

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals
COURT OF APPEALS

APPEAL FROM THE
COURT OF COMMON PLEAS
The Honorable R. Knox McMahon

Appellate Case No. 2014-001258

Ricky Kneece,

Respondent,

v.

Kneece Farms and Legion in Liquidation
And the South Carolina Property and Casualty
Insurance Guaranty Association,

Appellants.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

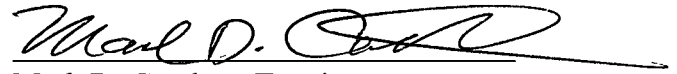
1. Order extending time to file Appellants' Initial Brief dated August 7, 2014
2. Order extending time to file Appellants' Initial Brief dated July 2, 2014
3. Notice of Appeal to the Court of Appeals dated June 2, 2014
4. Order of Judge Knox McMahon Denying Defendants Rule 59(e) Motion to Alter or Amend Judgment, dated April 24, 2014
5. Order of the Full Commission dated November 13, 2013 rescinding Order dated October 1, 2013
6. Claimant's Return to Motion to Alter or Amend Judgment dated August 21, 2013
7. Defendants' Notice of Motion and Motion to Alter or Amend Judgment dated August 5, 2013.
8. Circuit Court Order of Judge Knox McMahon dated July 18, 2013
9. Defendants' Brief to the Circuit Court dated March 20, 2013
10. Claimant's Brief to the Circuit Court dated March 7, 2013
11. Petition for Judicial Review by the Defendants dated May 21, 2012
12. Notice of Intent to Appeal by the Claimant dated May 18, 2012
13. The Appellate Panel Order of the SCWCC served on April 19, 2012
14. Request for proposed Order from the Appellate Panel from the SCWCC Oct. 17, 2011
15. The Hearing Transcript of the proceedings before the Appellate Panel on September 20, 2011.
16. The Appellate Reply Brief of the SCPCIGA to the Appellate Panel dated Sept. 6, 2011
17. The Appellate Brief of Ricky Kneece to the Appellate Panel dated Aug, 19, 2011
18. The Appellate Brief of the SCPCIGA to the Appellate Panel dated July 25, 2011

19. The Form 30 appeal and addendum of the SCPCIGA to the Workers' Compensation Commission dated May 12, 2011
20. The Decision and Order of Commissioner Derrick L. Williams dated April 28, 2011
21. The Order instructions of Commissioner Derrick L. Williams to the parties
22. The hearing transcript before Commissioner Derrick L. Williams on Feb. 14, 2011
23. Legal Memorandum of Employer / Carrier dated Feb. 14, 2011
24. The Third amended Form 58 pre-hearing brief filed by the SCPCIGA on Feb. 11, 2011
25. The administrative Order of Commissioner Derrick L. Williams dated Feb. 10, 2011
26. The Second Amended Form 58 pre-hearing brief filed by the SCPCIGA on Feb. 10, 2011
27. The Amended Form 58 pre-hearing brief filed by the SCPCIGA on Feb. 4, 2011
28. The Defendant SCPCIGA's motion to compel dated Jan. 26, 2011
29. The Amended Form 58 pre-hearing brief Claimant Ricky Kneece filed on Jan. 28, 2011
30. The Amended Form 58 pre-hearing brief Claimant Ricky Kneece filed on Sept. 29, 2010
31. The Form 58 pre-hearing brief of the SCPCIGA filed on Sept, 24, 2010
32. The Form 58 pre-hearing brief of the Claimant Ricky Kneece filed on Sept. 17, 2010
33. The Form 51 Answer of the Defendant SCPCIGA served on Aug. 9, 2010
34. The Form 50 hearing request of the Claimant Ricky Kneece served on July 9, 2010
35. Clmt. APA1 Dr. William Stewart 12/31/2004-09/16/2010
36. Clmt. APA 2 Dr. Charles Shissias 03/25/2010-10/29/2010
37. Clmt. APA 3 Dr. L. Randolph Waid 04/15/2002-02/08/2007
38. Clmt. APA 4 Dr. Lawrence Bergmann 03/15/2005-01/12/2011
39. Clmt. APA 5 Dr. Roger Deal 06/60/2006-12/09/2010
40. Clmt. APA 6 Dr. Michael S. Green 11/05/2001-03/30/2007
41. Clmt. APA 7 Dr. James S. O'Leary 12/21/2001-09/23/2004
42. Clmt. APA 8 Dr. Christopher Wicker 03/24/2009-06/17/2009
43. Clmt. APA 9 Dr. Carl A. White 03/13/2001-11/16/2008
44. Clmt. APA 10 Dr. Devin Troyer 02/11/2002-12/02/2002
45. Clmt. APA 11 Dr. Lenwood P. Smith 11/22/1999-09/30/2001
46. Clmt. APA 12 Dr. Bradley P. Presnal 01/09/2001
47. Clmt. APA 13 Dr. Phillip E. Smith 09/22/2001
48. Clmt APA 14 Dr. Frank R. Voss 12/01/1999-07/26/2000
49. Clmt. APA 15 Dr. Linda S. Moore 07/03/2000-08/21/2000
50. Clmt. APA 16 Dr. H. L. Rick Milne 12/03/1999-02/01/2000
51. Clmt. APA 17 Lexington Medical Center 01/05/00-11/19/2010
52. Clmt. APA 18 Dr. Jean-Francois Lafairve 11/22/1999-12/22/1999
53. Clmt. APA 19 Karen Shelton, RN 07/11/2010
54. Clmt. APA 20 Dr. Michael R. Ugino 11/22/2010
55. Clmt. Exb. 1 Mileage Records
56. Clmt. Exb. 2 Pharmacy Bill Payment Records
57. Clmt. Exb. 3 Specified Correspondences to M. Cauthen, Esq
58. Clmt. Exb. 4 Employee Records
59. Def. APA 1 Palmetto Richland Memorial Hospital 11/22/99-11/27/99
60. Def. APA 2 The Eye Center-Dr. Rick Milne 02/29/00
61. Def. APA 3 Moore Orthopaedic Clinic-Dr. Bradley Presnal 01/09/01
62. Def. APA 4 Midlands Orthopaedics-Dr. Michael Ugino 11/05/01-11/21/01

- 63. Def. APA 5 Midlands Orthopaedics-Dr. Michael Green 10/04/04-03/20/06
- 64. Def. APA 6 Post Trauma Resources-Dr. Lawrence Bergmann 07/08/05-08/11/10
- 65. Def. APA 7 Lexington Medical Center 02/21/06
- 66. Def. APA 8 Post Trauma Resources-Dr. Roger Deal 02/28/06-08/11/10
- 67. Def. APA 9 Internal Medicine Associates-Dr. Carl White 09/20/07-07/23/08
- 68. Def. APA 10 SC Neurological Clinic - Dr. Julian Adams 05/14/08-05/28/08
- 69. Def. APA 11 Internal Medicine Assoc. - Dr. Christopher Wicker 12/04/09-04/23/10
- 70. Def. APA 12 Cynthia P. Grimley, MS, CRC, CCM, DABVE 02/11/11
- 71. Def. APA 13 USC Dept. of Neuropsychiatry, Dr. Tora Brawley 02/11/11
- 72. Def. Exb. 1 Deposition transcripts of Claimant
 - 1. 9/23/2010
 - 2. 12/17/2004
- 73. Def. Exb. 2 Deposition transcript of Dr. Lawrence Bergmann
- 74. Form 18 Periodic Report of the Carrier to the SCWCC dated 5/26/09
- 75. Def. Exb. 3 Hearing transcript from 11/11/05
- 76. Def. Exb. 4 Form 17 signed 6/16/2006
- 77. Def. Exb. 5 Surveillance videos – **submitted via DVD**
- 78. Def. Exb. 6 Claimant's tax records from 1999 to 2006
- 79. Def. Exb. 7 Deposition transcript of Roxanne Kneece
- 80. Def. Exb. 8 Letter to Scott Elliott dated 12/7/10
- 81. Def. Exb. 9 Email from Scott Elliott dated 12/30/10
- 82. Def. Exb. 10 Letter to Janice Treisch/Dr. Tora Brawley dated 12/30/10
- 83. Def. Exb. 11 Letter from Dr. Tora Brawley dated 1/20/11
- 84. Def. Exb. 12 Letter to Scott Elliott dated 12/14/10
- 85. Def. Exb. 13 Letter from Cynthia Grimley dated 12/27/10
- 86. Def. Exb. 14 Form 27 to Scott Elliott dated 12/10/10
- 87. Def. Exb. 15 Letter to Scott Elliott dated 1/13/11
- 88. Def. Exb. 16 Letter to Scott Elliott dated 1/21/11
- 89. Def. Exb. 17 Letter from Scott Elliott dated 1/24/11
- 90. Def. Exb. 18 Letter from Cynthia Grimley dated 1/26/11
- 91. Def. Exb. 19 Claimant's tax records from 2007 to 2009
- 92. Def. Exb. 20 Letter to Scott Elliott dated 12/10/10
- 93. Def. Exb. 21 Cynthia P. Grimley CV
- 94. Def. Exb. 22 Letter to Big S Discount Pharmacy dated 2/11/11
- 95. Defendants' Brief to the Full Commission, dated May 26, 2005
- 96. Defendants' Form 30 Notice of Appeal to the Full Commission dated May 3, 2005
- 97. The Single Commissioner Childs' Order in this matter dated April 18, 2005
- 98. The Form 58 pre-hearing brief filed on behalf of the Claimant on Dec. 31, 2004
- 99. The Form 58 pre-hearing brief filed on behalf of the SCPCIGA on Dec. 27, 2004
- 100. The Form 21 hearing request of the Defendant SCPCIGA served on Nov. 11, 2004

I certify that this designation contains no matter which is irrelevant to this appeal.

September 2, 2014

A handwritten signature in black ink, appearing to read "Mark D. Cauthen", written over a horizontal line.

Mark D. Cauthen, Esquire

Peter P. Leventis, Esquire

McKay, Cauthen, Settana, & Stublely, P.A.

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PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellants and Designation of Matter to be included in the Record on Appeal upon counsel for the Respondent, by depositing a copy of it in the United States Mail, postage prepaid, on September 2, 2014 addressed to Scott Elliott, Esquire, Elliot & Elliott, 1508 Lady Street, Columbia, SC 29201.

September 2, 2014



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