

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

S.C.W.C.C. File No. 1020984

Case No. 2012207908

Ravenel Gaskins (deceased), Employee,.....Respondent,

v.

Johnny Gaskins Trim, Employer, and
Accident Insurance Co., Carrier,.....Appellants.

APPELLANTS' MOTION FOR LEAVE TO AMEND FINAL BRIEF

Kathryn Fiehrer Walton
Attorney for Appellants
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SC Court of Appeals

WILL YOU PLEASE TAKE NOTICE that Appellants Johnny Gaskins Trim and Accident Insurance Company by and through their undersigned attorney do hereby move pursuant to Rule 240 the South Carolina Appellate Court Rules for an Order from the Court of Appeals granting leave to submit an Amended Final Brief in view of the Court's recent decision in Bone v. U.S Food Service (Opinion No. 27153 filed on August 1, 2012). The grounds for the Motion are as follows:

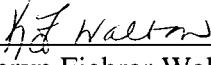
1. That the opinion in Bone v. U.S. Food Service was filed on August 1, 2012 and a Petition for Re-Hearing has subsequently been filed;
2. That prior to the Court's opinion in Bone v. U.S. Food Service, all parties properly filed their Final Briefs in this matter with the South Carolina Court of Appeals;
3. That the Court's decision in Bone has a material effect on the viability of certain arguments of Appellants set forth in connection with Issue II of the Statement of Issues on Appeal, commencing on page 8 of the Final Brief;
4. That notwithstanding the Court's decision in Bone and its effect on the viability of certain arguments, Appellants contend that the result advocated in connection with Issue II of the Statement of Issues on Appeal should not change and Appellants seek to brief the grounds for this contention in advance of any oral argument the Court may allow.

WHEREFORE, Appellants Johnny Gaskins Trim and Accident Insurance Company would respectfully request that the Court issue an Order granting leave to

submit an Amended Final Brief in connection with Issue II of the Statement of Issues on Appeal.

RESPECTFULLY SUBMITTED,

Wood & Warder, LLC
P.O. Box 20550
Charleston, SC 29413
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By: 
Kathryn Fiehrer Walton
Attorney for Appellants
Johnny Gaskins Trim and
Accident Insurance Company

September 12, 2012

Charleston, South Carolina

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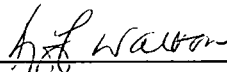
Ravenel Gaskins (deceased), Employee,.....Respondent,

v.

Johnny Gaskins Trim, Employer, and
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CERTIFICATE OF SERVICE

I certify that I have served this Motion for Leave to Amend Final Brief on Respondent Johnnie Gaskins, on behalf of Ravenel Gaskins (deceased), and the South Carolina Workers' Compensation Commission by depositing the same in the United States Mail, first class postage prepaid, on September 12, 2012, addressed as follows: R. Walter Hundley, Esquire, P.O. Box 31189, Charleston, SC 29417-1189, Attorney for Respondent and Virginia Crocker, Judicial Director, South Carolina Workers' Compensation Commission, P.O. Box 1715, Columbia, SC 29202-1715.



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