

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

APPELLATE CASE NO. 2016-001509

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SC Court of Appeals

James Lipscomb, Employee,

Respondent-Appellant,

v.

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

Appellants-Respondents.

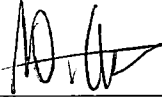
DESIGNATION OF MATTER TO
BE INCLUDED IN THE RECORD ON APPEAL

Respondent-Appellant proposes the following matters to 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 28, 2016.
3. Order and Decision of the Appellate Panel of the South Carolina Workers' Compensation Commission, dated May 24, 2016.
4. Order of the South Carolina Workers' Compensation Commission, dated June 30, 2016.
5. Transcript of Appellate Panel hearing, held on March 21, 2016.
6. Defendants' Form 30, Request for Commission Review, dated December 28, 2015.
7. Decision and Order of the Single Commissioner, dated December 22, 2015.
8. Transcript of Single Commissioner hearing, held on April 14, 2016, pp. 3-85.
9. Transcript of the deposition of James Lipscomb, taken on July 23, 2014, pp. 4-54.
10. Transcript of the deposition of Joanne Mathiesen taken on November 24, 2014, pp. 4-24.
11. 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.

12. 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.
13. Claimant's Form 50, dated January 15, 2014.
14. Defendants' Form 51, dated February 10, 2015.
15. Claimant's Form 50, dated August 27, 2014.
16. Defendants' Form 51, dated September 3, 2014.

Respectfully submitted,



November 8, 2016

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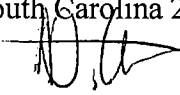
PROOF OF SERVICE

I do hereby certify that I have served the Designation of Matter to be Included in the Record on Appeal of Respondent-Appellant on Stein Fibers/Innovative Fibers, and Key Risk Management, through their attorney of record, Richard B. Kale, Jr., Esquire, as well as on the S.C. Workers' Compensation Commission, by depositing a copy of it in the United States Mail, postage prepaid, on November 8, 2016, to addresses listed below:

Richard B. Kale, Jr., Esquire
Willson Jones Carter & Baxley, P.A.
872 S. Pleasantburg Dr.
Greenville, SC 29607

South Carolina Workers' Compensation Commission
1333 Main Street, Suite 500
Columbia, South Carolina 29202

November 8, 2016


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The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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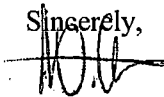
Re: James T. Lipscomb v. Stein Fibers
Appellate Case No.: 2016-001509

Dear Ms. Kitchings:

Enclosed for filing is the Designation of Matter to be Included in the Record on Appeal of the Respondent-Appellant in the above case. Also enclosed is a Proof of Service of the Designation of Matter to be Included in the Record on Appeal of the Respondent-Appellant on the Appellants-Respondents.

Should you have any questions, please do not hesitate to contact me.

Sincerely,


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Attorney for Respondent-Appellant

/pov
enclosures

cc: Richard B. Kale, Jr., Esq.
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(864) 527-3272

Attorney for Appellants-Respondents

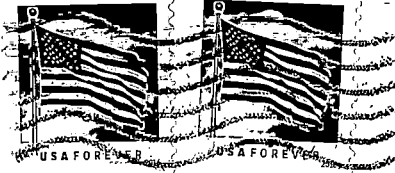
cc: South Carolina Workers' Compensation Commission

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