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Nov 21 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge
R. Lawton McIntosh, Circuit Court Judge

Case No.: 2019-CP-23-01438

Benigna Vargas

Appellant,

v.

MGA Insurance Company, Inc. and
Calidad Latina, Inc.,

Respondents.

NOTICE OF APPEAL

Appellant Benigna Vargas hereby appeals the Order of R. Lawton McIntosh, dated and filed May 14, 2021. Appellant's Motion to Alter or Amend Judgment Pursuant to Rule 59, *SCRCP*, and to Reconsider Pursuant to Rule 52, *SCRCP*, was denied via the Order of R. Lawton McIntosh, dated and filed June 3, 2021.

Appellant Benigna Vargas hereby appeals the Orders of Perry H. Gravely, dated and filed October 23, 2023, and October 25, 2023. Appellant's Motion to Alter or Amend Judgment Pursuant to Rule 59, *SCRCP*, and to Reconsider Pursuant to Rule 52, *SCRCP*, was denied via the Order of Perry H. Gravely, dated and filed November 15, 2023.

Appellant Benigna Vargas hereby appeals the Verdict of the Court, dated October 25, 2023, and the Order of Perry H. Gravely dated November 15, 2023 denying Plaintiff's Motion for a Judgment Notwithstanding the Verdict, Motion for a New Trial Absolute, and Motion to Alter or Amend Judgment Pursuant to Rules 50, 52, 59, And 60, *SCRCP*.

s/Raymond T. Wooten
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November 21, 2023

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STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Benigna Vargas,

Plaintiff,

Vs.

MGA Insurance Company, Inc.

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE THIRTEENTH JUDICIAL CIRCUIT
C.A. No: 2019-CP-23-01438

VERDICT

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We, the Jury, unanimously find as follows (Please answer the following question):

Did Defendant MGA Insurance Company, Inc. make a meaningful offer of underinsured motorist coverage to Alfredo Mendez at the time of application for the subject insurance policy?

Yes No

When you have reached a verdict, please notified the bailiff as instructed.

Oct 25th, 2023

Angela Laird #51
Angela Laird, #51

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the counsel addressed below, by emailing a PDF of same, on November 21, 2023, to the following email address:

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November 21, 2023