications of being paralyzed that include, but are not limited to,

an illness of a deadly open stage four pressure wound, located on her left buttocks, that prevents her from sitting for long periods of time without further injury to it, no control over her bowels which causes frequent diarrhea “attacks” and “explosions”, coupled with no caregiver, aid, or assistant, and lacking technological resources.

The Respondent AAA or its attorney, has not ever emailed the Appellant prior to the written orders of John C. Hayes, III in controversy other than the one provided in Exhibit B nor has she ever consented orally or in writing or communicated in any other way that she would accept to or agree to service by email from the Respondent AAA.

In addition, SC Code § 26-6-150 states in part:

(D) Unless otherwise expressly provided in the electronic record or agreed between the sender and the recipient, an electronic record is considered to be sent from the sender's place of business and to be received at the recipient's place of business. For purposes of this subsection, the place of business is:

- (1) the place having the closest relationship to the underlying transaction, if the sender or recipient has more than one place of business; and
- (2) the sender's or recipient's residence, if the sender or the recipient does not have a place of business.

The Appellant did not receive the said email of the Respondent AAA at her residence, nor did she have a place of business. She found it in her email address on a UPS store computer.

It appears that the receipt of written entry of order by email only ever applied to attorneys or lawyers, who are members of the BAR Association, or to those that consented or agreed to service by email in writing or otherwise,

not to pro se, pro per, non-attorneys or non-lawyers, who are not members of the BAR Association, who have not consented or agreed to service by email in writing or otherwise. Non attorneys were not permitted to serve via email prior to the new ruling by the SC Supreme Court on May 6, 2022. Evidenced by the email sent by the Appellant to the Respondent AAA's attorney, Reynolds Williams, after the said order of the South Carolina Supreme Court was issued on May 6, 2022, permitting service by email by non-attorneys, the Respondent AAA's attorney Reynolds said 'no', showing that it is a choice or option that can be declined. (Exhibit C)

Therefore, the email sent by AAA is invalid and this appeal should move forward. This is the beginning of the presentation of the Respondent AAA's pursuit to discriminate against a paralyzed woman, starting with invalid service of the order in appeal now.

Any other noncompliance issue(s) that could be raised will be well covered under the Americans with Disabilities Act of which the Appellant is a qualified individual of and protected under by reason of her being paralyzed alone. Though she has other disabilities covered under it, they need not be mentioned since one is enough to satisfy the requirement of her membership to the club that no one wants to be in.

Note that the record does not reflect any service of the order of dismissal of the Respondent AAA upon the Appellant made by the Clerk of Court of Chester County nor was it ordered by John C. Hayes, III to do so.

The Appellant appealed on the record (referencing the dates listed on the filed notice of appeal of November 15, 2018) from the orders that she obtained online and was upfront about this from the beginning, even noting that the appeal may be premature in her said Notice of Appeal. It was not ever ruled on and eventually dismissed because when asked by the Court to provide dates that she actually received written notice of entry of the orders, she could not, because she was not ever served with them or at least validly according to law. She lacked technological resources back then even more than currently and often traveled in her wheelchair to the local UPS store where she lived to use their computer to look online at the Chester County Clerk of Courts website to find documents, even though the website contains a disclaimer that there is no guarantee that the information is accurate. (Exhibits D and E)

Eventually she asked the Clerk of Court of Chester County to provide her with certified copies of certain documents, which included all orders, sent a check to cover the costs and a prepaid envelope addressed to her for the return of the documents. She finally received the order to dismiss Respondent AAA on August 15, 2022. (Proof available upon request)

The question of whether the e-mail's time-stamp can be presumed to be the date of a party's receipt of the notice has not yet been addressed by the South Carolina appellate courts. In the absence of the supreme court's pronouncement of such a presumption, this Court has looked to the Record on Appeal to determine the date of receipt of the circuit court's e-mail notice according to the standards of section 26-6-150(B). See § 26-6-150(B) ("Unless

otherwise agreed between a sender and the recipient, an electronic record is received when it: (1) *enters* an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent and from which the recipient is able to retrieve the electronic record; *and* (2) is in a form capable of being processed by that system.” (emphases added)). *Lemmons v. Maced. Water Works, Inc.*, 431 S.C. 186, 847 S.E.2d 471 (S.C. Ct. App. 2020)

The previous shows that South Carolina appellate courts refer to Title 26 – Notaries Public and Acknowledgements, Chapter 6 - Uniform Electronic Transactions Act of the South Carolina Code of Laws for legal determinations.

“In interpreting statutes, the [c]ourt looks to the plain meaning of the statute and the intent of the Legislature.”

¶ *Gay v. Ariail*, 381 S.C. 341, 344, 673 S.E.2d 418, 420 (2009). “All rules of statutory construction are subservient to the maxim that legislative intent must prevail if it can be reasonably discovered in the language used.”

¶ *Id.* Therefore, “[i]n interpreting a statute, the court will give words their plain and ordinary meaning[] and will not resort to forced construction that would limit or expand the statute.”

State v. Johnson, 396 S.C. 182, 188, 720 S.E.2d 516, 520 (Ct. App. 2011).

Under the plain meaning rule, it is not the province of the court to change the meaning of a clear and unambiguous statute. Where the statute's language is plain, unambiguous,⁷ and conveys a clear, definite ****477** meaning, the rules

of ***196** statutory interpretation are not needed and the court has no right to impose another meaning.

S.C. Energy Users Comm. v. S.C. Pub. Serv. Comm'n, 388 S.C. 486, 491, 697 S.E.2d 587, 590 (2010) (citation omitted). Further, “[t]he intention of the legislature must be gleaned from the entire section and not simply clauses taken out of context.”

Singletary v. S.C. Dep't of Educ., 316 S.C. 153, 162, 447 S.E.2d 231, 236 (Ct. App. 1994).

(“[W]e read the statute *as a whole* and in a manner consonant and in harmony with its purpose.” (emphasis added)); *id.* (“In that vein, we must read the statute so ‘that no *word*, clause, sentence, provision or part shall be rendered *surplusage*, or *superfluous*,’ for ‘[t]he General Assembly obviously intended [the statute] to have some efficacy, or the legislature would not have enacted it into law.’ ” (emphases added) (citation omitted) (alterations in

original) (quoting State v. Sweat, 379 S.C. 367, 377, 382, 665 S.E.2d 645, 651, 654 (Ct. App. 2008) (“Sweat I”),

aff'd as modified on other grounds, 386 S.C. 339, 688 S.E.2d 569 (2010) (“Sweat II”)); Sweat I, 379 S.C. at 376, 665 S.E.2d at 650 (“A statute as a whole must receive a *practical*, reasonable, and fair interpretation consonant with the purpose, design, and policy of the lawmakers.” (emphasis added)); Sweat II, 386 S.C. at 351, 688 S.E.2d at 575 (“Courts will reject a statutory interpretation [that] would lead to a result so plainly absurd that it could not have been intended by the Legislature or would defeat the plain legislative intention.”); *id.* (“Any ambiguity in a statute should be resolved

in ****478** favor of a just, equitable, and beneficial operation of the law.” (quoting Bennett v. Sullivan's Island Bd. of Adjustment, 313 S.C. 455, 458, 438 S.E.2d 273, 274 (Ct. App. 1993)).

See CFRE, 395 S.C. at 74, 716 S.E.2d at 881 (“[W]e read the statute as a whole and in a manner *consonant and in harmony with its purpose.*” (emphasis added)); Sweat I, 379 S.C. at 376, 665 S.E.2d at 650 (“A statute as a whole must receive a practical, reasonable, and fair interpretation *consonant with the purpose, design, and policy of the lawmakers.*” (emphasis added));

cf. Gatewood v. S.C. Dep't of Corr., 416 S.C. 304, 321, 785 S.E.2d 600, 609 (Ct. App. 2016) (“[A]bsent a specific provision or clear legislative intent to the contrary, statutes are to be construed prospectively rather than retroactively, unless the statute is remedial or procedural in nature.”

(quoting Edwards v. State Law Enft Div., 395 S.C. 571, 579, 720 S.E.2d 462, 466 (2011)).

“If a statute is susceptible to two reasonable interpretations, it is ambiguous.” S.C. Dep't of Soc. Servs. v. Lisa C., 380 S.C. 406, 416, 669 S.E.2d 647, 652 (Ct. App. 2008).

Id. (“A statute is remedial whe[n] it creates new remedies for existing rights unless it violates a contractual obligation, creates a new right, or divests a

vested right.” (quoting Se. Site Prep, LLC v. Atl. Coast Builders & Contractors, LLC, 394 S.C. 97, 106, 713 S.E.2d 650, 655 (Ct. App. 2011)); *id.* (“[A] statute

that limits a right is generally not procedural.” (quoting Edwards, 395 S.C. at 580, 720 S.E.2d at 467)).

Commenting on the Respondent AAA’s reference to the writ of certiorari filed by the Appellant is irrelevant to the point of invalid service of the order in question.

THEREFORE, having shown good cause, the Appellant respectfully moves this Court for a DENIAL of the Respondent Interinsurance Exchange of the Automobile Club's motion to dismiss.

This is not made to cause delay, rather, in the furtherance of justice.

Respectfully submitted this 1st day of December 2022



Heidi Gersten, Appellant
All Rights Reserved
1438 W. Lantana Rd. #330
Lantana, FL 33462
(323) 245-6142
hanginhangout@gmail.com
Appellant

Other Counsel of Record

Wesley Brian Sawyer, Esquire
Murphy & Grantland, P.A.
4406-B Forest Drive
Columbia, SC 29206
(Attorney for Respondents Kevin Carter and Richard Davis)
(803) 782-4100
wsawyer@murphygrantland.com

David Richard Sligh, Esquire
Turner Padgett Graham & Laney, P.A.
PO Box 2116
Myrtle Beach, SC 29578
(Attorney for Respondent Nationwide Mutual Insurance Company)
(843) 213-5519

Kelsey J. Brudvig, Esquire
Christian Stegmeaier, Esquire
Collins & Lacy, PC
P.O. Box 12487
Columbia, SC 29211
(Attorneys for Trustgard Insurance Company and John Ammendola)

William H. Davidson, II, Esquire
Davidson, Wren & Plyler, P.A.
P.O. Box 8568
Columbia, SC 29202
(Attorney for Respondents SC Dept. of Public Safety and Herbert Blackwell)

Reynolds Williams
P.O. Box 1909
Florence, SC 29503-1909
(Attorney for Respondent Interinsurance Exchange of the Automobile Club)
(843) 662-3258

Alexander S. Gogsette
P.O. Box 5478
Florence, SC 29502
(Attorney for Respondent Joseph Turbovich)

EXHIBIT A

**RESPONDENT AAA'S EMAIL
LETTER PLAINTIFFS FORWARDING FILED ORDER
AND EVIDENCE THAT SERVICE WAS MADE BY
EMAIL ONLY**

13 of 35

Mark W. Buyck, Jr.
Hugh L. Willcox, Jr.
Wm. Reynolds Williams♦
Mark W. Buyck, III
E. Lloyd Willcox, II
John H. Muench † GA & KY
Tracy L. Wright
J. Scott Kozacki
Walker H. Willcox
Paula A. Sartor
Katherine M. Ryan † AL

† Additionally Licensed
♦ Certified Mediator

LAW OFFICES
WILLCOX, BUYCK, & WILLIAMS
PROFESSIONAL ASSOCIATION
WWW.WILLCOXLAW.COM
248 WEST EVANS STREET (29501)
POST OFFICE BOX 1909
FLORENCE, SOUTH CAROLINA 29503-1909

ESTABLISHED 1895

Telephone (843) 662-3258
Fax (843) 662-1342

2050 Corporate Center Dr
Suite 230
Myrtle Beach, SC 29577
Telephone (843) 650-6777
Fax (843) 650-6767

Reply To: Florence

September 19, 2018

Sent via Email Transmission Only

Heidi Gersten – hanginhangout@gmail.com
1438 West Lantana Road, #330
Lantana, FL 33462

Daniel Hubbard - hanginhangout@gmail.com
1438 West Lantana Road, #330
Lantana, FL 33462

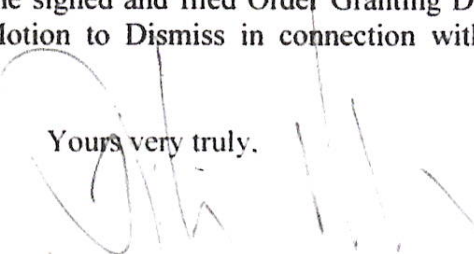
Ivanka Ayoub - hanginhangout@gmail.com
1438 West Lantana Road, #330
Lantana, FL 33462

Re: Heidi Gersten, et al v. Kevin Carter, et al
Case Nos.: 2018-CP-12-00074 and 2018-CP-12-00117
Our File No.: 13443.17168

Dear Ms. Gersten, Ms. Ayoub, and Mr. Hubbard:

Attached please find a copy of the signed and filed Order Granting Defendant Interinsurance Exchange of the Automobile Club's Motion to Dismiss in connection with the above-referenced matter.

Yours very truly,


Reynolds Williams
Email: reynolds@willcoxlaw.com

RW/tph
Enclosure

14 of 35



Heidi Versaika Gersten <hanginhangout@gmail.com>

Gersten v. Carter, et al 2018-CP-12-00074 and 00117

Message

Trudy Humphries <thumphries@willcoxlaw.com> Wed, Sep 19, 2018 at 12:51 PM
To: "hanginhangout@gmail.com" <hanginhangout@gmail.com>, "hanginghangout@gmail.com" <hanginghangout@gmail.com>
Cc: Reynolds Williams <Reynolds@willcoxlaw.com>

Good afternoon:

Please find attached correspondence from Attorney Williams and the filed Order in connection with the above-referenced matters.

Trudy P. Humphries
Legal Assistant to
Reynolds Williams & Mark Buyck, III

Willcox Buyck & Williams, P.A.
248 W. Evans St | Florence, SC 29501
PO Box 1909 | Florence, SC 29503
843 662-3258|office 843 664-3362|direct 843 662-1362|fax
thumphries@willcoxlaw.com |willcoxlaw.com

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

2 attachments

-  **Ltr to Plfs forwarding filed Order.pdf**
125K
-  **Order Dismissing Exchange.pdf**
203K

15 of 35

EXHIBIT B

EMAIL FROM RESPONDENT AAA TO MULTIPLE PARTIES

16 of 35



Heidi Veronika Gersten <hanginhangout@gmail.com>

Gersten, et al v. Carter, et al - Case Nos., 2018-CP-12-00074 and 00117

View in English

Trudy Humphries <thumphries@willcoxlaw.com>

Tue, Sep 18, 2018 at 2:02 PM

To: "jhayesj@sccourts.org" <jhayesj@sccourts.org>

Cc: "hanginhangout@gmail.com" <hanginhangout@gmail.com>, "hanginghangout@gmail.com" <hanginghangout@gmail.com>, "Datkinson@chestercounty.org" <Datkinson@chestercounty.org>, "pdworjanyn@collinsandlacy.com" <pdworjanyn@collinsandlacy.com>, "mburchstead@collinsandlacy.com" <mburchstead@collinsandlacy.com>, "wsawyer@murphygrantland.com" <wsawyer@murphygrantland.com>, "dsligh@turnerpadget.com" <dsligh@turnerpadget.com>, "ahogsette@turnerpadget.com" <ahogsette@turnerpadget.com>, "wdauidson@dml-law.com" <wdauidson@dml-law.com>, Reynolds Williams <Reynolds@willcoxlaw.com>

Good afternoon Judge Hayes:

Please find attached correspondence and a proposed Order in connection with the above-referenced matter. A hard copy of the letter and proposed Order are being sent to you via US Mail today. Should you have any questions or need any additional information, please do not hesitate to contact us.

Trudy

Trudy P. Humphries

Legal Assistant to

Reynolds Williams & Mark Buyck, III

Willcox Buyck & Williams, P.A.

office

direct

fax

thumphries@willcoxlaw.com willcoxlaw.com

17 of 35

2 attachments **Ltr to Judge Hayes forwarding Proposed Order.pdf**
42K **Proposed Order Gersten.pdf**
49K

Trudy Humphries <thumphries@willcoxlaw.com>

Tue, Sep 18, 2018 at 4:21 PM

To: "hanginhangout@gmail.com" <hanginhangout@gmail.com>, "hanginghangout@gmail.com" <hanginghangout@gmail.com>, "pdworjanyn@collinsandlacy.com" <pdworjanyn@collinsandlacy.com>, "mburchstead@collinsandlacy.com" <mburchstead@collinsandlacy.com>, "wsawyer@murphygrantland.com" <wsawyer@murphygrantland.com>, "dsligh@turnerpadget.com" <dsligh@turnerpadget.com>, "ahogsette@turnerpadget.com" <ahogsette@turnerpadget.com>, "wdaivdson@dml-law.com" <wdaivdson@dml-law.com>

Cc: "mkirkland@collinsandlacy.com" <mkirkland@collinsandlacy.com>, Reynolds Williams <Reynolds@willcoxlaw.com>

Good afternoon all – attached is the proposed Order that I emailed to you earlier today and have now e-filed with the Court in lieu of sending a hard copy to Judge Hayes. If you have any questions, please feel free to contact us.

 **Proposed Order Gersten.pdf**
49K

Hayes, John C. III <JHayesj@sccourts.org>

Wed, Sep 19, 2018 at 10:51 AM

To: Trudy Humphries <thumphries@willcoxlaw.com>

Cc: "hanginhangout@gmail.com" <hanginhangout@gmail.com>, "hanginghangout@gmail.com" <hanginghangout@gmail.com>, "Datkinson@chestercounty.org" <Datkinson@chestercounty.org>, "pdworjanyn@collinsandlacy.com" <pdworjanyn@collinsandlacy.com>, "mburchstead@collinsandlacy.com" <mburchstead@collinsandlacy.com>, "wsawyer@murphygrantland.com" <wsawyer@murphygrantland.com>, "dsligh@turnerpadget.com" <dsligh@turnerpadget.com>, "ahogsette@turnerpadget.com" <ahogsette@turnerpadget.com>, "wdaivdson@dml-law.com" <wdaivdson@dml-law.com>, Reynolds Williams <Reynolds@willcoxlaw.com>

Have you efiled the order? I believe I have signed a couple of orders in this case. If not then please file. JCH

From: Trudy Humphries [mailto:thumphries@willcoxlaw.com]

Sent: Tuesday, September 18, 2018 2:02 PM

To: Hayes, John C. III <JHayesj@sccourts.org>

Cc: hanginhangout@gmail.com; hanginghangout@gmail.com; Datkinson@chestercounty.org; pdworjanyn@collinsandlacy.com; mburchstead@collinsandlacy.com; wsawyer@murphygrantland.com; dsligh@turnerpadget.com; ahogsette@turnerpadget.com; wdaivdson@dml-law.com; Reynolds Williams <Reynolds@willcoxlaw.com>

Subject: Gersten, et al v. Carter, et al - Case Nos., 2018-CP-12-00074 and 00117

Importance: High

Good afternoon Judge Hayes:

~~~~ CONFIDENTIALITY NOTICE ~~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

**William H. Davidson II** <wdavidson@dml-law.com> Thu, Sep 20, 2018 at 5:19 PM  
To: "Hayes, John C. III" <JHayesj@sccourts.org>, Trudy Humphries <thumphries@willcoxlaw.com>  
Cc: "hanginhangout@gmail.com" <hanginhangout@gmail.com>, "hanginghangout@gmail.com" <hanginghangout@gmail.com>, "Datkinson@chestercounty.org" <Datkinson@chestercounty.org>, "pdworjanyn@collinsandlacy.com" <pdworjanyn@collinsandlacy.com>, "mburchstead@collinsandlacy.com" <mburchstead@collinsandlacy.com>, "wsawyer@murphygrantland.com" <wsawyer@murphygrantland.com>, "dsligh@turnerpadget.com" <dsligh@turnerpadget.com>, "ahogsette@turnerpadget.com" <ahogsette@turnerpadget.com>, Reynolds Williams <Reynolds@willcoxlaw.com>

**Order done but my secretary had to leave so it will go out tomorrow. I apologize. I got tied up in meeting that lasted longer than I thought. Will**

**Thanks!**

---

**William H. Davidson, II, Esquire**  
**Davidson, Wren & Plyler P.A.**  
**1611 Devonshire Drive, Second Floor (29204)**  
**Post Office Box 8568**  
**Columbia, South Carolina 29202-8568**  
**(803) 806-8222**  
**FAX: (803) 806-8855**  
**wdavidson@dml-law.com**

---

**Pete Dworjanyn** <pdworjanyn@collinsandlacy.com> Fri, Sep 21, 2018 at 9:46 AM  
To: "Hayes, John C. III" <JHayesj@sccourts.org>, Trudy Humphries <thumphries@willcoxlaw.com>  
Cc: "hanginhangout@gmail.com" <hanginhangout@gmail.com>, "hanginghangout@gmail.com" <hanginghangout@gmail.com>, "Datkinson@chestercounty.org" <Datkinson@chestercounty.org>, "Michael R. Burchstead" <mburchstead@collinsandlacy.com>, "wsawyer@murphygrantland.com" <wsawyer@murphygrantland.com>

19 of 35

"dsligh@turnerpadget.com" <dsligh@turnerpadget.com>, "ahogsette@turnerpadget.com" <ahogsette@turnerpadget.com>, "wdaivdson@dml-law.com" <wdaivdson@dml-law.com>, Reynolds Williams <Reynolds@willcoxlaw.com>

Judge Hayes:

I am sending orders on behalf of Trustgard and John Ammendola today. My apologies, I was in Colorado this week, literally without access to electronic communications, (backpacking at Rocky Mountain National Park) and our order was not sent to you. I am editing and will send today.

Thank you

Pete Dworjanyn

**From:** Hayes, John C. III [mailto:JHayesj@sccourts.org]  
**Sent:** Wednesday, September 19, 2018 10:52 AM

Pete Dworjanyn

Direct: 408.325.0401  
Main: 408.325.2900  
Fax: 408.778.1313  
Mobile: download vcard  
Web: www.collinsandlacy.com

1330 Lady Street, 6th Floor  
San Francisco, CA 94101



**Confidentiality Note:** This proceeding contains confidential information or proceedings by the attorney-client privilege. It is intended to remain confidential and not to be disseminated or published. If you have received this information in error, please do not disseminate it, and please notify the sender immediately. If you received this message in error, and if you are not the intended recipient, please do not disseminate, distribute, or copy this information. If you are not the intended recipient, please do not disseminate, distribute, or copy this information. If you are not the intended recipient, please do not disseminate, distribute, or copy this information.

20 of 35

**EXHIBIT C**

**Request to Accept Service by e-mail BY APPELLANT TO  
RESPONDENT AAA**

21 of 35



Heidi Veronika Gersten &lt;hanginhangout@gmail.com&gt;

## Request to Accept Service by e-mail

11/20/22, 4:12 PM

**Heidi Veronika Gersten** <hanginhangout@gmail.com>  
To: Reynolds@willcoxlaw.com

Tue, Aug 2, 2022 at 8:20 AM

Good day to you, Mr. Reynolds!

It's been a long time since we met back on September 5, 2018 in Chester County.

I'm sure that you're aware that a court hearing is scheduled on August 18, 2022, in front of Honorable Judge J. Mark Hayes regarding cases: 2018CP1200117 and 2018CP1200074.

On May 6, 2022, the South Carolina Supreme Court issued an order, 2022-05-06-04 RE: Service by E-Mail in the Trial Courts, Appellate Case No. 2022-000029. (Attached)

It states in part (d) E-Mail Service By and On Self-Represented Litigants. A self-represented litigant who is not a lawyer admitted to practice in this state may consent in writing to be served by e-mail and designate a correct e-mail address for service. A lawyer may consent in writing to accept service by e-mail from a self-represented litigant.

I'm willing to accept e-mail service from you, contingent on you accepting e-mail service from me, as long as the stipulation to acceptance of e-mail service is exclusive to us and does not include any other party or agency or others, (unless I specifically agree and consent in writing with that other party or agency or other), starting the day that you accept, if you choose to accept.

Service by e-mail between us would help ease the correspondence of this claim, especially since I'm paralyzed with a problematic deadly pressure wound on my left buttocks, a secondary complication of paralysis.

This is also an Americans with Disabilities Act Reasonable Accommodation Request, of which I'm a qualified individual of and protected under, due to my disability of being paralyzed, in addition to being recognized under South Carolina law as a 'vulnerable adult'.


Under South Carolina law, a 'vulnerable adult' is "[A] person eighteen years of age or older who has a physical or mental condition which substantially impairs the person from adequately providing for his or her own care or protection..."

You have been emailing other attorneys throughout these matters, as attorneys are permitted to serve by email, as well as efile, so this is not an unreasonable request.

Do you consent to accept service by email from me?

Kind regards,

Heidi Gersten

 **Service by EMail in the Trial Courts.pdf**  
92K

**Reynolds Williams** <Reynolds@willcoxlaw.com>

Tue, Aug 2, 2022 at 8:35 AM

22 of 35


To: Heidi Veronika Gersten <hanginhangout@gmail.com>

My client is out of your case

Reynolds Williams

On Aug 2, 2022, at 2:17 PM, Heidi Veronika Gersten <hanginhangout@gmail.com> wrote:

---

 **Service by EMail in the Trial Courts.pdf**  
92K

---

**Heidi Veronika Gersten** <hanginhangout@gmail.com>  
To: Reynolds Williams <Reynolds@willcoxlaw.com>

Tue, Aug 2, 2022 at 8:42 AM

Does this mean that you do not consent to service by e-mail?

---

**Reynolds Williams** <Reynolds@willcoxlaw.com>  
To: Heidi Veronika Gersten <hanginhangout@gmail.com>

Tue, Aug 2, 2022 at 8:42 AM

I do not

Reynolds Williams

On Aug 2, 2022, at 2:39 PM, Heidi Veronika Gersten <hanginhangout@gmail.com> wrote:

**EXHIBIT D**

**fax notice of appeal  
RECEIVED NOVEMBER 27 2018**

24 of 35

**NOTICE OF APPEAL IN A CIVIL CASE**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

**APPEAL FROM CHESTER COUNTY  
Court of Common Pleas**

**Honorable John C. Hayes III, Circuit Court Judge  
Honorable Brian M. Gibbons, Circuit Court Judge**

**Case No. 2018-CP-12-00117  
2018-AP-12-00074**

**Kevin Carter, Richard Davis,  
Joseph Tirbovich, Nationwide  
Mutual Insurance Co.,  
Interinsurance Exchange of  
the Automobile Club, John  
Ammendola, Trustgard  
Insurance Co., SC Dept. of  
Public Safety, Blackwell,  
Unknown John Does**

**Respondents,**

**RECEIVED**

**NOV 27 2018**

**SC Court of Appeals**

**v.**

**Heid Gersten, Ivanka Ayoub,  
Daniel Hubbard**

**Appellants.**

**NOTICE OF APPEAL**

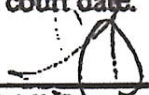
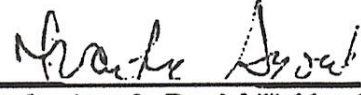
**Heidi Gersten, Ivanka Ayoub, Daniel Hubbard ("Appellants") appeal the orders [judgments] of the Honorable Judges Brian M. Gibbons and John C. Hayes III dated April 26, 2018, September 5, 2018 and October 16, 2018. Appellants received written notice of entry of some of these orders [judgments] on September 18-October 21, 2018.**

**This appeal is subject to being premature and a stay may be in order as there are orders left to be reconsidered and/or determined by the lower (circuit) court. The Appellants retain their filing as paid in full at the time of filing for all purposes of the orders made and/or pertaining to**

25 of 35

and/or regarding, whether ruled on or not, said court date.

November 15, 2018

  
  
 Heidi Gersten, Ivanka Ayoub, Daniel Hubbard  
 1438 W. Lantana Rd., #330  
 Lantana, FL 33462  
 (323) 245-6142  
 Appellants

**Other Counsel of Record:**

Wesley Brian Sawyer, Esquire  
 Murpy & Grantland, P.A.  
 4406 Forest Drive #B  
 Columbia, SC 29206  
 (Attorney for Kevin Carter and Richard Davis)  
 (803) 782-4100

David R. Sligh  
 P.O. Box 2116  
 Myrtle Beach, SC 29578  
 (Attorney for Nationwide Mutual Ins. Co)  
 (843) 213-5519

Peter H. Dworjanyn, Esquire and  
 Michael R. Burchstead, Esquire  
 Collins & Lacy, PC  
 1330 Lady Street, 6<sup>th</sup> Floor (29201)  
 Post Office Box 12487  
 Columbia, SC 29211  
 (Attorneys for Trustguard Insurance Company and  
 John Ammendola)  
 (803) 255-0404

William H. Davidson II, Esquire  
 Davidson & Lindemann, PA  
 P.O. Box 8568  
 Columbia, SC 29202  
 (Attorney for SC Dept. of Public Safety  
 and Herbert Blackwell)

Reynolds Williams  
 P.O. Box 1909  
 Florence, SC 29503-1909  
 (Attorney for Defendant Interinsurance Exchange  
 of the Automobile Club)  
 (843) 662-3258

Alexander S. Gogsette  
 P.O. Box 5478  
 Florence, SC 29502  
 (Attorney for Joseph Tirbovich)  
 (843) 656-4454

26 of 35

**CERTIFICATE OF SERVICE  
(2018-AP-12-00074)  
(2018-CP-12-00117)**

The undersigned, over 18 years of age and not a party to the said action, hereby certifies that (s)he has served the following named individuals with a copy of the foregoing: **FILE NO: 2018-CP-12-00117/2018-AP-12-00074 NOTICE OF APPEAL IN A CIVIL CASE** by mailing a copy of same to them in the U. S. Post Office mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

Wesley Brian Sawyer, Esquire  
Murphy & Grantland, P.A.  
4406 Forest Drive #B  
Columbia, SC 29206  
(Attorney for Kevin Carter and Richard Davis)

David R. Sligh  
P.O. Box 2116  
Myrtle Beach, SC 29578  
(Attorney for Nationwide Mutual Ins. Co)

Peter H. Dworjany, Esquire and  
Michael R. Burchstead, Esquire  
Collins & Lacy, PC  
1330 Lady Street, 6<sup>th</sup> Floor (29201)  
Post Office Box 12487  
Columbia, SC 29211  
(Attorneys for Trustguard Insurance Company)

William H. Davidson II, Esquire  
Davidson & Lindemann, PA  
P.O. Box 8568  
Columbia, SC 29202  
(Attorney for SC Dept. of Public Safety  
and Trooper Herbert Blackwell)

Reynolds Williams  
P.O. Box 1909  
Florence, SC 29503-1909  
(Attorney for Defendant Interinsurance Exchange of the Automobile Club)

Alexander S. Gogsette  
P.O. Box 5478  
Florence, SC 29502  
(Attorney for Joseph Tirbovich)

By: 

Boca Raton, Florida  
November 15, 2018

27 of 35

FAX  
Cover Sheet

November 27, 2018

TO: Jenny Abbott Kitchings  
Clerk of Court  
FAX (803) 734 1839

From: Heidi Gersten  
(323) 245-6142

**RECEIVED**

NOV 27 2018  
SC Court of Appeals

Pages including this cover sheet 44

November 27, 2018  
1438 West LANTANA Rd. #330  
LANTANA, FL 33462  
(323) 245 6142

SOUTH CAROLINA Court of Appeals  
Clerk of Court  
Attn: Jenny Abbott KITCHINGS  
1220 Senate Street  
COLUMBIA, South CAROLINA 29201  
PHONE (803) 734-1890  
FAX (855) 734-1839  
RE: New Appeal  
File No: 2018-AP-12-00074 AND 2018-CP-12-00117  
Priority Matter

RECEIVED

NOV 27 2018  
SC Court of Appeals

Dear Ms. Kitchings or To Whom It May Concern:

GOOD DAY to you. Please file this appeal. The original notice of appeal along with the orders, proof of service paperwork, and a money order USPS serial number 25302654021 has been sent yesterday November 26, 2018 via U.S. Postal Service tracking number 70181830000149570837 and is expected to be delivered on Thursday November 29, 2018.

Thank you so much for your help. I am available if you have any questions.

Respectfully submitted



Heidi Gersten

**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$3.45  
Extra Services & Fees (check box, add fee) \$2.75  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.50  
Total Postage and Fees \$6.70

0230 08  
NOV 15 2018  
Postmark Here

Sent To: Peter H. Du..., Esq. & Michael S. Du..., Esq.  
Street and Apt. No., or PO Box No., or PO Box No. 1330 Lady Street, 6th Floor  
City, State, ZIP+4® Columbia, SC 29201 29201

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

2290 4557 0000 0891 9100

**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$3.45  
Extra Services & Fees (check box, add fee) \$2.75  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.50  
Total Postage and Fees \$6.70

0230 08  
NOV 15 2018  
Postmark Here

Sent To: Reynolds Williams  
Street and Apt. No., or PO Box No. PO Box 1909  
City, State, ZIP+4® Florence, SC 29502-1909

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$3.45  
Extra Services & Fees (check box, add fee) \$2.75  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.50  
Total Postage and Fees \$6.70

0230 08  
NOV 15 2018  
Postmark Here

Sent To: Alexander Gogsette  
Street and Apt. No., or PO Box No. PO Box 5478  
City, State, ZIP+4® Florence, SC 29502

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

7200 1630 1000 0891 0707

**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$3.45  
Extra Services & Fees (check box, add fee) \$2.75  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.50  
Total Postage and Fees \$6.70

0230 08  
NOV 15 2018  
Postmark Here

Sent To: Rocky Brime Sawyer Esquire  
Street and Apt. No., or PO Box No. 4706 Forest Dr #B  
City, State, ZIP+4® Columbia, SC 29206

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$3.45  
Extra Services & Fees (check box, add fee) \$2.75  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.50  
Total Postage and Fees \$6.70

0230 08  
NOV 15 2018  
Postmark Here

Sent To: David R. Slight  
Street and Apt. No., or PO Box No. PO Box 2116  
City, State, ZIP+4® Myrtle Beach, SC 29578

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

9200 2564 0000 0891 0707

**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$3.45  
Extra Services & Fees (check box, add fee) \$2.75  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.50  
Total Postage and Fees \$6.70

0230 08  
NOV 15 2018  
Postmark Here

Sent To: William H. Davidson II Esq. JRC  
Street and Apt. No., or PO Box No. PO Box 8568  
City, State, ZIP+4® Columbia, SC 29202

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

Letter  
 (Domestic)  
 (FLORENCE, SC 29502)  
 (Weight: 0 Lb 0.80 Oz)  
 (Estimated Delivery Date)  
 (Monday 11/19/2018)  
 Certified 1 \$3.45  
 (®USPS Certified Mail #)  
 (70181830000149570684)  
 Return 1 \$2.75  
 Receipt  
 (®USPS Return Receipt #)  
 (9590940243858190011282)  
 First-Class 1 \$0.50

Mail  
 Letter  
 (Domestic)  
 (COLUMBIA, SC 29206)  
 (Weight: 0 Lb 0.80 Oz)  
 (Estimated Delivery Date)  
 (Monday 11/19/2018)  
 Certified 1 \$3.45  
 (®USPS Certified Mail #)  
 (70181830000149570707)  
 Return 1 \$2.75  
 Receipt  
 (®USPS Return Receipt #)  
 (9590940243858190011299)  
 First-Class 1 \$0.50

Mail  
 Letter  
 (Domestic)  
 (MYRTLE BEACH, SC 29578)  
 (Weight: 0 Lb 0.80 Oz)  
 (Estimated Delivery Date)  
 (Monday 11/19/2018)  
 Certified 1 \$3.45  
 (®USPS Certified Mail #)  
 (70181830000149570714)  
 Return 1 \$2.75  
 Receipt  
 (®USPS Return Receipt #)  
 (9590940243858190011305)

|        |           |
|--------|-----------|
| Total  | \$47.11   |
| Cash   | \$100.00  |
| Change | (\$52.89) |

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit [www.usps.com](http://www.usps.com) USPS Tracking or call 1-800-222-1811.

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

Preview your Mail  
 Track your Packages  
 Sign up for FREE @  
[www.informedelivery.com](http://www.informedelivery.com)

All sales final on stamps and postage  
 Refunds for guaranteed services only  
 Thank you for your business

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT  
 POSTAL EXPERIENCE

Go to:  
<https://postalexperience.com/Pos>

840-5327-0171-003-00021-98434-02

or scan this code with  
 your mobile device:

=====

DOWNTOWN BOCA RATON  
 170 NE 2ND ST  
 BOCA RATON  
 FL  
 33432-9998  
 1108640230  
 11/15/2018 (800)275-8777 5:07 PM

=====

| Product Description | Sale Qty | Final Price |
|---------------------|----------|-------------|
|---------------------|----------|-------------|

|                                                                                                                                        |   |        |
|----------------------------------------------------------------------------------------------------------------------------------------|---|--------|
| First-Class Mail Letter<br>(Domestic)<br>(YORK, SC 29745)<br>(Weight:0 Lb 1.60 Oz)<br>(Estimated Delivery Date)<br>(Monday 11/19/2018) | 1 | \$0.71 |
|----------------------------------------------------------------------------------------------------------------------------------------|---|--------|

|                                                                 |   |        |
|-----------------------------------------------------------------|---|--------|
| Certified<br>(@USPS Certified Mail #)<br>(70181830000149570691) | 1 | \$3.45 |
|-----------------------------------------------------------------|---|--------|

|                                                                        |   |        |
|------------------------------------------------------------------------|---|--------|
| Return Receipt<br>(@USPS Return Receipt #)<br>(9590940243858190011350) | 1 | \$2.75 |
|------------------------------------------------------------------------|---|--------|

|                                                                                                                                            |   |        |
|--------------------------------------------------------------------------------------------------------------------------------------------|---|--------|
| First-Class Mail Letter<br>(Domestic)<br>(COLUMBIA, SC 29202)<br>(Weight:0 Lb 0.80 Oz)<br>(Estimated Delivery Date)<br>(Monday 11/19/2018) | 1 | \$0.50 |
|--------------------------------------------------------------------------------------------------------------------------------------------|---|--------|

|                                                                 |   |        |
|-----------------------------------------------------------------|---|--------|
| Certified<br>(@USPS Certified Mail #)<br>(70181830000149570738) | 1 | \$3.45 |
|-----------------------------------------------------------------|---|--------|

|                                                                        |   |        |
|------------------------------------------------------------------------|---|--------|
| Return Receipt<br>(@USPS Return Receipt #)<br>(9590940243858190011329) | 1 | \$2.75 |
|------------------------------------------------------------------------|---|--------|

|                                                                                                                                            |   |        |
|--------------------------------------------------------------------------------------------------------------------------------------------|---|--------|
| First-Class Mail Letter<br>(Domestic)<br>(COLUMBIA, SC 29201)<br>(Weight:0 Lb 0.70 Oz)<br>(Estimated Delivery Date)<br>(Monday 11/19/2018) | 1 | \$0.50 |
|--------------------------------------------------------------------------------------------------------------------------------------------|---|--------|

|                                                                 |   |        |
|-----------------------------------------------------------------|---|--------|
| Certified<br>(@USPS Certified Mail #)<br>(70181830000149570721) | 1 | \$3.45 |
|-----------------------------------------------------------------|---|--------|

|                                                                        |   |        |
|------------------------------------------------------------------------|---|--------|
| Return Receipt<br>(@USPS Return Receipt #)<br>(9590940243858190011312) | 1 | \$2.75 |
|------------------------------------------------------------------------|---|--------|

|                                                                                                                                            |   |        |
|--------------------------------------------------------------------------------------------------------------------------------------------|---|--------|
| First-Class Mail Letter<br>(Domestic)<br>(FLORENCE, SC 29503)<br>(Weight:0 Lb 0.80 Oz)<br>(Estimated Delivery Date)<br>(Monday 11/19/2018) | 1 | \$0.50 |
|--------------------------------------------------------------------------------------------------------------------------------------------|---|--------|

|                                                                 |   |        |
|-----------------------------------------------------------------|---|--------|
| Certified<br>(@USPS Certified Mail #)<br>(70181830000149570677) | 1 | \$3.45 |
|-----------------------------------------------------------------|---|--------|

|                                                                        |   |        |
|------------------------------------------------------------------------|---|--------|
| Return Receipt<br>(@USPS Return Receipt #)<br>(9580940243858190011275) | 1 | \$2.75 |
|------------------------------------------------------------------------|---|--------|

|                                       |   |        |
|---------------------------------------|---|--------|
| First-Class Mail Letter<br>(Domestic) | 1 | \$0.50 |
|---------------------------------------|---|--------|

32 of 35

**EXHIBIT E**

**notice of appeal (original)**

**RECEIVED NOVEMBER 29 2018**

33 of 35

**RECEIVED**

**Dec 01 2022**

**SC Court of Appeals**

---

**PROOF OR CERTIFICATE OF SERVICE**

---

I hereby certify that service of the APPELLANT'S RETURN OBJECTION OPPOSITION AND RESPONSE TO RESPONDENT INTERINSURANCE EXCHANGE OF THE AUTOMOBILE CLUB'S MOTION TO DISMISS APPEAL in the above-captioned cases was made upon all parties and counsel of record by depositing a copy of it in the United States Mail, postage prepaid, and return address clearly marked on December 1, 2022, to:

Wesley Brian Sawyer, Esquire  
Murphy & Grantland, P.A.  
P.O. Box 6648  
Columbia, SC 29260  
(Attorney for Respondents Kevin Carter and Richard Davis)

David Richard Sligh, Esquire  
Turner Padgett Graham & Laney, P.A.  
PO Box 2116  
Myrtle Beach, SC 29578  
(Attorney for Respondent Nationwide Mutual Insurance Company)

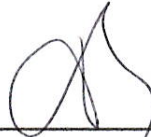
Kelsey J. Brudvig, Esquire  
Christian Stegmeier, Esquire  
Collins & Lacy, PC  
P.O. Box 12487  
Columbia, SC 29211  
(Attorneys for Trustgard Insurance Company and John Ammendola)

William H. Davidson, II, Esquire  
Davidson, Wren & Plyler, P.A.  
P.O. Box 8568  
Columbia, SC 29202  
(Attorney for Respondents SC Dept. of Public Safety and Herbert Blackwell)

34 of 35

Reynolds Williams  
P.O. Box 1909  
Florence, SC 29503-1909  
(Attorney for Respondent Interinsurance Exchange of the Automobile Club)

Alexander S. Gogsette  
P.O. Box 5478  
Florence, SC 29502  
(Attorney for Respondent Joseph Turbovich)



December 1, 2022

---

Heidi Gersten, Appellant  
All Rights Reserved  
1438 W. Lantana Rd. #330  
Lantana, FL 33462  
(323) 245-6142  
[hanginhangout@gmail.com](mailto:hanginhangout@gmail.com)

35 OF 35