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NOTICE OF APPEAL FROM ADMINISTRATIVE TRIBUNAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

RECEIVED

Appellate Panel Decision
SCWCC No. 1102937

MAR 09 2016

SC Court of Appeals

Barry Adickes,

Respondent,

v.

Philips Healthcare and Fidelity &
Guarantee Insurance Co.,

Appellants.

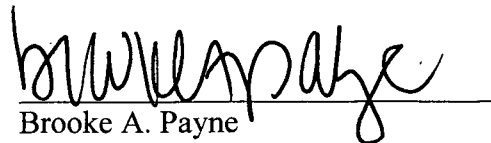
NOTICE OF APPEAL

Philips Healthcare and Fidelity & Guarantee Insurance Company appeal the Decision and Order of the Appellate Panel of the South Carolina Workers' Compensation Commission dated February 8, 2016. Appellants received a copy of this Order on February 8, 2016.

Appellants allege errors of law as follows:

1. The Appellate Panel erred in concluding that Respondent reached Maximum Medical Improvement for all accepted injuries;
2. The Appellate Panel erred in concluding that Respondent met his burden of proving entitlement to permanent partial disability benefits resulting from loss of earning capacity under SC Code Ann. §42-9-20;
3. The Appellate Panel erred in awarding permanent wage loss benefits for three hundred forty (340) weeks commencing on January 17, 2014, in contravention to the statutory language of SC Code Ann. §42-9-20.

March 7, 2016


Brooke A. Payne
Lueder, Larkin, & Hunter, LLC.

503 Wando Park Blvd., Suite 203
Mt. Pleasant, SC 29464
(843) 353-0796
Attorney for Appellants

Other Counsel of Record:

Bill Smith
Chappell, Smith, & Arden
PO Box 12330
Columbia, SC 29211
(803) 509-5839

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PROOF OF SERVICE OF A NOTICE OF APPEAL

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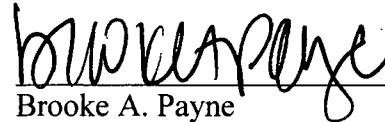
Philips Healthcare and Fidelity &
Guarantee Insurance Co.,

Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Barry Adickes by depositing a copy of it in the United States Mail, postage prepaid, on March 7, 2016, addressed to his attorney of record, William L. Smith, II, Chappell, Smith & Arden, Post Office Box 12330, Columbia, South Carolina 29211.

March 7, 2016



Brooke A. Payne
Lueder, Larkin, & Hunter, LLC.
503 Wando Park Blvd., Suite 203
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Attorney for Appellants

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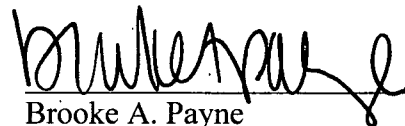
Philips Healthcare and Fidelity &
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Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the South Carolina Workers' Compensation Commission by depositing a copy of it in the United States Mail, postage prepaid, on March 7, 2016, addressed to Judicial Director, Amy Bracy, Post Office Box 1715, Columbia, South Carolina 29202.

March 7, 2016



Brooke A. Payne
Lueder, Larkin, & Hunter, LLC.
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(843) 353-0796
Attorney for Appellants

LUEDER, LARKIN & HUNTER, LLC

ATTORNEYS AT LAW

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MAR 09 2016

SC Court of Appeals

March 7, 2016

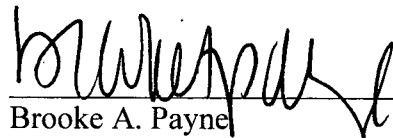
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Barry Adickes, Respondent, v. Philips Healthcare and Fidelity & Guaranty Ins.
Co. c/o Gallagher Bassett Services, Inc., Appellants, SCWCC# 1102937

Dear Ms. Kitchings,

Enclosed for filing is a Notice of Appeal in the above case. Also enclosed are the following:

- (1) Proofs of Service of the Notice of Appeal on the Respondent and South Carolina Workers' Compensation Commission;
- (2) A copy of the Appellate Panel Decision and Order which is to be challenged on appeal;
- (3) A filing fee of \$100.00.



Brooke A. Payne
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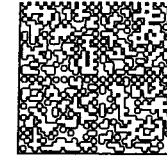
Cc: William L. Smith, II
Chappell, Smith & Arden
Post Office Box 12330
Columbia, SC 29211
Attorney for Respondent

Lueder, Larkin & Hunter, LLC

503 Wando Park Blvd.

Suite 205

Mt. Pleasant, SC 29464



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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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Columbia, SC 29211

