

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE  
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

T. Scott Beck; Susan S. Barden; Avery B. Wilkerson, Jr.  
Workers' Compensation Commissioners

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**RECEIVED**  
DEC 14 2015  
SC Court of Appeals

WCC File No: 1200479  
Appellate Case No. 2015-002092

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Dallas Paul Bessinger, Claimant,

v.

R-N-M Builders & Associates, LLC, Employer, and FirstComp a division of Markel, Inc.,  
Carrier,

Of whom the South Carolina Uninsured Employers' Fund is the..... Appellant/Respondent,

And

FirstComp, a division of Markel, Inc., is the..... Respondent/Appellant.

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**RESPONDENT/APPELLANT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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R. DANIEL ADDISON  
LEE E. DIXON  
Hedrick, Gardner, Kincheloe & Garofalo, L.L.P.  
P.O. Box 11267  
Columbia, SC 29211  
(803) 727-1200  
Attorneys for the Respondent/Appellant

December 9, 2015

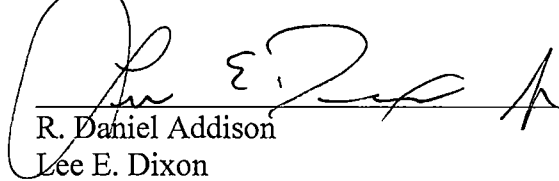
The Respondent/Appellant proposes that the following materials be included in the Record on Appeal before the Court of Appeals:

1. Form 50, Employee's Request for Hearing, of Dallas Paul Bessinger dated April 19, 2012;
2. Form 51, Employer's Answer, of South Carolina Uninsured Employers' Fund, dated May 18, 2012;
3. Form 51, Employer's Answer, of FirstComp Insurance, dated May 21, 2012;
4. Pre-Hearing Brief and APA Submissions of South Carolina Uninsured Employers' Fund, dated July 9, 2012;
5. Pre-Hearing Brief and APA Submissions of FirstComp Insurance, dated July 9, 2012;
6. Transcript of July 18, 2012 hearing before Commissioner Andrea C. Roche;
7. December 18, 2012 Decision and Order of the South Carolina Workers' Compensation Commission, Commissioner Andrea C. Roche;
8. Form 30, Request for Commission Review, of South Carolina Uninsured Employers' Fund, dated December 28, 2012;
9. Appellant's Brief of South Carolina Uninsured Employers' Fund to Appellate Panel of the South Carolina Workers' Compensation Commission, dated March 14, 2013;
10. Respondent's Brief of FirstComp Insurance to Appellate Panel of the South Carolina Workers' Compensation Commission, dated March 26, 2013;
11. Transcript of October 15, 2013 hearing before Appellate Panel of the South Carolina Workers' Compensation Commission;
12. April 3, 2014, letter of FirstComp Insurance to Appellate Panel of the South Carolina Workers' Compensation Commission with objections to proposed order;
13. April 17, 2014, Decision and Order of the Appellate Panel of the South Carolina Workers' Compensation Commission;
14. Pre-Hearing Brief and APA Submissions of South Carolina Uninsured Employers' Fund, dated August 6, 2014;
15. Pre-Hearing Brief and APA Submissions of FirstComp Insurance, dated August 11, 2014;
16. Motion of South Carolina Uninsured Employers' Fund, dated August 15, 2014;

17. Response to Motion to Strike of FirstComp Insurance, dated August 21, 2014;
18. Memorandum of Law of FirstComp Insurance, dated August 21, 2014;
19. Transcript of August 21, 2014 hearing before Commissioner Gene McCaskill;
20. Memorandum of Law of South Carolina Uninsured Employers' Fund, dated September 2, 2014;
21. FirstComp Insurance's Reply to UEF's Memorandum of Law, dated September 10, 2014;
22. March 31, 2015 Decision and Order of the South Carolina Workers' Compensation Commission, Commissioner Gene McCaskill;
23. Form 30, Request for Commission Review, of South Carolina Uninsured Employers' Fund, dated April 8, 2014;
24. Form 30, Request for Commission Review, of FirstComp Insurance, dated April 14, 2014;
25. Appellant's Brief of South Carolina Uninsured Employers' Fund to Appellate Panel of the South Carolina Workers' Compensation Commission, dated May 8, 2015;
26. Respondent's Brief of FirstComp Insurance to Appellate Panel of the South Carolina Workers' Compensation Commission, dated May 20, 2015;
27. Reply Brief South Carolina Uninsured Employers' Fund to Appellate Panel of the South Carolina Workers' Compensation Commission, dated June 8, 2015;
28. Transcript of June 15, 2015 hearing before Appellate Panel of the South Carolina Workers' Compensation Commission;
29. September 3, 2015 Decision and Order of the Appellate Panel of the South Carolina Workers' Compensation Commission;
30. Notice of Appeal of South Carolina Uninsured Employers' Fund, dated October 2, 2015;
31. Notice of Cross Appeal of FirstComp Insurance, dated October 7, 2015.

I hereby certify that this Designation contains no matter which is irrelevant to the appeal.

Respectfully submitted,



A handwritten signature in black ink, appearing to read "R. Daniel Addison", is written over a horizontal line. The signature is stylized and cursive.

R. Daniel Addison

Lee E. Dixon

Hedrick Gardner Kincheloe & Garofalo, LLP

Post Office Box 11267

Columbia, South Carolina 29211

(803) 727-1200

Attorney for Respondent/Appellant

December 9, 2015

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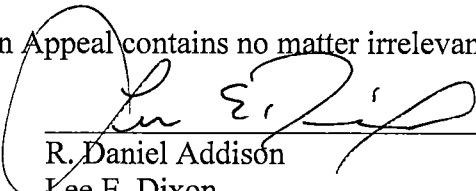
FirstComp, a division of Markel, Inc., is the..... Respondent/Appellant.

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**CERTIFICATE OF RELEVANCY OF MATTER**

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The undersigned attorney hereby certifies that Respondent/Appellant's Designation of  
Matter to be included in Record on Appeal contains no matter irrelevant to the appeal.

  
\_\_\_\_\_  
R. Daniel Addison

Lee E. Dixon

Hedrick Gardner Kincheloe & Garofalo, LLP

Post Office Box 11267

Columbia, South Carolina 29211

Attorney for Respondent/Appellant

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**PROOF OF SERVICE**

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This is to certify that a copy of the foregoing **Respondent/Appellant's Initial Brief** and **Designation of Matter to be Included in the Record on Appeal** has been served upon the flowing by placing the same in the United States mail, first class postage pre-paid, addressed as shown below on the 9<sup>th</sup> day of December, 2015.

South Carolina Workers' Compensation Commission  
Attn: Amy Bracy, Judicial Director  
P.O. Box 1715  
Columbia, South Carolina 29202

Represented Parties

Amy Cofield  
Cofield Law Firm  
809 South Lake Drive  
Lexington, South Carolina 29072

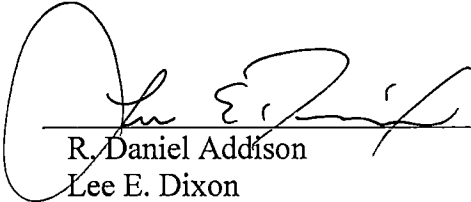
Steven D. Haymond  
Harris & Graves, P.A.  
P.O. Box 11566  
Columbia, South Carolina 29211

Unrepresented Parties:

Emery Wilkie  
246 Fox Trot Trail  
Pelion, South Carolina 29123

John Loughery  
246 Fox Trot Trail  
Pelion, South Carolina 29123

RNM Builders & Associates, LLC  
107 L Ave.  
West Columbia, SC 29172

  
\_\_\_\_\_  
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Lee E. Dixon  
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