



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC
ATTORNEYS AT LAW

July 28, 2017

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

RECEIVED
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SC Court of Appeals

RE: Karl T. Harbath v. Stephen Sanders
Case Tracking No.: 2015-002566

Dear Ms. Kitchings:

Pursuant to Rule 208(b)(7), SCACR, the Respondent wishes to advise you of the following pertinent and significant authorities that have come to our attention after we filed the briefs in this matter.

Machin v. Carus Corp., 419 S.C. 527, 799 S.E.2d 468 (2017)

Smith v. Tiffany, 419 S.C. 548, 799 S.E.2d 479 (2017)

These citations pertain to Issue II (whether defendant may apportion fault to plaintiff's statutory employer), Issue III (whether the defendant has a right to setoff or contribution against an immune employer) and Issue IV (whether the defendant may use third party practice to assert contractual claims against the employer). The reason for the supplemental citations are that these authorities were filed after briefing in this case and they impact and control this Court's decision.

Sincerely,

John S. Nichols
BLUESTEIN, NICHOLS,
THOMPSON & DELGADO, LLC

cc: Melissa G. Mosier, Esquire
Brian A. Comer, Esquire