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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Court of Common Pleas

Michael G. Nettles, Circuit Judge

**RECEIVED**

DEC 02 2016

**SC Court of Appeals**

Appellate Court Case No. 2015-002618

Patricia Doller.....Respondent,

v.

Lohr Plumbing, Inc.....Appellant.

**MOTION FOR MINOR CHANGE TO APPELLANT'S INITIAL BRIEF**

Upon preparing its Final Brief, Appellant noticed several references to the original trial transcript that require correction, and they are as follows:

1. On page 6 of the Initial Brief of the Appellant, within the second full paragraph and the first full sentence, the reference to p.122, lines 19-25 of the original trial transcript (p. 159, lines 19-25 of the Record on Appeal) is incorrect. The correct reference should be p.182, lines 19-25 of the original transcript (p.219, lines 19-25 of the Record on Appeal). The reason for this change is because the original reference to the transcript was within a different witness's testimony.
2. On page 6 of the Initial Brief of the Appellant, within the second full paragraph and the first full sentence, the reference to p.182, lines 5-7 and 15-18 of the original transcript (p.219, lines 5-7, 15-18 of the Record on Appeal) is incorrect. The correct reference should be p.191, lines 2-9 of the original transcript (p.228, lines 2-9 of the Record on Appeal). The reason for this

change is because the page/lines cited simply are not the proper pages and lines that correspond to the testimony referenced.

3. On page 6 of the Initial Brief of the Appellant, within the second full paragraph and the last sentence, the reference to p.191, lines 2-9 of the original transcript (p.228, lines 2-9 of the Record on Appeal) is incorrect. The correct reference should be p.194, lines 10-16 of the original transcript (p.231, lines 2-9 of the Record on Appeal). Again, the reason for this change is because the page/lines cited simply are not the proper pages and lines that correspond to the testimony referenced.
4. On page 6 of the Initial Brief of the Appellant, the second full sentence on the page reads as follows: 'Respondent was referred to Dr. Lieberman by her attorney. (deposition transcript of Dr. Lieberman, p. only twice (transcript, Dr. Lieberman, p. 49, lines 10-12).' This sentence should read as follows: 'Respondent was referred to Dr. Lieberman by her attorney. (Transcript of Dr. Lieberman, p.49, lines 10-12).' The reference to the Record on Appeal will be p. 635, lines 10-12.
5. On page 4 of the Initial Brief of the Appellant, the last sentence of the second full paragraph, the transcript pages cited will be rearranged to appear in ascending order; currently, the citation lists the transcript pages out of numeric order. This same change would be made on page 14, within the fifth line up from the bottom of the page.
6. On page 14 of the Initial Brief of Appellant, the sixth line of the first full paragraph on the page references p.281, lines 1-22, p.282, lines 7-25, and p.283, lines 1-25 of the original transcript. The reference should be p.281, lines 1-11, p.282, lines 7-25, and page 283, lines 1-25. The reason for this correction is because the relevant testimony on page 281 ends at line 11; lines 12-25 contain colloquy between the Court and the Jury.

7. On page 14 of the Initial Brief of the Appellant, the last sentence of the first full paragraph references p.345, lines 2-25, pp.346-348, lines 1-6 of the original transcript (p.380, lines 2-25; pp.381-382; p.383 lines 1-6 of the Record). The reference should read as follows: pp.345, lines 2-25; pp. 346-347; p. 348, lines 1-6 (p.380, lines 2-25; pp.381-382; p.383 lines 1-6 of the Record). The reason for this change is to clarify that all lines of pages 346-347 of the original transcript (pages 381-382 of the Record) are being referenced.

Appellant respectfully moves this Court for permission to make the above-requested minor changes within its Final Brief. The Respondent has graciously consented to these minor changes.

Respectfully submitted,

TUPPER, GRIMSLEY & DEAN, P.A.

By: 

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Beaufort, SC

*Attorneys for Appellant Lohr Plumbing, Inc.*

November 30, 2016

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

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Michael G. Nettles, Circuit Judge

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**SC Court of Appeals**

Circuit Court Case No. 2012-CP-07-4139

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Patricia Doller.....Respondent,

v.

Lohr Plumbing, Inc.....Appellant.

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**PROOF OF SERVICE**

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I certify that on November 30, 2016, I served a copy of the within and foregoing Motion for Minor Change to Appellant's Initial Brief upon all parties via U.S. mail and electronic mail to counsel of record as set forth below:

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*(Signature page to follow)*

Respectfully submitted,

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By: 

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November 30, 2016

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November 30, 2016

**VIA U.S. MAIL AND FACSIMILE**

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

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**SC Court of Appeals**

**RE: Patricia Doller v. Lohr Plumbing, Inc.**  
**Appellate Case No. 2015-002618**

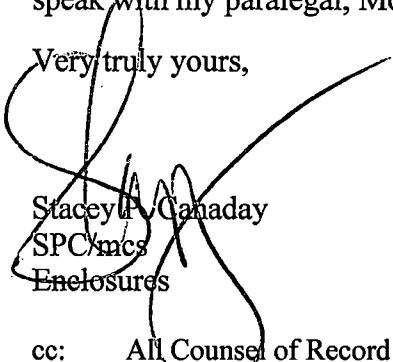
Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of *Motion for Minor Change to Appellant's Initial Brief* and the original and one (1) copy of the *Proof of Service* on behalf of Appellant Lohr Plumbing, Inc. with regard to the above captioned matter. I would appreciate it if you would file the original and seven (7) copies of the *Motion for Minor Change to Appellant's Initial Brief* and the original and one (1) copy of the *Proof of Service* and return one clocked copy of each to my office in the self-addressed, stamped envelope provided for your convenience. Also enclosed is this firm's check in the amount of \$25.00 for payment of filing fee.

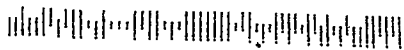
By copy of this correspondence, together with its enclosures, I am hereby serving a copy of the aforementioned pleading on opposing counsel.

Should you have any questions, please feel free to contact me. If I am unavailable, please ask to speak with my paralegal, Morgan Shinaberry.

Very truly yours,

  
Stacey P. Canaday  
SPC/mcs  
Enclosures

cc: All Counsel of Record (via email and U.S. Mail)  
Mr. Joe Stubbs, Auto Owners Insurance Company, Claim No. 72-4827-2011 (via email only)



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