

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Paula H. Thomas, Court Judge
and
James E. Lockemy, Circuit Judge

Case No. 2002-CP-22-00998

Employers Insurance of Wausau,..... RESPONDENT,

vs.

Eric C. Hansen,APPELLANT,

AND

Robert J. Moran, RESPONDENT,

AND

Eric C. Hansen (Third Party Plaintiff)APPELLANT,

vs.

Caldwell's Diving Co., Inc. (Third Party Defendant) RESPONDENT.

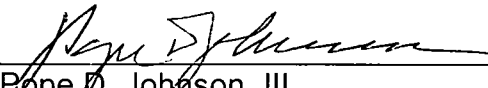
**RESPONDENT EMPLOYERS INSURANCE OF WAUSAU'S
RETURN TO MOTION TO SUPPLEMENT THE RECORD**

Employers Insurance of Wausau ("Wausau") objects to the motion to supplement the Record. The Court has made its decision. All that remains is a

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ruling on Hansen's Petition For Rehearing and this motion. Rule 221, SCACR, governs petitions for rehearing. Rule 221(a) provides that the petition shall state "with particularity the points supposed to have been overlooked or misapprehended". In other words, the Rule allows a party to raise arguments previously raised but overlooked or misapprehended. This Court could not have overlooked or misapprehended something that was not part of the Record. This Court did not decline to rule on any issue because the Record did not include information necessary for a ruling. Hansen seeks to supplement the Record to support his new arguments. Since he is not entitled under Rule 221, SCACR, to make new arguments, his motion to supplement the Record should be denied.

Respectfully submitted,



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Columbia, South Carolina
August 8, 2013

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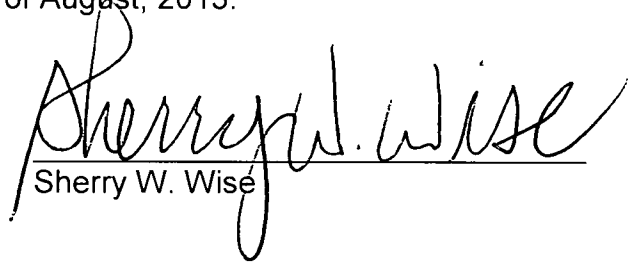
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PROOF OF SERVICE

I, Sherry W. Wise, of Johnson & Barnette, LLP, hereby certify that a copy of **Respondent Employers Insurance of Wausau's Return to Motion to Supplement the Record** in the above entitled matter was served on **Appellant**

Eric C. Hansen, 389 South Green Street, Tuckerton, NJ 08087, Respondent Robert J. Moran and his attorney, John S. Wilkerson of Turner Padgett Graham & Laney, P.O. Box 22129, Charleston, SC 29413, and Respondent Caldwell's Diving Co., Inc. and its attorney, Mary Bass Lohr of Howell, Gibson & Hughes, P.A., P.O. Box 40, Beaufort, SC 29901-0040, by mailing a copy of same, postage prepaid and return address clearing indicated, to them at the following addresses on the 8th day of August, 2013.


Sherry W. Wise