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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM
THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

Appellate Case No.: 2016-000512

Adrian Adame Salgado
Respondent,

v.

Patterson Construction, Inc.,
Appellant.

**RESPONDENT'S MOTION TO STAY OR
FOR EXTENSION OF TIME TO RESPOND TO APPELLANT'S BRIEF**

Zach S. Naert
Joseph DuBois
Naert and DuBois, LLC
22 New Orleans Road, Suite 1
Hilton Head Island, SC 29928

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SC Court of Appeals

On July 27, 2016, the parties mediated and agreed to settlement terms to resolve this matter. The mediator's report is attached hereto as Exhibit "A" noting that the issue has been settled. A letter from Appellant's counsel is attached hereto as Exhibit "B" confirming the settlement and noting the terms thereof.

In order to conserve the time and resources of the Court, parties, and counsel, Respondent respectfully requests that the Court either stay or grant Respondent an extension of time to respond to Appellant's Brief pending finalization, submission, and approval of the settlement agreement and dismissal of this matter.

NAERT AND DUBOIS, LLC



Zach S. Naert (SC Bar # 78163)
Joseph DuBois (SC Bar # 71192)
22 New Orleans Road, Suite 1
Post Office Box 7228 (29938)
Hilton Head Island, SC 29928
Tel: (843) 686-5500
Fax: (843) 686-5501
Attorneys for Respondent

August 1, 2016
Hilton Head Island, SC

EX. "A"

South Carolina Workers' Compensation Commission
1333 Main Street, Suite 500
Post Office Box 1715
Columbia, South Carolina 29202-1715
(803) 737.5675 www.wcc.sc.gov



WCC File #: 1505359
Carrier File #: _____
Carrier Code #: _____
Employer FEIN #: _____

Claimant's Name: Adrian Adame Salgado SSN: _____ Employer's Name: Patterson Construction
Address: _____ Address: _____
City: _____ State: _____ Zip: _____ City: _____ State: _____ Zip: _____
Home Phone: _____ Work Phone: () - _____ Insurance Carrier: _____

Claimant's Attorney: Zach S. Naert, Esquire Employer Carrier Attorney: William T. Littlejohn, Esquire
Phone: (843) 686-5500 Email: zach@lowcountrylegal.com Phone: (843) 278-0100 Email: wlittlejohn@hplplaw.com

Ellen Adams Attorney Title eadams@collinsandlacy.com Email July 28, 2016 Date
Preparer's Signature

Pursuant to Reg. 67-1803 A. and 67-1809, the undersigned duly qualified Mediator reports the following results of the mediation held on July 27, 2016 :

The following issues mediated and are settled or contested as indicated below:

ISSUE	SETTLED	CONTESTED
Claimant's entitlement to additional benefits under the Act.	XXX	

Per agreement of the Parties the matter is to be:

- Rescheduled pursuant to Reg. 67-1804 C. on _____.
- Set for hearing to determine all issues.
- Set for hearing to determine remaining issues pursuant to the Forms 58.
- Returned to General Files pending request for hearing from either Party.

The Claimant X Defendants shall submit the Final Agreement & Release, Consent Order, Form 16A, or other appropriate documentation regarding the agreement to the Commission.

The costs of the mediation is : \$ 1,980.00.

The cost was shared equally by the Parties.

The total cost was paid by the Claimant Defense.

The cost was paid pursuant to an Order of the Commission pursuant to Reg. 67-1807.

Mediator: Ellen M. Adams Address: Post Office Box 12487
Columbia, SC 29211 Phone: 803.255.0416 Email: eadams@collinsandlacy.com

This report is to be returned to the Commission in all cases, whatever the mediation results. This form is used solely for tracking purposes and does not become a part of the Commission file.

Questions about the use of this form should be directed to the Judicial Department at 803-737-5675, or mediation@wcc.sc.gov. Refer to Regulation 67-1801.

William T. Littlejohn

Charleston Office
direct: 843.278.0488
fax: 843.589.9000
wlittlejohn@hplplaw.com

July 28, 2016

Zach Naert, Esquire
22 New Orleans Road, Suite 1
Post Office Box 7228
Hilton Head Island, SC 29938

Re: Adrian Adame-Salgado v. Patterson Construction
WCC No: 1505359 DOI: 05/04/2015
Carrier: Builders Mutual Insurance Company - Claim No: WCV001022194
HPLP File No: 1.00001

Dear Zach:

This letter follows our conversation and confirms Mr. Salgado has agreed to settle the above-referenced claim for \$125,000.00 on a clincher, with waiver of the third-party lien. Defendants agree to pay causally related medicals through July 27, 2016. We have notified the Commission of this agreement. I will prepare the settlement agreement and forward the settlement documents to you once I receive the settlement check and Form 19 from the carrier.

If this letter does not accurately reflect your understanding of our conversation, please do not hesitate to contact me. As always, I have enjoyed working with you on this claim.

With kindest regards,

HOLDER PADGETT LITTLEJOHN + PRICKETT

William T. Littlejohn

WTL/tbw

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Appellate Case No.: 2016-000512

Adrian Adame Salgado
Respondent,

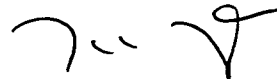
v.

Patterson Construction, Inc.,
Appellant.

PROOF OF SERVICE

I certify that I have served the *Motion to Stay or for Extension of Time to Respond to Appellant's Brief* by depositing a copy of it in the United States Mail, postage prepaid, on August 1, 2016, addressed to Appellant's attorney of record, William T. Littlejohn, 210 Wingo Way, Suite 201, Mt. Pleasant, South Carolina 29464.

NAERT AND DUBOIS, LLC



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Attorneys for Respondent

August 1, 2016
Hilton Head Island, SC

Naert and DuBois, LLC

Attorneys at Law

Joseph DuBois, Esq.
Zach S. Naert, Esq.
Michael Bennett, Esq.

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Post Office Box 7228 (29938)
Hilton Head Island, South Carolina 29928

Tel: (843) 686-5500
Fax: (843) 686-5501
www.LowcountryLegal.com

August 1, 2016

VIA USPS AND FAX TO (803) 734-1839

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

re: Adrian Adame Salgado v. Patterson Construction Inc.
Appellate Case No. 2016-000512

Dear Ms. Kitchings:

Enclosed please find an original and six copies of Respondent's Motion to Stay or for Extension of Time to Respond to Appellant's Brief in the above-referenced matter. Also enclosed is our \$25.00 check in payment of the filing fee. I am also today faxing a copy of this letter, the Motion, and the check to you and e-mailing a copy of the same to opposing counsel.

By copy of this letter, I am providing a copy of the Motion to William T. Littlejohn, Appellant's counsel.

With kind regards, I am,

Sincerely yours,



Zach S. Naert

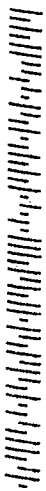
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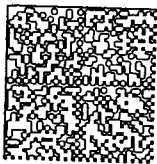
J

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Hilton Head Island, SC 29928



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

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