



Margaret Miles Bluestein  
John Shannon Nichols  
Stacy Elizabeth Thompson  
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Allison Paige Sullivan  
Ashley Trout Thompson  
Blake Alexander Hewitt  
Kenneth Henry Dojaquez  
John Clarke Newton

OF COUNSEL  
O. Eugene Powell, Jr.

November 13, 2013

The Honorable Jenny Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Dharmendra Chaudhari, Husband of Anita Chaudhari vs. AVNI Grocers,  
and The South Carolina Uninsured Employers' Fund  
Case Tracking No.: 2013-000282

Dear Ms. Kitchings:

I am writing regarding a deficiency letter I received pertaining to this case. On November 1, 2013, the Court wrote that "the caption does not comply with Rule 267(a), SCACR" and stated that any future filings must feature the following caption:

Anita Chaudhari, Deceased, Employee and Dharmendra Chaudhari, Claimant,  
Respondents,

vs.

AVNI Grocers, Employer, Defendant, Alleged Uninsured Employer, and The  
South Carolina Uninsured Employer's Fund,

of whom the South Carolina Uninsured Employer's Fund is the Appellant.

This, however, may not be the correct caption for this matter. Instead, this caption reflects a unilateral alteration by the Fund when it filed its notice of appeal.

By way of background, this case has been before this Court before. In 2010, the Court issued an unpublished opinion in the case and captioned it:

Dharmendra Chaudhari, Husband of Anita Chaudhari, Deceased, Claimant,

v.

Avni Grocers, Employer, and The South Carolina Uninsured Employers' Fund  
Carrier.

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SC Court of Appeals

2010-UP-333 (S.C. Ct. App. filed June 29, 2010). I have attached a copy of the prior opinion for your convenience. (Exh. A). The upshot of the opinion was to dismiss the appeal without prejudice and remand the matter for further proceedings. It is that same matter that has found its way back to this Court.

Following remand, the matter returned to the Workers' Compensation Commission, where the Fund captioned the case "Dharmendra Chaudhari, Husband of Anita Chaudhari, Deceased, Claimant v. Avni Grocers, Employer, and SC Uninsured Employer's Fund, Carrier." (Exh. B)

Commissioner Avery Wilkerson thereafter filed an order in the case captioned "Dharmendra Chaudhari, Spouse of Anita Chaudhari, Deceased, Employee/Claimant v. Avni Grocers/Fast Point Amoco, Employer, and [SC] Uninsured Employers Fund, Defendant/Defendants." (Exh. C)

The Fund sought appellate panel review and captioned its Form 30, "Dharmendra Chaudhari, spouse of Anita Chaudhari, Deceased/Claimant v. Avni Grocers, Employer, and SC Uninsured Employer's Fund, Carrier." (Exh. D)

The Appellate Panel issued its order and captioned it, "Dharmendra Chaudhari, Spouse of Anita Chaudhari, Deceased, Employee/Claimant v. Avni Grocers/Fast Point Amoco, Employer, and [SC] Uninsured Employers Fund, Defendants." (Exh. E)

The Fund petitioned for Judicial Review and captioned its notice, "Dharmendra Chaudhari, spouse of Anita Chaudhari, Deceased, Appellee/Claimant v. Avni Grocers, Employer, and SC Uninsured Employer's Fund, Appellant/Carrier." (Exh. F)

The circuit court filed a Form 4 Order captioned "Chaudhari v. Avni Grocers." (Exh. G).

The Fund then served its Notice of Appeal. For some unexplained reason, the Fund altered the caption on the notice of appeal to:

"Anita Chaudhari, Deceased Employee, and Dharmendra Chaudhari, Claimant/Respondent v. Avni Grocers, Employer/Defendant, Alleged Uninsured Employer, and The South Carolina Uninsured Employers Fund, Appellant." (underline added)

(Exh. H) Instead of following Rule 267(a), SCACR, the Fund rearranged the parties and added the word "Alleged Uninsured Employer" to the caption.

The caption of an appeal should reflect the caption from the lower tribunal. *Cf. Ex parte Wilson*, 367 S.C. 7, 10 n. 1, 625 S.E.2d 205, 206 n. 1 (2005) (Supreme Court modified case caption "to accurately reflect the status of the parties on appeal"); *James v. State of South Carolina Employee Ins. Program*, 371 S.C. 637 n. 1, 640 S.E.2d 474, n. 1 (Ct. App. 2006) (Court of Appeals noted defendant "was previously misnamed in the pleadings as Blue Cross Blue

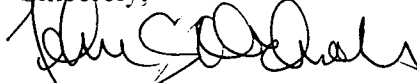
Shield of South Carolina; however, the circuit court, with the parties' consent, 'ORDERED, ADJUDGED and DECREED, that the pleadings be amended to reflect that the State of South Carolina Employee Insurance Program [is] the [Defendant] in this action....' Accordingly, we have made this amendment in the caption for this appeal."); *South Carolina Dept. of Probation, Parole and Pardon Services ex rel. State v. Reynolds*, 343 S.C. 465, 540 S.E.2d 480 (Ct. App. 2000) (correcting a caption to reflect the caption from the final order on appeal).

It has been my understanding and practice to maintain the caption on appeal in the same form as the caption before prior tribunals. In fact, in the prior decision, this Court used the identical caption that I used on the initial brief I filed that is the subject of the deficiency notice. (Exh. A)

Please review these documents and clarify the appropriate caption for this case. It is inappropriate for a party, such as the Fund, to unilaterally re-create a caption to reflect its own position before this Court (i.e., that Avni is an "alleged" uninsured employer). It is Respondent's position that the correct caption should be the caption the Court used before, that is, *Dharmendra Chaudhari, Husband of Anita Chaudhari, Deceased, Claimant, v. Avni Grocers, Employer, and The South Carolina Uninsured Employers' Fund, Carrier*, 2010-UP-333 (S.C. Ct. App. filed June 29, 2010). However, we shall of course abide by the Court's instructions.

Thank you for your attention to this matter. Please let me know if you need anything further.

Sincerely,



John S. Nichols  
BLUESTEIN, NICHOLS, THOMPSON &  
DELGADO, LLC

JSN/ms

Enclosures

cc: Jarrel L. Wigger, Esquire  
Margaret M. Urbanic, Esquire  
Lisa Glover, Esquire

## **Exhibit A**

THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

Case No. 2007-CP-10-0013

Virendra Puniyani, Deceased  
Employee, and Rajkumari  
Puniyani,

Respondents,

v.

Avni Grocers, Employer,

Defendants,

and

The South Carolina Uninsured  
Employers' Fund, Carriers,

Appellant.

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Case No. 2007-CP-10-0014

Dharmendra Chaudhari,  
Husband of Anita Chaudhari,  
Deceased, Claimant,

v.

Avni Grocers, Employer, and  
The South Carolina Uninsured  
Employers' Fund, Carrier.

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SC Court of Appeals

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Appeal From Charleston County  
D. Garrison Hill, Circuit Court Judge

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Unpublished Opinion No. 2010-UP-338  
Heard March 2, 2010 – Filed June 29, 2010

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**APPEAL DISMISSED**

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Latonya Dilligard Edwards, S.C. Second Injury Fund,  
of Columbia, Terri Morrill Lynch, Matthew J. Story,  
Margaret M. Urbanic, of Charleston, for Appellant.

Jarrel L. Wigger of N. Charleston, John S. Nichols,  
of Columbia, for Respondents.

**PER CURIAM:** The South Carolina Uninsured Employers' Fund (Fund) appeals the order of the circuit court, which reversed the decision of the South Carolina Workers' Compensation Commission (Commission) denying benefits to Rajkumari Puniyani, mother of deceased employee Virendra Puniyani, and remanded the case to the Commission. We find the order on appeal is not immediately appealable and therefore dismiss.

**FACTS/PROCEDURAL HISTORY**

On November 14, 2002, Virendra Puniyani was killed by a co-worker while working at the Fast Point Gas Station. Mrs. Puniyani brought this action seeking workers' compensation benefits. As the Employer, Avni Grocers, did not have workers' compensation insurance, the Fund defended

the action. The single commissioner held Mrs. Puniyani failed to prove Avni Grocers regularly employed four or more employees as required by section 42-1-150 of the South Carolina Code (1985) to be subject to the jurisdiction of the Commission. The Appellate Panel of the Commission affirmed. The circuit court, however, reversed and remanded the matter to the Commission for further proceedings consistent with its order. This appeal followed.

### **LAW/ANALYSIS**

Mrs. Puniyani argues the order of the circuit court is not immediately appealable. We agree.

Our courts "have consistently held that an order of the circuit court remanding a case for additional proceedings before an administrative agency is not directly appealable." Montjoy v. Asten-Hill Dryer Fabrics, 316 S.C. 52, 52, 446 S.E.2d 618, 618 (1994). The South Carolina Supreme Court recently reiterated that appeals from administrative agencies may only be from final decisions. Charlotte-Mecklenburg Hosp. Auth. v. S.C. Dep't of Health & Env'tl. Control, S.C. Sup. Ct. Order dated April 8, 2010 (Shearouse Adv. Sh. No. 14 at 85). It explained the general appealability statute, section 14-3-330 of the South Carolina Code (1976 & Supp. 2009), does not apply to appeals from administrative agencies. Id. at 87. The court overruled this court's opinion Canteen v. McLeod Regional Medical Center, 384 S.C. 617, 682 S.E.2d 504 (Ct. App. 2009) to the extent it relied on section 14-3-330 to permit the appeal of interlocutory orders of the administrative law court or an administrative agency.<sup>1</sup> Id.

A judgment is not final when there is some further act that must be done by the court prior to a determination of the rights of the parties or when the judgment determines the applicable law while leaving open questions of fact. Id. at 88. "A final judgment disposes of the whole subject matter of the action or terminates the particular proceeding or action, leaving nothing to be done but to enforce by execution what has been determined." Id.

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<sup>1</sup> It also overruled Oakwood Landfill, Inc. v. South Carolina Department of Health and Environmental Control, 381 S.C. 120, 671 S.E.2d 646 (Ct. App. 2009).

The order on appeal remands the matter to the Commission for further proceedings. It is not a final judgment. Thus, the order is not immediately appealable.

**APPEAL DISMISSED.**

**FEW, C.J. and HUFF and THOMAS, JJ., concur.**

## **Exhibit B**

**South Carolina Workers' Compensation Commission**

P.O. Box 1715 ♦ 1612 Marion Street  
Columbia, South Carolina 29202-1715

WCC File # 0221896  
Carrier File # UE4428  
Carrier Code # \_\_\_\_\_  
Employer FEIN \_\_\_\_\_

Dharmendra Chaudhari, spouse of Anita Chaudhari, Deceased  
Claimant's Name SSN  
918 Jamison Park North Charleston, SC 29406  
Address City State Zip  
843-572-9695  
Home Phone # Work Phone #  
Terri J. Morrill (843) 577-2026  
Preparer's Name Phone #

Avni Grocers  
Employer's Name  
1900 McMillan  
Address City State Zip  
SC Uninsured Employer's Fund  
Insurance Carrier

Complete each information blank. Specify clearly when contentions are admitted in part and denied in part.  
The employer-insurance carrier in answer to the claim due to the death of Anita Chaudhari, respectfully shows:

1. It is admitted that the employee sustained an injury on or about the date set forth in the application.
2. It is denied that both the employer and employee were subject to the Workers' Compensation Act at the time in question. The reasons for denial are: Employee did not prove that Employer regularly employed four or more employees under the Act and Circuit Court erroneously allowed evidence to be introduced after hearing awaiting final order for further appeals. The South Carolina Uninsured Employers Fund is awaiting a final order before further appeals.
3. It is denied that the relationship of employer and employee existed at the time in question. The reasons for denial are: See # 2.
4. It is denied that at the time in question the employee was performing services arising out of and in the course of employment. See # 2.
5. It is admitted that notice of injury was given the employer as specified in the application. Employer was aware of employee's death.
6. It is denied that the employee was entitled to medical case as a result of the injury. See # 1-3.
7. It is denied that the employee lost compensable time from work and wages for Period(s) of: N/A
8. It is denied that the employee's death resulted proximately from accidental injury arising out of and in the course of employment on 11/14/02 - See #1-3.
9. It is contended that an average weekly wage of \$700.00 applies, according to attached accounting of employee's earnings as provided by law.
10. Further contentions or grounds of defense are: There is no legal basis for the Claimant to pursue this claim under the Act where there was no proof that the Employer regularly employs four (4) or more employees. The South Carolina Uninsured Employers Fund is awaiting final order of WCC to file appeal.

I certify that I have served this document pursuant to R.67-212 by delivering a copy to  
Jarrel L. Wigger, Esquire, 8086 Rivers Avenue, Suite A  
North Charleston, SC 29406

Name Terri J. Morrill Address \_\_\_\_\_  
on the 22nd day of September, 2011 by  first class mail;  personal service,  certified mail.

Terri J. Morrill  
Terri J. Morrill, Esquire

Attorney for SCUEF  
Title

9/22/11  
Date

Refer to R.67-205 and R.67-601 through R.67-615. Questions about the use of this form may be directed to the Commission's Judicial Department. Pursuant to R.67-606, a Form 20 must be filed with the Claims Department at least 30 days from the date of filing this form.

## **Exhibit C**

DECISION AND ORDER  
OF THE  
SC WORKERS' COMPENSATION COMMISSION

WCC FILE NUMBER 0221896

Dharmendra Chaudhari, spouse of Anita Chaudhari, deceased  
Employee/Claimant,

v.

Avni Grocers/Fast Point Amoco,  
Employer,

and

WC Uninsured Employers Fund,  
Defendant/Defendants.

HEARING:

Held in Summerville, South Carolina, on November 29, 2011, per notices served on all parties of interest.

APPEARANCES:

The Claimant was represented by Jarrel L. Wigger, Esquire, of Charleston, South Carolina.

The Employer was present and unrepresented. Mr. Harendra Pal was the sole owner of the Employer, Avni International of S.C. Inc.

The WC Uninsured Employers Fund was represented by Matthew J. Story, Esquire, of Charleston, South Carolina.

PURPOSE OF HEARING:

To determine issues as set forth on Forms 52 and 53.

DECISION AND ORDER:

The Honorable Avery B. Wilkerson, Jr.

FILED:

February 16, 2012

By: \_\_\_\_\_  
The WC Uninsured Employers Fund

FILED  
FEB 16 2012  
WCC

## **Exhibit D**

South Carolina Workers' Compensation Commission

P.O. Box 1715 ♦ 1612 Marion Street  
Columbia, South Carolina 29202-1715

WCC File #  
Carrier File #  
Carrier Code #  
Employer FEIN

0221896  
UE4428

Dharmendra Chaudhari, spouse of Anita Chaudhari,  
Deceased

Claimant's Name SSN  
918 Jamison Park North Charleston, SC 29406  
Address City State Zip  
843-572-9695  
Home Phone # Work Phone #  
Terri J. Morrill (803) 577-2026  
Preparer's Name Phone #

Avni Grocers  
Employer's Name  
1900 McMillan Avenue, North Charleston, SC 29405  
Address City State Zip  
SC Uninsured Employer's Fund  
Insurance Carrier

Request for Commission Review by  claimant  employer  South Carolina Uninsured Employer's Fund (check one)

The undersigned makes application for review of the findings of the Commissioner in the above captioned case. The request for review is based on the following grounds: (State the grounds of your appeal in the form of questions presented. Each question presented must contain a concise statement of one proposition of law or fact. Refer to evidence by title and exhibit number. Use additional pages, if necessary).

Please see attached.

Check one) Oral argument  is  is not requested. Appellant's request for oral argument is waived if not indicated on this form.

I certify that I have served this document pursuant to R.67-212 by delivering a copy to  
Jarrel L. Wigger 8086 Rivers Avenue, Suite A  
North Charleston, SC 29406

Name Address  
on the 29th day of February, 2012 by  first class mail;  personal service,  certified mail.

Terri J. Morrill  
Preparer's Signature

ATTORNEY FOR SCUEF  
Title

2/29/12  
Date

Clawson & Stankes, LLC

Check this box if you are not represented by an attorney.

If the claimant appeals and is representing himself or herself, the Judicial Department will prepare the additional copies of this form and serve this form on the opposing party. R.67-701B. Otherwise, file the original and 8 copies of this form with the Judicial Department. The appeal must be marked no later than 14 days from the date of service of the Hearing Commissioner's decision. R.67-205D. Attach the filing fee to this form. Attach a Form 32 if you are unable to pay the filing fee. Refer to R.67-701 through R.67-711 for additional information.

**Exhibit E**

DECISION AND ORDER  
OF THE APPELLATE PANEL OF THE  
SC WORKERS' COMPENSATION COMMISSION

WCC FILE NUMBER 0221896

Dharmendra Chaudhari, spouse of Anita Chaudhari, deceased  
Employee/Claimant,

versus

Avni Grocers/Fast Point Amoco,  
Employer,

and

WC Uninsured Employers Fund,

Defendants.

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Appellate Panel Review Held in Columbia, South Carolina  
On June 19, 2012 Pursuant to Notices  
Timely and Properly Served Upon all Parties in Interest

Appellate Panel Decision Filed 8/28, 2012

APPEARANCES:

Claimant represented by Jarrel L. Wigger, Esquire,  
Wigger Law Firm, Inc. 8086 Rivers Avenue, Suite  
A, North Charleston, SC 29406, and John S.  
Nichols, Esquire, Bluestein Nichols Thompson &  
Delgado, LLC, PO Box 7965, Columbia, SC 29202.

Employer was present and unrepresented. Mr.  
Harendra Pal was the sole owner of the Employer,  
Avni International of S.C. Inc. and appeared *pro se*.

Appellant SC Uninsured Employers Fund  
represented by Terri J. Morrill, Clawson and  
Staubes, LLC, 126 Seven Farms Drive, Suite 200,  
Charleston, SC 29492.

## **Exhibit F**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

IN THE COURT OF COMMON PLEAS  
FIRST JUDICIAL CIRCUIT  
W.C.C. FILE NO. 0221896

Dharmendra Chaudhari, spouse of Anita )  
Chaudhari, Deceased, )

2012-CP-10-\_\_\_\_\_

Appellee/Claimant, )

**NOTICE OF INTENT TO APPEAL  
NON-JURY WORKERS'  
COMPENSATION APPEAL**

v. )

Avni Grocers, )

Employer, )

SC Uninsured Employer's Fund, )

Appellant/Carrier )

TO: THE COURT OF COMMON PLEAS AND JARREL WIGGER, ESQUIRE AND  
JOHN S. NICHOLS, ATTORNEYS FOR THE APPELLEE/CLAIMANT:

**YOU WILL PLEASE TAKE NOTICE**, that the Petitioner, the South Carolina  
Uninsured Employers Fund, by and through their undersigned attorneys does hereby, file  
this Notice of Intent to Appeal from the Order of the South Carolina Workers'  
Compensation Commission filed August 28, 2012, upon the grounds as set forth in the  
Petitioner's Petition for Judicial Review, a copy of which is attached hereto and  
incorporated herein.

CLAWSON AND STAUBES, LLC

*Terri J. Morrill*

Terri J. Morrill  
126 Seven Farms Drive, Suite 200  
Charleston, South Carolina 29492-8144  
(843) 577-2026

Attorney for the Petitioners.

Charleston, South Carolina  
September 25, 2012

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )  
  
Dharmendra Chaudhari, spouse of Anita )  
Chaudhari, Deceased, )  
 )  
Appellee/Claimant, )  
 )  
v. )  
 )  
Avni Grocers, )  
 )  
Employer, )  
 )  
SC Uninsured Employer's Fund, )  
 )  
Appellant/Carrier )

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IN THE COURT OF COMMON PLEAS  
FIRST JUDICIAL CIRCUIT  
W.C.C. FILE NO. 0221896

Case No: 2012-CP-10-\_\_\_\_\_

PETITION FOR JUDICIAL REVIEW  
(Non-Jury)

TO: THE COURT OF COMMON PLEAS, JARREL WIGGER, ESQUIRE AND JOHN S. NICHOLS, ATTORNEYS FOR THE APPELLEE/CLAIMANT:

The Petitioner, the South Carolina Uninsured Employers Fund, by and through their undersigned attorneys, pray for review of the Order of the South Carolina Workers Compensation Commission filed August 28, 2012, pursuant to the provisions of Section 1-23-380, South Carolina Code of Laws, 1976, as amended commonly known as the Administrative Procedures Act, and Section 42-17-60, South Carolina Code of Laws 1976, as amended, commonly known as the South Carolina Workers Compensation Act, and would respectfully allege and show unto this Honorable Court as follows:

FIRST: The Full Commission erred in finding as a fact and concluding as a matter of law that Avni Grocers had four or more employees and was subject to the Act based upon an affidavit of Harendra Pal, which is error as a matter of law based upon a prior incorrect ruling of a Circuit Court Judge that evidence known at the time of a hearing, but not submitted, should be allowed, said interlocutory ruling constituting clear error as a matter of law which should be overturned.

## **Exhibit G**

FORM 4

STATE OF SOUTH CAROLINA  
 COUNTY OF CHARLESTON  
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2012-CP-10-6355

Chandhari  
 PLAINTIFF(S)

Avni Grocers  
 DEFENDANT(S)

Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or
	<input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX)**  
 Affirmed;  Reversed;  Remanded;  Other

2013 JAN -9 PM 4:18  
 JULIE J. ARMSTRONG  
 CLERK OF COURT

FILED

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court: Appeal is Denied

ORDER INFORMATION

This order  ends  does not end the case.  
 Additional Information for the Clerk :

INFORMATION FOR THE PUBLIC INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
N/A		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

[Signature] 2117 1/9/13  
 Circuit Court Judge Judge Code Date

For Clerk of Court Office Use Only

## **Exhibit H**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J. C. Nicholson, Jr., Circuit Court Judge

Case No.: 2012-CP-10-6355

Anita Chaudhari, Deceased Employee, and  
Dharmendra Chaudhari..... Claimant/Respondent

v.

Avni Grocers,  
Employer/Defendant, ..... Alleged Uninsured Employer

and

The South Carolina Uninsured Employer's  
Fund, ..... Appellant

NOTICE OF APPEAL

The South Carolina Uninsured Employer's Fund appeals the judgement of the  
Honorable J. C. Nicholson, Jr. dated January 9, 2013. Appellant received written notice  
of entry of this judgment on January 16, 2013.

February 5, 2013

*Terri J. Morrill*

Terri J. Morrill  
Clawson & Staubes, LLC  
126 Seven Farms Dr., Suite 200  
Charleston, South 29492-8144  
(843) 577-2026  
Attorneys for SCUEF/Appellant

Other Counsel of Record:

Jarrel L. Wigger, Esquire  
8086 Rivers Avenue, Suite A  
North Charleston, SC 29406  
Attorney for Appellant

John S. Nichols, Esquire  
Bluestein & Nichols, LLC  
P.O. Box 7965  
Columbia, SC 29202

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NOV 14 2013

SC Court of Appeals