

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

W.C.C. FILE NO: 1105654

CARLOS KINLAW,

Employee,

Claimant,

vs.

LOWE'S HOME CENTERS, INC.,

Employer,

AND

SEDGWICK CLAIMS MANAGEMENT  
SERVICES, INC.,

Carrier,

Defendants.

**RECEIVED**

JUL 17 2015

SC Court of Appeals

**DECISION AND ORDER**

**DATE OF HEARING:**

Hearing held in Beaufort, S.C. on January 9, 2013.

**APPEARANCES:**

Claimant, Carlos Kinlaw, appeared *Pro Se*.

Defendants represented by Brian O'Keefe, Esquire of McAngus Goudelock & Courie, L.L.C. of Charleston, South Carolina.

**PURPOSE OF THE HEARING:**

To determine all issues as set forth in Forms 50 and 51.

**COMMISSIONER:**

Commissioner Gene McCaskill

**FILED:**

January 18, 2013

### FINDINGS OF FACT

The following factual findings are based upon the records contained in the Worker's Compensation Files, Stipulation of the Parties, APA Submissions, and pre-trial conference.

1. The Claimant requested at the pre-trial conference that the hearing be postponed in order to give him time to undergo his own independent medical evaluation that he asserted was scheduled for February 14, 2013, in Georgia.
2. The Claimant refused to identify for the record the name of the independent medical evaluation doctor as the Claimant asserted he was afraid the Defendants would somehow influence the doctor prior to the evaluation.
3. The attorney for the Defendants agreed to allow the Claimant to obtain his own independent medical evaluation on February 14, 2013, with the condition that the Claimant must notify the attorney for the Defendants in writing on February 15, 2013, the name and contact information of the doctor who performed the independent medical evaluation on February 14, 2013.
4. The attorney for the Defendants asserted that if the Claimant is allowed an independent medical evaluation at this stage in the proceedings then the Defendants should be entitled reasonable time to obtain the independent medical evaluation record and take the deposition of the doctor prior to the next scheduled hearing.

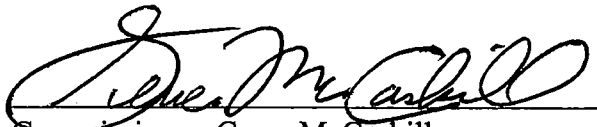
### ORDER

THEREFORE, IT IS HEREBY ORDERED that the Hearing set for January 9, 2013, is postponed in order for the Claimant to undergo an independent medical evaluation set for February 14, 2013.

IT IS FURTHER ORDERED that the Claimant must provide the attorney for the Defendants the name and contact information of the independent medical evaluation doctor on February 15, 2013.

IT IS FURTHER ORDERED that the Defendants are entitled reasonable time to obtain the independent medical evaluation report and take the deposition of the doctor prior to the next scheduled hearing.

**AND IT IS SO ORDERED.**



Commissioner Gene McCaskill

**CERTIFICATE OF SERVICE**

This is to certify the undersigned has this date served this order in the above entitled action upon all parties to this cause by sending an electronic copy hereof by electronic mail addressed to the attorney or attorneys for said parties or by depositing a copy hereof, postage paid, in the United States certified mail addressed to any unrepresented party.

January 18, 2013

By: Kellie Lindler, Administrative Assistant to Commissioner McCaskill