

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS
Alison R. Lee, Circuit Court Judge

Appellate Case No: 2012-212896

Charles Taylor,

Appellant

v.

Thomas Davis and State Farm Mutual
Automobile Insurance Company,

Respondents

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SC Court of Appeals

RESPONDENT
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY'S
RETURN AND REPLY TO APPELLANT'S
MOTION SEEKING THE POSTING OF A BOND
PENDING THE APPEAL


Appellant has filed a motion seeking an order from this Court requiring Respondent State Farm to post a bond to cover the \$1,735,000 judgment in this case. However, Appellant cites no legal authority in support of its motion nor is Respondent State Farm aware of any such authority. Moreover, Appellant has obtained a judgment against Respondent Thomas Davis individually in the lower court. The lower court's Order from which Appellant files this appeal specifically held that

Respondent State Farm was not legally liable for payment of the judgment against Davis for reasons cited in the lower court's Order.

Accordingly, Respondent State Farm respectfully submits that Appellant's motion requiring Respondent State Farm to post bond should be summarily denied.

McDONALD, McKENZIE, RUBIN,
MILLER AND LYBRAND, L.L.P.
POST OFFICE BOX 58
1704 MAIN STREET, 2nd FLOOR
COLUMBIA, SOUTH CAROLINA 29202
(803) 252-0500

BY:



JAMES B. LYBRAND, JR.
Attorneys for Respondent State Farm Mutual
Automobile Insurance Company

Columbia, South Carolina

May 30, 2013

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CERTIFICATE OF SERVICE

I hereby certify that a copy of Respondent State Farm's Return and Reply to Appellant's Motion Seeking the Posting of a Bond Pending the Appeal was served upon the following by depositing said papers in the United States Mail, Columbia, South Carolina, on the 30th day of May, 2013, with the first class postage duly affixed and a return address clearly indicated on the envelope, addressed as follows:

Charles Taylor
P. O. Box 3652
Sumter, SC 29151

Thomas Davis
P. O. Box 773
Manning, SC 29102



Paula Abrams
Legal Assistant to James B. Lybrand, Jr.

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McDONALD, McKENZIE, RUBIN, MILLER AND LYBRAND, L.L.P.
ATTORNEYS AT LAW

ROBERT A. MCKENZIE
HYMAN S. RUBIN, JR.
BEN N. MILLER III
JAMES B. LYBRAND, JR.†
RONALD E. ALEXANDER
KEVIN T. BROWN
JOHN F. MCKENZIE*
KELLER C. FOSTER

POST OFFICE BOX 58
COLUMBIA, SOUTH CAROLINA 29202

2ND FLOOR, 1704 MAIN STREET
COLUMBIA, SOUTH CAROLINA 29201

www.mmrml.com

HEYWARD E. McDONALD
1925-2000

TELEPHONE (803) 252-0500
FAX (803) 929-3530

†CERTIFIED MEDIATOR AND ARBITRATOR
*ALSO ADMITTED IN TEXAS

May 30, 2013

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

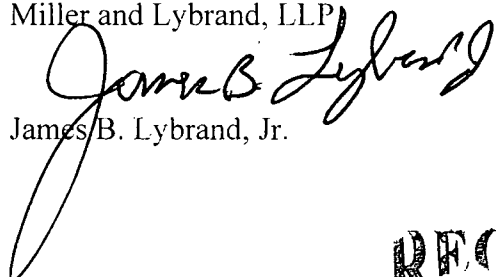
Re: Charles Taylor, Appellant vs. Thomas Davis and State Farm Mutual
Automobile Insurance Company, Respondents
Appellate Case No: 2012-212896

Dear Ms. Kitchings:

I enclose for filing an original and seven copies of Respondent State Farm's Return and Reply to Appellant's motion requesting the posting of a bond in connection with the above matter. Please return a clocked copy in the envelope provided. By copy of this letter I am serving my Reply on Appellant and Thomas Davis. Should you require anything further, please let me know.

With kind regards,

McDonald, McKenzie, Rubin,
Miller and Lybrand, LLP


James B. Lybrand, Jr.

JBLjr/pa
cc: Charles Taylor
Thomas Davis

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