

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

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APPEAL FROM THE SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION

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WCC FILE NO. 1402652

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**RECEIVED**  
AUG 26 2016  
SC Court of Appeals

James Lipscomb, Employee,

Respondent-Appellant,

v.

Stein Fibers/Innovative Fibers, Employer,  
and Key Risk Management, Carrier,

Appellants-Respondents.

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**DESIGNATION OF MATTER TO  
BE INCLUDED IN THE RECORD ON APPEAL**

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Appellants propose the following matters be included in the Record on Appeal:

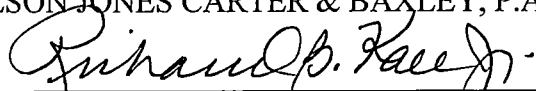
1. Appellants'-Respondents' Amended Notice of Appeal, dated July 28, 2016.
2. Respondent-Appellant's Amended Notice of Appeal, dated July 29, 2016.
3. Order and Decision of the Appellate Panel of the South Carolina Workers' Compensation Commission, dated May 24, 2016.
4. Motion for Rehearing, filed June 3, 2016.
5. Order of the South Carolina Workers' Compensation Commission, dated June 30, 2016.
6. Transcript of Appellate Panel hearing, held on March 21, 2016.
7. Defendants' Form 30, Request for Commission Review, dated December 28, 2015.
8. Decision and Order of the Single Commissioner, dated December 22, 2015.
9. Transcript of Single Commissioner hearing, held on April 14, 2016, pp. 3-85.

10. Transcript of the deposition of James Lipscomb, taken on July 23, 2014, pp. 4-54.
11. Transcript of the deposition of Joanne Mathiesen taken on November 24, 2014, pp. 4-24.
12. Claimant's APA submissions Nos. 1-4
  1. Spartanburg EMS, dated 3/20/14, pages 1-9.
  2. Spartanburg Regional Emergency Center, dated 3/20/14, pages 10-39.
  3. Spartanburg Regional Medical Center, dated 3/20/14-4/4/14, pages 40-108.
  4. Carolina Musculoskeletal Institute, P.A., dated 3/23/15, pages 109-113.
13. Defendants' APA submissions Nos. 7-11 and Exhibits 1-5.
  1. John H. Mennear, Ph.D., dated 8/18/84, pages 158-164.
  2. Spartanburg Regional Emergency Center, dated 3/20/14-4/20/14, pages 165-170.
  3. Spartanburg Regional Ethanol/Blood Test, dated 3/21/14, page 171.
  4. Dr. Shawn A. Birchenough, dated 3/21/14-6/23/14, pages 172-194.
  5. Spartanburg Regional Healthcare System, dated 12/9/07-12/10/07, pages 195-202.
  6. Exhibit 1 – Innovative Fibers Substance Abuse Policy Statement, pages 1-5.
  7. Exhibit 2 – Claimant's Acknowledgement of Alcohol Abuse Policy, page 6.
  8. Exhibit 3 – Claimant's Certificate of Agreement to Company's Substance Abuse and Testing Policy, page 7.
  9. Exhibit 4 – Claimant's Attendance at Lockout/Tagout Safety Meeting, pages 8-11.
  10. Exhibit 5 – Claimant's Termination Letter, page 12.
14. Claimant's Form 50, dated January 15, 2014.
15. Defendants' Form 51, dated February 10, 2015.
16. Claimant's Form 50, dated August 27, 2014.
17. Defendants' Form 51, dated September 3, 2014.

Respectfully submitted,

WILLSON JONES CARTER & BAXLEY, P.A.

BY:



Richard B. Kale, Jr. (S.C. Bar No. 3264)

872 S. Pleasantburg Drive  
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Attorneys for Appellants

August 26, 2016

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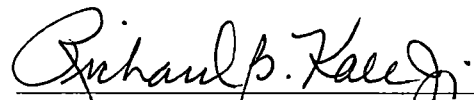
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**PROOF OF SERVICE**

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I certify that I have served the Initial Brief of Appellants and Designation of Matter to be Included in the Record on Appeal on James Lipscomb by depositing a copy of it in the United State Mail, postage prepaid, on August 26, 2016, addressed to his attorney of record, W. Scott Palmer, W. Scott Palmer Law Firm, P.A., P.O. Box 722, Santee, South Carolina 29142.

August 26, 2016

  
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