

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

Cynthia C. Dooley, Chair
T. Scott Beck
Melody L. James

WCC No. 1923480

Appellate Case No.: 2023-001264

Takara L. Stewart,.....Appellant,

v.

South Carolina CVS Pharmacy, LLC, Employer, and
XL Insurance America, Inc., Carrier.....Respondents.

RESPONDENTS' DESIGNATION OF MATTER

Pursuant to Rule 209(a), SCACR, Respondents designate the following items for
inclusion in the Record on Appeal:

1. Appellant's Form 50, dated April 8, 2020 and February 24, 2021;
2. Respondents' Form 51, dated May 8, 2020 and March 26, 2021;
3. The following excerpts from Appellant's and Respondents' APA Submissions and Exhibits:

- a. Respondents' Brief Exhibit D p. 66, Exhibit E p. 83, and Exhibit G;
 - b. APA 2 pp. 3-4
 - c. APA 5, pp.12, 19-21, 23-24;
 - d. APA 12, pp. 37-38, 40;
 - e. APA 13, pp. 46-47, 50-52;
4. Transcript of Deposition of Dr. Ashley Hicks: pp. 5:25-6:2, 16:22-25, 17:1-21, 27:24 – 28:2, 8-10, 30:2-5; 32:17-25; 33:8-10, 23-34:4, 22-25, 36:3-37:17, 38:9-20, 39:3-13, 39:24-40:22, 40:10-12, 19-22, 41:9-23, 42:25 – 44.
 5. Transcript of the hearing before Commission Aisha Taylor on June 3, 2021 pp. 28:16-25, 29:6-22, 35:23-36:6, 43:2-5, 43:23-46:19, 48:7-12, 49:10-51:15, 52:21-53:7, 54:14-22, 55:1-17, 56:18-20, 57:11-13, 17-24, 58:19-23, 61:22-62:8, 63:4-14, 23-24, 64:7-19, 66:20-22, 68:6-22, 76:17-77:6.
 6. Defendants/Appellants' Brief to the Full Commission dated April 13, 2023
 7. Defendants/Appellants' Reply Brief to the Full Commission dated May 2, 2023;
 8. Transcript of the Full Commission Hearing dated May 8, 2023; and
 9. Appellate Panel's Decision and Order dated July 10, 2023.

Pursuant to 209(c), SCACR, Respondents' counsel certifies that none of these items are irrelevant to the appeal.

Greenville, SC
October 30, 2024

Respectfully submitted,
s/Michelle DeLuca Yarbrough
Michelle DeLuca Yarbrough
(S.C. Bar No. 15603)
Gallivan, White & Boyd, P.A.
P.O. Box 10589
Greenville, South Carolina 29603
Telephone: (864) 271-5349
myarbrough@gwblawfirm.com
Attorneys for Respondents