

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

WCC File No. 0912295
Appellate Case No. 2016-000853

RECEIVED

DEC 09 2016

SC Court of Appeals

Nikolay Gul, Employee/Claimant.....Appellant,

v.

Kohler Company, Self-Insured EmployerRespondent.

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

Respondent proposes the following be included in the Record on Appeal:

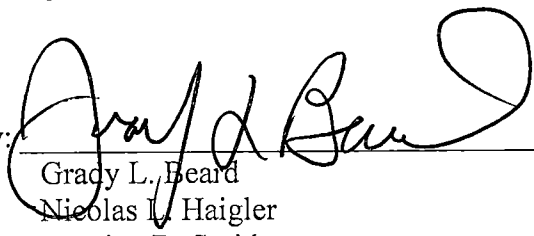
1. March 23, 2016 Appellate Panel Decision and Order of the South Carolina Workers' Compensation Commission
2. August 7, 2015 Order of Commissioner Beck
3. September 10, 2013 Appellate Panel Decision and Order of the South Carolina Workers' Compensation Commission
4. Emails from Respondent's counsel and Appellant's counsel and Commissioner Beck's Office
5. September 11, 2009 Letter of Representation from Jeremy Dantin, Esquire
6. Hearing Transcript of December 5, 2012
7. December 19, 2012 Order Instructions Sheet from Commission Williams
8. Hearing Transcript of June 18, 2013 Full Commission Hearing
9. Hearing Transcript of April 22, 2015
10. Hearing Transcript of January 12, 2016 Full Commission Hearing
11. October 25, 2013 Deposition Testimony of Appellant
12. October 24, 2013 Deposition Testimony of Dr. Gregory Feldman
13. November 26, 2013 Deposition Testimony of Dr. Charles Fogarty
14. April 1, 2014 Deposition Testimony of Mike Tolleson

15. April 1, 2014 Deposition Testimony of Rodney Horne
16. April 1, 2014 Deposition Testimony of Mike Donald
17. April 1, 2014 Deposition Testimony of Charles Clayton
18. Respondents' Pre-Hearing Brief APA Submissions
 - a. Medical Records Pages 1-128
 - b. Exhibit C- South Carolina Department of Employment and Workforce Records
 - c. Exhibit D- Apex Environmental Management Industrial Hygiene Assessment
19. February 11, 2011 Consent Order
20. Appellant's Form 30 dated August 20 or August 21, 2015
21. Appellant's December 11, 2015 Brief to the Full Commission
22. Respondent's December 20, 2015 Brief to the Full Commission
23. Appellant's January 7, 2016 Reply Brief to the Full Commission
24. Respondent's Form 30 dated February 11, 2013

I certify that this designation contains no matter which is irrelevant to this appeal.

SOWELL GRAY STEPP & LAFFITTE, L.L.C.

By: _____


Grady L. Beard
Nicolas L. Haigler
Jasmine D. Smith
1310 Gadsden Street
Post Office Box 11449
Columbia, South Carolina 29211
(803) 929-1400

Dated: _____

12/9/16

ATTORNEYS FOR RESPONDENT

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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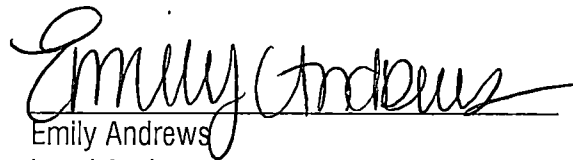
Nikolay Gul, ClaimantAppellant,

v.

Kohler Company, Self-Insured Employer Respondent.

PROOF OF SERVICE

I certify that I have served a copy of and Designation of Matter to be Included in the Record on Appeal, on the following: David L. Williford, Esquire, Davis, Snyder & Williford, P.A., 5 Hawthorne Park Court, Greenville, SC 29615 (via U.S. Mail), Honorable Jenny Abbott Kitchings, Judicial Director, South Carolina Court of Appeals, 1015 Sumter Street, Columbia, SC 29201 (via hand-delivery), on December 9, 2016.



Emily Andrews
Legal Assistant
Sowell Gray Stepp & Laffitte, LLC
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(803) 929-1400
Attorneys for Respondent Kohler

Columbia, South Carolina
December 9, 2016

December 9, 2016

VIA HAND DELIVERY

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

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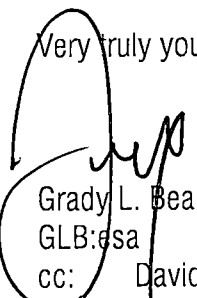
RE: Nikolay Gul v. Kohler Company
WCC File No.: 0912295
Date of Accident: 08/20/09
Claim No.: 2313030606
Our File No.: 6457/8002

Dear Ms. Kitchings:

Please find enclosed herewith the original and one (1) copy of the Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-referenced matter. We would appreciate your filing the originals and returning a clocked-in copy of the same to us via our courier.

By copy of this letter and aforementioned documents to the Appellant's attorney, we are serving him with a copy of the Respondent's Initial Brief and Designation of Matter, as evidenced by on the enclosed Proof of Service.

Very truly yours,



Grady L. Beard

GLB:esa

cc:

David L. Williford, Esquire (via U.S. Mail and email)
Ms. Tracey McDonald (via email)
Mr. Mike Tolleson (via e-mail only)
Mr. Dean Yagodinski (via e-mail only)
Mr. Sid DeVaul (via e-mail only)
Ms. Staci McCaffrey (via e-mail only)