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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION

**RECEIVED**

JUL 20 2016

**SC Court of Appeals**

Aisha Taylor, Commissioner  
T. Scott Beck, Commissioner  
Avery B. Wilkerson, Jr., Commissioner

W.C.C. File No. 1102937  
SC Court of Appeals Case No. 2016-000514

Barry Adickes, Claimant,

Respondent,

v.

Philips Healthcare, Employer, and Fidelity and  
Guarantee Insurance Company, Carrier,

Appellants.

MOTION FOR LEAVE TO FILE SUPPLEMENTAL DESIGNATION OF MATTERS  
TO BE INCLUDED IN THE RECORD ON APPEAL

Brooke A. Payne (SC Bar #: 81085)  
Ryan D. Oxford (SC Bar #: 101326)  
503 Wando Park Blvd., Ste. 205  
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ROxford@luederlaw.com

Attorneys for Appellants

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COME NOW the Appellants, by and through its undersigned counsel, and hereby respectfully requests that this Honorable Court grant it leave to file the attached Supplemental Designation of Matters to be Included in the Record on Appeal, which is provisionally filed contemporaneously herewith.

The attached Supplemental Designation of Matters includes only the following: Respondents' APA #10 and Exhibit 6. Through inadvertence Appellants neglected to include these matters in their Initial Designation of Matters to be Included in the Record on Appeal.

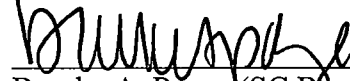
The Appellants submit that there is good cause to grant the present motion, such motion being consistent with the interests of justice and not unduly prejudicial to any party.

WHEREFORE, the Appellants respectfully request that the proposed Supplemental Designation of Matters to be Included in the Record on Appeal, of which the original and the requisite number of copies under Rule 210(b), *SCACR*, are being filed herewith (with a copy served on the Respondent), be accepted as filed, and which is provisionally filed contemporaneously herewith.

**SIGNATURE BLOCK ON FOLLOWING PAGE**

Respectfully submitted:

Lueder, Larkin & Hunter, LLC



Brooke A. Payne (SC Bar #: 81085)

Ryan D. Oxford (SC Bar #: 101326)

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Attorneys for Appellants

Mt. Pleasant, South Carolina

Dated: 7.18.16

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**PROOF OF SERVICE**

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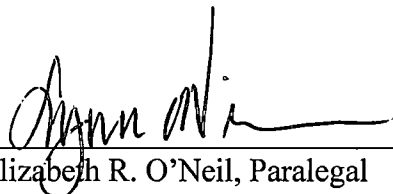
Attorneys for Appellants

I, Elizabeth R. O'Neil, do hereby certify that a copy of *Appellants' Motion for Leave to File Supplemental Designation of Matters to be Included in the Record on Appeal* submitted by the Appellants was sent to all counsel for the Respondent via United States Mail, postage pre-paid and addressed as follows on July 18, 2016:

William L. Smith, II (SC Bar# 5226)  
Chappell, Smith & Arden  
P.O. Box 12330  
Columbia, SC 29211

Blake A. Hewitt (SC Bar #73674)  
John S. Nichols (SC Bar #4210)  
Bluestein Nichols Thompson & Delgado  
P.O. Box 7965  
Columbia, SC 29202

Attorneys for Respondent

By:   
Elizabeth R. O'Neil, Paralegal

Mt. Pleasant, South Carolina

Dated: 7.18.2016

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**LUEDER, LARKIN & HUNTER, LLC**

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ATTORNEYS AT LAW

JUL 20 2016

SC Court of Appeals

July 18, 2016

VIA US MAIL

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

RE: Barry Adickes v. Phillips Healthcare and Fidelity & Guaranty Ins.  
Co. c/o Gallagher Bassett Services, Inc.  
SCWCC No. : 1102937  
DOI : 03/22/2011  
GBS Clm No. : 002380-009116-WC-01  
LLH File No. : WC-109-0001  
SC Court of Appeals File No.: 2016-000514

Dear Ms. Kitchings:

Enclosed for filing in the above referenced matter, please find the following:

1. The original and seven copies of Appellants' Motion for Leave to File Supplemental Designation of Matters to be Included in the Record on Appeal;
2. The original and seven copies of a Proof of Service pertaining to Appellants' Motion for Leave to File Supplemental Designation of Matters to be Included in the Record on Appeal;
3. The original and seven copies of Appellants' Supplemental Designation of Matters to be Included in the Record on Appeal;
4. Our firm check in the amount of \$25.00 to cover the cost of filing same.

Kindly return one clocked copy of each to me in the self-addressed stamped envelope provided. If you have any questions, please do not hesitate to contact me at 843.284.9830.

Thank you, in advance, for your assistance with this matter.

Respectfully yours,



Elizabeth R. O'Neil  
Paralegal to Brooke A. Payne

ERO/ero

cc: William L. Smith, II, Esquire  
Blake A. Hewitt and John S. Nichols, Esquire

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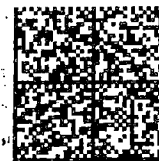
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**SC Court of Appeals**

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