

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

W.C.C. File No. 1116275

RECEIVED
OCT 31 2014
SC Court of Appeals

John McDaniel, Employee,.....Appellant,

v.

Career Employment Professional
d/b/a Snelling Staffing, Employer, and
United Wisconsin Insurance Co., Carrier, Respondents.

**RESPONDENTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE
RECORD ON APPEAL**

Respondents propose the following be included in the Record on Appeal:

1. Order of Hearing Commissioner Melody L. James, filed Jan. 4, 2013;
2. Order of Hearing Commissioner Melody L. James, filed Sept. 30, 2013;
3. Appellate Panel Decision and Order of the South Carolina Workers' Compensation Commission, filed Dec. 19, 2013;
4. Order Relieving Counsel, dated March 29, 2013;
5. Judicial Conference Decision and Order, dated April 15, 2013;
6. Judicial Conference Decision and Order, dated May 20, 2013;
7. Administrative Order re Form 32(s), dated June 3, 2013;

8. Judicial Conference Decision and Order concerning Motion for Additional Evidence Dated May 6, 2013, filed June 17, 2013;
9. Judicial Conference Decision and Order concerning Motion for Additional Evidence Dated May 10, 2013, filed June 17, 2013;
10. Judicial Conference Decision and Order, dated August 12, 2013;
11. Notice of Appellate Hearing, dated March 29, 2013;
12. Notice of Hearing, dated June 19, 2013;
13. Notice of Appellate Hearing, dated Oct. 1, 2013;
14. Request for Proposed Order, dated Dec. 3, 2012;
15. Request for Proposed Order, dated Aug. 6, 2013;
16. Request for a Proposed Decision and Order, emailed and mailed Oct. 31, 2013;
17. Transcript of Hearing before Hearing Commissioner James, held Nov. 28, 2012;
18. Transcript of Hearing before Hearing Commissioner James, held July 8, 2013;
19. Transcript of Hearing before the Full Commission Panel Hearing, held October 14, 2013;
20. Transcript of Deposition of Daniel J. Cobb, Aug. 20, 2012;
21. Claimant's Form 50, dated May 18, 2012;
22. Respondents' Form 51, dated June 15, 2012;
23. Respondents' Form 21, dated Sept. 17, 2012;
24. Claimant's Form 58, Pre-Hearing Brief, served October 31, 2012;
25. Claimant's APA pp. 1-15, 21-60, 91-109, 120-125;
26. Claimant's Form 30, dated Jan. 14, 2013;
27. Claimant's Motion Pursuant to Regulation 67-707 to Admit Additional and Newly Discovered Evidence, dated Mar. 8, 2013;
28. Brief on Behalf of Claimant/Appellant, dated March 26, 2013;

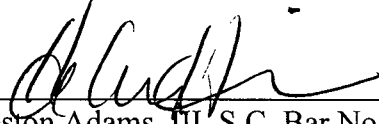
29. Respondents' Brief to the Full Commission, dated April 10, 2013;
30. Claimant's Motion for additional Evidence to Complete the Record and Notice of Additional Evidence and Additional APA Submissions on behalf of the Claimant, dated May 6, 2013;
31. Claimant's Motion for additional Evidence and Testimony to Complete the Record, dated May 10, 2013;
32. Appellant's Reply to Respondents' Brief, served by the Commission on May 15, 2013;
33. Defendants' Response to Claimant's 2nd Motion to Add Additional and Newly Discovered Evidence and Notice of Additional APA Submissions, dated May 16, 2013;
34. Claimant's Notice of Additional Evidence to be Introduced into the Record, APA pp. 210-278, dated May 17, 2013;
35. Claimant's Motion for Penalties and Sanctions for Failure to provide Medical Treatment and Failure to Provide Medical Treatment in a Timely Manner, dated June 11, 2013 and filed with the Commission on June 14, 2013;
36. Defendants' Response to Claimant's Motion for Penalties and Sanctions for Failure to Provide Medical Treatment and Failure to Provide Medical Treatment in a Timely Manner, dated June 21, 2013;
37. Subpoenas to Jim Pascutti, Angela Baldwin and Nicole Service, served on Respondents under cover of letter dated June 27, 2013;
38. Motion to Quash Claimant's June 27, 2013 Subpoenas to Angela Baldwin, Jim Pascutti, and Nicole Service, dated July 2, 2013;
39. Subpoenas to Jim Pascutti, Angela Baldwin and Nicole Service, served on Respondents under cover of letter dated Oct. 4, 2013;
40. Motion to Quash Claimant's October 14, 2013 Subpoenas to Angela Baldwin, Jim Pascutti, and Nicole Service, dated Oct. 10, 2013;
41. Claimant's Amended Form 30, dated Oct. 9, 2013;
42. Email correspondence between Eugenia Hollmon and John McDaniel, "Re: motion for new evidence," dated April 15, 2013;
43. Letter from Valerie D. Deller to Allison Nussbaum, dated May 29, 2013;

44. Email correspondence between John McDaniel and Tamara Morris, "Re: wcc file # 1116275", dated June 26, 2013 and June 27, 2013;
45. Email correspondence from John McDaniel to Keith Roberts and Allison Nussbamu, "Re: Proposed Findings of Fact RE:SWCC file #1116275," dated Aug. 30, 2013;
46. Email correspondence between Keith Roberts, Tamara Morris, John McDaniel and Allison Nussbaum, "Re: John McDaniel Charleston Order Instructions from Commissioner James for Keith to prepare Order," dated Sept. 10, 2013;
47. Email correspondence between Keith Roberts, Gary Cannon, John McDaniel and Allison Nussbaum, "Re: Proposed order language," dated Sept. 13, 2013;
48. Email correspondence between John McDaniel, Eugenia Hollmon, Gary Cannon, Valerie Deller, Virginia Crocker, and Allison Nussbaum, "Re: receipt of order 'scwcc # 1116275'", dated Oct. 4, 2013;
49. Email correspondence between Virginia Crocker, John McDaniel, and Allison Nussbaum, "Re: receipt of order 'scwcc # 1116275'", dated Oct. 4, 2013;
50. Email correspondence between Keith Roberts, John McDaniel, Allison Nussbaum, Virginia Crocker and Gary Cannon, "Re: remanded or bifurcated? SCWCC file # 1116275," dated Oct. 8, 2013;
51. Email correspondence between Keith Roberts, John McDaniel, Allison Nussbaum, Virginia Crocker and Gary Cannon, "Re: remanded or bifurcated? SCWCC file # 1116275," dated Oct. 8, 2013;
52. Email correspondence between Keith Roberts, John McDaniel, Allison Nussbaum, Virginia Crocker and Gary Cannon, "Re FW; FW: remanded or bifurcated? SCWCC file #1116275," dated Oct. 9, 2013;
53. Email correspondence between Keith Roberts, John McDaniel, Gary Cannon, Virginia Crocker, Allison Nussbaum, "Re: Application for notice wcc #1116275," dated Oct. 10, 2013;
54. Email correspondence between Keith Roberts, John McDaniel, Allison Nussbaum, Virginia Crocker, Gary Cannon, E. Boyd, and Elizabeth McDaniel, "Re: FW: FW: remanded or bifurcated? SCWCC file # 1116275," dated Oct. 12, 2013;
55. Appellant's Response to Respondents' Motion to Strike and/or Amend Claimants Initial Brief and Designation of Matter, dated May 31, 2014.

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

October 30, 2014

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Attorneys for Respondents

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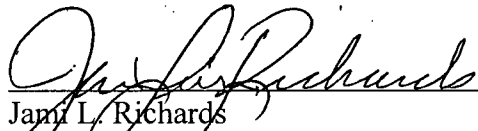
v.

Career Employment Professional
d/b/a Snelling Staffing, Employer, and
United Wisconsin Insurance Co., Carrier, Respondents.

PROOF OF SERVICE

I certify that on the 30th day of October, 2014, I served the **Revised Initial Brief of Respondents and Revised Respondents' Designation of Matter to be Included in the Record on Appeal** on John McDaniel by depositing a copy of it in the United States Mail, postage prepaid, addressed as follows:

John C. McDaniel, *Pro Se*
1387 Camp Road, Unit C
Charleston, SC 29412



Jani L. Richards
Legal Assistant to Helen F. Hiser
McAngus, Goudelock & Courie LLC
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(843) 576-2900

*Attorneys for Respondents Career Employment
Professional d/b/a Snelling Staffing and United
Wisconsin Insurance Co.*

mgc

Reply To

HELEN F. HISER
Direct Dial: (843) 576-2930
helen.hiser@mgclaw.com

October 30, 2014

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SC Court of Appeals

Via U.S. Mail

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: John McDaniel v. Career Employment Professionals d/b/a Snelling Staffing
Services and United Wisconsin Insurance Company c/o United Heartland
Date of Accident: November 21, 2011
WCC File No.: 1116275
Our File No.: 20638.12027
Claim No.: 041100021048
Appellate Tracking No.: 2014-000186

Dear Ms. Kitchings:

Enclosed for filing please find the following documents:

1. the original and one copy of the Revised Initial Brief of Respondents;
2. the original and one copy of the Revised Respondents' Designation of Matter to be Included in the Record on Appeal; and
3. the original and one copy of Respondents' Proof of Service concerning items one and two.

Please file these documents and return the clocked-in copies in the enclosed, self-addressed stamped envelope.

Yours truly,

McAngus Goudelock & Courie, LLC



Helen F. Hiser

Enclosures

cc: John C. McDaniel, *Pro Se*

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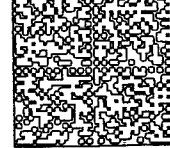
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SC Court of Appeals

20638.12027/HFH/jlr
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

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