

**WILLOUGHBY & HOEFER, P.A.**

ATTORNEYS & COUNSELORS AT LAW

930 RICHLAND STREET

P.O. BOX 8416

COLUMBIA, SOUTH CAROLINA 29202-8416

MITCHELL M. WILLOUGHBY  
JOHN M.S. HOEFER  
RANDOLPH R. LOWELL  
TRACEY C. GREEN  
BENJAMIN P. MUSTIAN  
ELIZABETH ZECK\*  
ELIZABETHANN LOADHOLT CARROLL  
CHAD N. JOHNSTON  
JOHN W. ROBERTS

AREA CODE 803  
TELEPHONE 252-3300  
TELECOPIER 256-8062

June 21, 2013

\*ALSO ADMITTED IN TX

**VIA HAND DELIVERY**

Honorable Jenny Kitchings  
Clerk of Court  
**South Carolina Court of Appeals**  
1015 Sumter Street  
Post Office Box 11629  
Columbia, South Carolina 29211

RECEIVED

JUN 21 2013

SC COURT OF APPEALS

Re: Subrogation Partners, on behalf of Legion Insurance Co., in Liquidation, and South Carolina Property & Casualty Insurance Guaranty Association, Respondents, v. South Carolina Second Injury Fund, Appellant; In Re: Herman Webster, Claimant, v. Webster Plumbing & Gas, Employer, and Subrogation Partners on Behalf of Legion Insurance in Liquidation and South Carolina Property & Casualty Insurance Guaranty Association, Carriers;  
Case No. 2009-CP-40-00484; Court of Appeals Case Tracking #: 2010-181727

Dear Ms. Kitchings:

Pursuant to this Court's March 27, 2013 Order in the above-referenced matter, the purpose of this letter is to notify the Court that the Workers' Compensation Commission has approved the settlement in this matter and issued a Consent Order of Dismissal with Prejudice, a copy of which is attached hereto. The parties appreciate the Court's assistance and patience with this matter. By copy of this letter, I am serving counsel of record, R. Daniel Addison and Peter P. Leventis. If you have any questions or need additional information, please contact me at your convenience. With best regards, I am

Respectfully,

**WILLOUGHBY & HOEFER, P.A.**

*ElizabethAnn L. Carroll*  
ElizabethAnn Loadholt Carroll *ELC*

ELC  
enclosure

cc: R. Daniel Addison, Esquire (via electronic mail)  
Peter P. Leventis, IV, Esquire (via electronic mail)  
Robert M. Cook, II, Esquire (via United States mail)

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

BEFORE THE SOUTH CAROLINA  
WORKERS' COMPENSATION  
COMMISSION

IN RE: )  
)  
)

Herman Webster, )  
)  
Claimant, )

**CONSENT ORDER  
OF DISMISSAL  
WITH PREJUDICE**

vs. )  
)

Webster Plumbing & Gas, )  
)  
Employer, )

**RECEIVED**

JUN 21 2013

**SC Court of Appeals**

and )  
)  
Subrogation Partners on Behalf of )  
Legion Insurance Co, in )  
Liquidation and South Carolina )  
Property & Casualty Insurance )  
Guaranty Association, )  
)  
Carriers )

This matter was pending before the South Carolina Court of Appeals prior to the parties reaching a settlement agreement. The Court of Appeals, by Order dated March 27, 2013 (attached hereto as Exhibit A), dismissed the appeal and remanded the matter to South Carolina Workers' Compensation Commission (the "Commission").

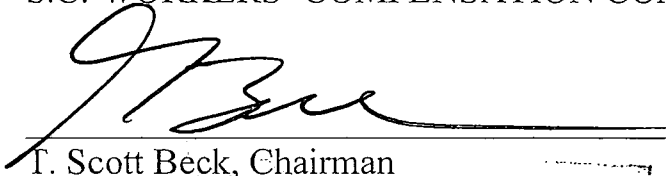
The above referenced matter having now been settled, the undersigned, as attorneys for all parties of record, hereby stipulate that this matter is to be dismissed with prejudice and forever ended.

Now therefore, it appearing that the above-captioned case has been fully and finally settled and the claims released,


**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the above-captioned case is dismissed with prejudice and forever ended.

**AND IT IS SO ORDERED.**

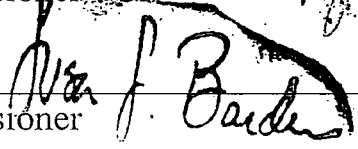
S.C. WORKERS' COMPENSATION COMMISSION

  
\_\_\_\_\_

T. Scott Beck, Chairman  
On behalf of the Full Commission

  
\_\_\_\_\_

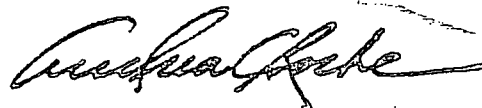
Commissioner

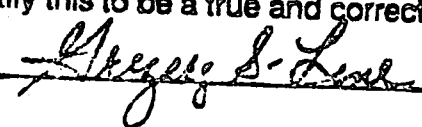
  
\_\_\_\_\_

Commissioner

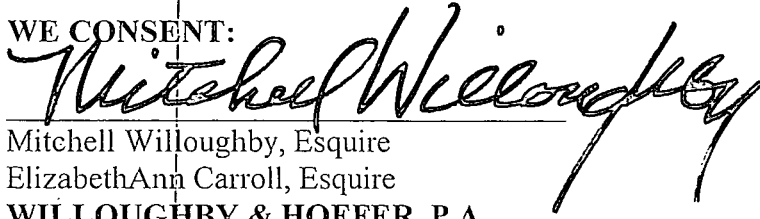
Columbia, South Carolina

June 18, 2013



I certify this to be a true and correct copy.  
  
\_\_\_\_\_

WE CONSENT:



Mitchell Willoughby, Esquire  
ElizabethAnn Carroll, Esquire  
**WILLOUGHBY & HOEFER, P.A.**  
930 Richland Street  
Columbia, South Carolina 29202-8416  
(803) 252-3300

Robert M. Cook, II, Esquire  
**THE ROBERT COOK LAW FIRM**  
Post Office Box 3575  
Leesville, South Carolina 29070  
(803) 317-2171

Attorneys for South Carolina Second Injury Fund

WE CONSENT:



R. Daniel Addison, Esquire

**HENDRICK, GARDNER, KINCHELOE & GAROFALO, LLP**

P.O. Box 11267

Columbia, South Carolina 29211

(803) 727-1201

Attorney for Subrogation Partners, on behalf  
Of Legion Insurance Co., in Liquidation

WE CONSENT:



Mark D. Cauthen

Peter P. Leventis, IV

**McKAY, CAUTHEN, SETTANA & STUBLEY, P.A.**

P.O. Box 7217

Columbia, South Carolina 29202-7217

(803) 256-4645

Attorney for South Carolina Property and  
Casualty Insurance Guaranty Association