

THE STATE OF SOUTH CAROLINA
Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION

RECEIVED
SEP 12 2016
SC Court of Appeals

W.C.C. File No. 1102937
SC Court of Appeals Case. No. 2016-00514

Barry Adickes, Claimant, Respondent,

v.

Phillips Healthcare, Employer, and
Fidelity and Guarantee Insurance Company, Carrier, Appellants.

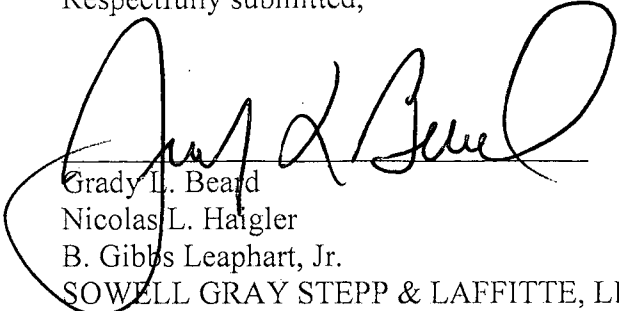
MOTION FOR LEAVE TO FILE BRIEF OF AMICUS CURIAE
SOUTH CAROLINA SELF INSURERS ASSOCIATION
IN SUPPORT OF APPELLANTS

Pursuant to Rule 213, SCACR, the South Carolina Self Insurers Association (SCSIA) hereby moves for leave of this Court to file a brief as amicus curiae, for the following reasons:

1. This appeal involves an interpretation of Section 42-9-20 of the South Carolina Workers' Compensation Act, specifically whether an employee may receive permanent partial disability benefits for wage loss for a period greater than 340 weeks from the date of accident.
2. The resolution of this matter will directly impact workers' compensation carriers, as well as employers and self-insured employers filing claims under the South Carolina Workers' Compensation Act.
3. SCSIA was formed in 1975 to develop and support the interests of employers self-insured for workers' compensation in South Carolina.

4. SCSIA believes that its submission of an amicus curiae brief would be desirable and helpful to the Court. The brief will outline other arguments and public policy issues not previously discussed that SCSIA believes will assist in addressing this issue.

Respectfully submitted,



Grady L. Beard
Nicolas L. Haigler
B. Gibbs Leaphart, Jr.
SOWELL GRAY STEPP & LAFFITTE, LLC
1310 Gadsden Street
Columbia, South Carolina 29211
(803) 929-1400

Attorneys for Amicus Curiae South Carolina Self
Insurers Association

August 19, 2016

Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION

W.C.C. File No. 1102937
SC Court of Appeals Case. No. 2016-00514

RECEIVED
SEP 12 2016
SC Court of Appeals

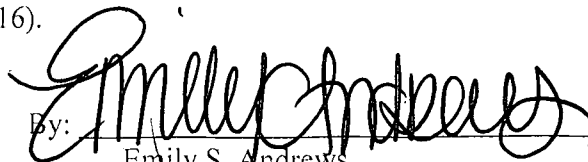
Barry Adickes, Claimant, Respondent,

v.

Phillips Healthcare, Employer, and
Fidelity and Guarantee Insurance Company, Carrier, Appellants.

PROOF OF SERVICE

I certify that I have served the Motion for Leave to File Brief of Amicus Curiae South Carolina Self Insurers Association in Support of Appellants, by depositing a copy in the United States Mail, postage prepaid, on September 12, 2016, addressed to all counsel of record, William L. Smith, II, Esquire, Post Office Box 12330, Columbia, SC 29211 and Blake A. Hewitt, Esquire, Post Office Box 7965, Columbia, SC 29202, John S. Nichols, Esquire, Post Office Box 7965, Columbia, SC 29202, Michael E. Chase, Esquire, Post Office Box 1473, Columbia, SC 29202, Honorable Amy Bracy, Judicial Director, South Carolina Workers' Compensation Commission, 1333 Main Street, Suite 500, Columbia, SC 29202 (via Hand-delivery, on September 12, 2016) and Honorable Jenny Abbott Kitchings, Judicial Director, South Carolina Court of Appeals, 1015 Sumter Street, Columbia, SC 29201 (via Hand-delivery, on September 12, 2016).

By: 

Emily S. Andrews
Sowell Gray Stepp & Laffitte, LLC
1310 Gadsden Street
Post Office Box 11449
Columbia, South Carolina 29211

September 12, 2016

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RECEIVED

SEP 12 2016

SC Court of Appeals

RE: Barry Adickes v. Phillips Healthcare and Fidelity & Guaranty Ins. Co. c/o Gallaher Bassett Services, Inc.
SC Court of Appeals File No.: 2016-00514
Date of Accident: 03/22/11
Our File No.: 6930/8000

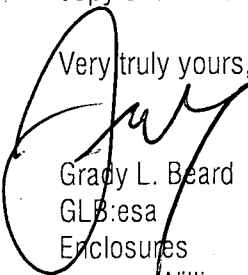
Dear Ms. Kitchings:

Please find enclosed herewith the original and one (1) copy of the Motion for Leave to File Brief of Amicus Curiae South Carolina Self Insurers Association in Support of Appellants, in the above-referenced matter. We would appreciate your filing the original Motion for Leave to File Brief of Amicus Curiae South Carolina Self Insurers Association and returning a clocked-in copy of the same to us via our courier.

Additionally, we are enclosing a check in the amount of Twenty-Five and No/100 (\$25.00) Dollars for the filing of this document.

By copy of this letter and aforementioned documents to all counsel of record, we are serving them with a copy of the Motion for Leave to File Brief of Amicus Curiae South Carolina Self Insurers Association.

Very truly yours,


Grady L. Beard
GLB:esa
Enclosures

cc: William L. Smith, II, Esquire (via U.S. Mail)
Blake A. Hewitt, Esquire (via U.S. Mail)
John S. Nichols, Esquire (via U.S. Mail)
Ryan D. Oxford, Esquire (via U.S. Mail)
Brooke A. Payne, Esquire (via U.S. Mail)
Michael E. Chase, Esquire (via U.S. Mail)
Ms. Amy Bracy, Judicial Director, SCWCC (via hand-delivery)