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SC SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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DEC 10 2015

SC Court of Appeals

APPEAL FROM HORRY COUNTY
Steven H. John, Circuit Court Judge

Case No. 2011-CP-26-7403

Randall M. Green and Ann Green, Respondents-Appellants,

v.

Wayne B. Bauerle, M.D. and
Wayne B. Bauerle, M.D., P.C., Appellants-Respondents.

SUPPLEMENTAL RECORD ON APPEAL

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1 from the generally recognized practices and
2 procedures, if any, one of the proximate causes,
3 the direct cause of the plaintiff's alleged injury
4 and damages.

5 Now, if you find that to be the case, then
6 the plaintiff goes on and has to prove to you by
7 the greater weight or the preponderance of the
8 evidence, the standard they have on everything,
9 actual damages. Now, what are actual damages?
10 Actual damages are properly called compensatory
11 damages, meaning to compensate, to make the injured
12 party whole, to put them in the same position they
13 were in prior to the damage being received insofar
14 as it is possible with monetary amount.

15 Now, actual damages don't have to be proved
16 to you to a mathematical certainty but they have to
17 be reasonably and necessarily incurred and they
18 must be as a direct and proximate result of the
19 defendant's negligence. Actual or compensatory
20 damages include compensation for all of the
21 injuries which are naturally the result of the
22 alleged wrongful conduct if you found wrongful
23 conduct. They include, and I'm giving you
24 categories, I'm not saying that they exist in this
25 case, that's your job and responsibility to decide

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CERTIFICATE OF COUNSEL

The undersigned counsel certifies that the Supplemental Record on Appeal contains all material proposed to be included by all parties and not any other material.

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Columbia, South Carolina

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CERTIFICATE OF COMPLIANCE

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The undersigned counsel for the Appellants-Respondents Wayne B. Bauerle, M.D. and Wayne B. Bauerle, M.D., P.C. certifies that the Supplemental Record on Appeal complies with the Supreme Court's Revised Order of April 15, 2014, regarding personal identifiers and sensitive information.

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CERTIFICATE OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Appellants-Respondents, does hereby certify that service of the **Supplemental Record on Appeal** was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 10th day of December 2015:

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