

June 29, 2015

RECEIVED
JUN 29 2015
SC Court of Appeals

The Honorable Jenny A. Kitchings, Clerk
South Carolina Court of Appeals
P. O. Box 11629
Columbia, S. C. 29211

Re: Gertrude Shiver v. Palmetto Health Richland, Key Risk Management Services, Inc., Palmetto Hospital Trust Services, Trident Regional Medical Center, Zurich American Insurance Company. Appellate Case No. 2013-000887

Dear Honorable Kitchings:

Around the morning of January 21, 2015, I telephoned Attorney Carter and asked that she send the original volumes of the Records on Appeal back to me so that I could make the corrections that Attorney Sammataro had indicated in his letter. She stated that she was not going to send the Records of Appeal back because it would be too costly. She stated that Attorney Sammataro was responsible for the Records on Appeal for the group and that he was going to submit a Supplemental Records on Appeal to the Court with the corrections. I had started to submit a Supplemental Records on Appeal to the Court with the corrections but I saw that this would have been too confusing with the pages that were missing and the fact that I had to redo the Index, the covers of each volumes and apply the correct volume number of I-VIII as well as renumber some of the pages.

I had several e-mail conversations with Attorneys Carter and Sammataro. Attorney Sammataro told me in a letter before that he did not want me getting anything out of his office. I didn't know what else to do. I tried to get the volumes back to correct them. Attorney Carter could have dropped the volumes off at the Columbia Office. The secretary in the Columbia office told me that I could drop the original volumes off there and Attorney Carter was going to pick them up because she was in Columbia on two separate occasions. He did not tell me that he was going to mail them.

It took me quite a while to get all the volumes from the Court of Appeal and get them corrected at the Office Depot, and I stayed off from work many times and worked diligently to get the corrections done. If Attorney Carter would have dropped the volumes off at the Columbia

office when she was in this vicinity, I would have picked them up and corrected them during the time that I was correcting the ones from the Court. It may be too late to go back to the Office Depot since I had finished with them after the volumes from the Court was corrected. I don't know if they will go back now and correct these volumes that Attorney Carter has without costing me a large sum of money. It would be too costly to start from scratch again, but if Attorney Carter would drop her volumes off at the Columbia Office, I will take them to another copier to see if they could correct the mistakes in the Records on Appeal.

I never received a Supplemental Record on Appeal from Attorney Sammataro although I believed that he had done what Attorney Carter said that he was going to do. I believed everything was finished as far as the Records on Appeal.

I tried to get the original Records on Appeal back from Attorney Carter to correct the errors without driving to Charleston to pick them up because I didn't know exactly where her office is. Attorneys Carter, Sammataro, and Fajardo have copies of the original Records on Appeal without the corrections. If I could have gotten these original Records on Appeal back when I was getting the ones from the Court corrected, this part of the appeal process would have been finished. It seemed like they did not want to cooperate with me.

If Attorney Carter would send the original volumes back to me and Attorneys Sammataro and Fajardo would give me permission to come to their office to pick up the original copies, I will try to get them corrected even though it will take some time and more expense.

Enclosed is some of the e-mail conversation that I had with Attorney Carter and Sammataro.

Yours very truly,



Gertrude Shiver
1026 Congaree Church Rd.
Gadsden, S. C. 29052
(803) 353-3892
(803) 260-5115

cc. Attorneys Allison Carter, Andrew W. Fajardo, and Carmelo B. Sammataro

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RE: Gertrude Shiver vs. Trident Regional Medical Center NRHR20070726: Record on A Tuesday, January 27, 2015 11:18 AM

ppeal

From: "Sammataro Sam" <SSammataro@TurnerPadget.com>

To: "Allison M. Carter" <amcarter@wjlaw.net> "Gertrude Shiver" <g.shiver@att.net>

Cc: "Natalie C. Pike" <ncpike@wjlaw.net> "Andrew Fajardo (Andrew.Fajardo@arlaw.com)" <Andrew.Fajardo@arlaw.com> "Jolly Terri L." <T.Jolly@TurnerPadget.com>

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~~Good morning. Please see the attached from Ms. Shiver. I am inclined to file a return in opposition to her motion for extension to file the final brief (even though I am almost certain the court will give her more time). To that end, I will draft/circulate something hopefully by COB today so you can advise whether or not you wish to join in the motion.~~

Thanks,
Sam

From: Allison M. Carter [mailto:amcarter@wjlaw.net]
Sent: Wednesday, January 21, 2015 9:36 PM
To: 'Gertrude Shiver'
Cc: Natalie C. Pike; Sammataro, Sam; Andrew Fajardo (Andrew.Fajardo@arlaw.com)
Subject: RE: Gertrude Shiver vs. Trident Regional Medical Center NRHR20070726: Record on Appeal

~~Ms. Shiver, I am not mailing the Record on Appeal back to my Columbia office. I already did the best I could by allowing you to serve them there. My firm had to pay to mail them to me. However, the Defendants are going to file a joint brief so any changes you make can be delivered to Sam Sammataro's office. I am not sure if the Court is going to allow any changes but we will see. Thank you.~~

Allison M. Carter
Wilson, Jones, Carter & Baxley
(843) 284-1083
Fax (843) 284-1081

This message may be protected by the attorney/client privilege, attorney work product or other privileges. If you received this message in error, please send a reply, delete the message immediately, and do not forward this message to any other person.

From: Gertrude Shiver [mailto:g.shiver@att.net]
Sent: Wednesday, January 21, 2015 2:28 PM
To: Allison M. Carter
Subject: Gertrude Shiver vs. Trident Regional Medical Center NRHR20070726: Record on Appeal

Dear Attorney Carter,

~~It may be better if I corrected the volumes instead of doing a supplemental volume since I have to correct the index etc. Could you send the volumes to your Fort Jackson Blvd. Office and I can pick them up there. Thank you.~~

Sincerely,

Gertrude Shiver

January 20, 2015

RECEIVED

JAN 20 2015

SC Court of Appeals

Jenny A. Kitchings, Clerk
1015 Sumter Street
Columbia, S. C. 29201

Re: Motion to submit Final Brief out-of- time

Gertrude Shiver v. Palmetto Health Richland, et al. Appellate Case No.2013000887

Dear Ms. Kitchings,

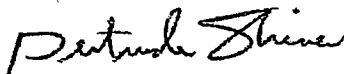
This is a Motion to submit my Final Brief out-of-time. I have to get some more obvious errors corrected in my Records on Appeal by Office Depot or another print shop. All of the volumes of the Record o Appeal have to be corrected.

In addition, I have to get Attorney Carter to send me the July 23, 2007, Form 50, Claimant's Request for Hearing (WCC Claim No. 9503744). I did not see a form dated for July 23, 2007. Ms. Eugenia Hollmon and her assistant at the Worker's Compensation Office weren't able to find this dated document either. Also, I have to get Attorney Sammataro to send me page 2 of document dated March 10, 2006 Form 51, employer's Answer (WCC Claim No. 0321756). I couldn't find page two and neither did Ms. Eugenia Hollmon or her assistant at the Worker's Compensation Office.

I need time to get the errors corrected so that I can finish my Final Brief. I have to get parts of the Record on Appeal redone. It may be a bit much going back and forth between a Supplemental volume.

Enclosed is a check for \$25.00 for the filing of this Motion.

Yours truly,



Gertrude Shiver
1026 Congaree Church Rd.

Gadsden, S. C. 29052
(803) 353-3895

cc. Attorneys Allison M. Carter, Carmelo B. Sammataro, and Andrew W. Fajardo

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Recall: Gertrude Shiver vs. Trident Regional Medical Center NRHR20070726: Record on Appeal Tuesday, January 27, 2015 12:18 PM

From: "Sammataro Sam" <SSammataro@TurnerPadget.com>

To: "Allison M. Carter" <amcarter@wjlaw.net> "Gertrude Shiver" <g.shiver@att.net>

Cc: "Natalie C. Pike" <ncpike@wjlaw.net> "Andrew Fajardo (Andrew.Fajardo@arlaw.com)" <Andrew.Fajardo@arlaw.com> "Jolly Terri L." <T.Jolly@TurnerPadget.com>

Sammataro, Sam would like to recall the message, "Gertrude Shiver vs. Trident Regional Medical Center NRHR20070726: Record on Appeal".