

December 8, 2017

**VIA HAND DELIVERY**

The Honorable Jenny A. Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RECEIVED

DEC 08 2017

SC Court of Appeals

Re: Terry McCall #233236 v. Trojan Labor (1)  
Appellate Case No. 2016-001457  
C&L File No. 001840-00804

Dear Ms. Kitchings:

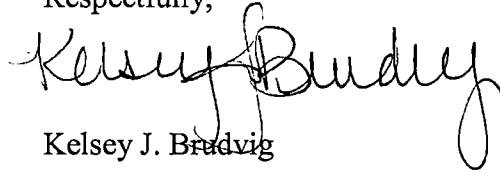
I am writing you this letter in response to your correspondence dated November 30, 2017. This is in regards to the apparent discrepancies between Respondents' letters dated November 28, 2017 and January 9, 2017. On January 9, 2017, Respondents' letter to the Court of Appeals stated the Appellant's Form 30 filing with the Commission was likely denied due to a clerical error by the Commission. In support of this statement, Respondents supplemented this letter with multiple exhibits including the single commissioner's Order entered on February 24, 2016, and Appellant's Form 30 certificate of service executed on March 8, 2016. Please note, an appeal by either party required a certificate of service dated no later than March 9, 2016. However, the Commission's electronic docket reflects March 11, 2016, as the Form 30 date of filing. March 11, 2016, is indicative of an untimely Form 30 filing. (South Carolina Workers' Compensation Commission's electronic docket, attached as **Exhibit A**).

Subsequent to Respondents' January 9, 2017 letter, the South Carolina Workers' Compensation Commission mailed a letter to Appellant agreeing to reopen Appellant's appeal upon receipt of the \$150.00 filing fee. Respondents provided this letter as an exhibit in their November 28, 2017, correspondence. Based upon the subsequent May 3, 2017, letter from the Workers' Compensation Commission, Respondents' current position regarding the Commission's rejection of the Appellant's appeal request is solely due to Appellant's failure to pay the filing fee.

Regardless, Respondents have no objection to Appellant's appeal being remanded to the Workers' Compensation Commission for a Full Commission hearing on the merits, within the scope of issues asserted by the March 8, 2016, Form 30. I have copied General Counsel for the Workers' Compensation Commission, Keith Roberts, to this correspondence.

Please advise if there is anything further the Court may need.

Respectfully,

A handwritten signature in black ink, appearing to read "Kelsey Brudvig". The signature is written in a cursive style with a large, looping "B" and "V".

Kelsey J. Brudvig

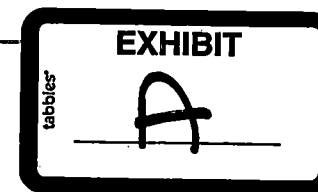
KJB/emb  
Enclosures

cc: Keith Roberts, South Carolina Workers' Compensation Commission (*via email and U.S. mail*)  
Terry Edward McCall, (*via U.S. mail*)

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

Report run: 12/04/17 10:20

Report Criteria: Case Status



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Appeal a Fine

Ask a Question

Case #	Caption	Date of Injury	Carrier	Attorney for Defendant	Attorney for Claimant	Status
1410083	Terry McCall -VS- Trojan Labor	07/04/14	Ace American Insurance Company P.O. Box 5122 SCRANTON PA 18505 ApolloOps1CustomerServicei ncoming@chubb.com (800) 433-0385	FOR: Ace American Insurance Company Ellen M. Adams (8) Collins & Lacy, PC PO Box 12487 Columbia SC 29211 cadams@collinsandlacy.com (803) 256-2660  FOR: Ace American Insurance Company Ashley Kirkham (8) Collins & Lacy, PC PO Box 12487 Columbia SC 29211 akirkham@collinsandlacy.com (803) 255-0415  FOR: Ace American Insurance Company  Christian E. Boesl Was released 08/14/17.	Paul C. Rathke Was released 10/14/14.	06/23/17 Form 18 Received 02/05/17 Form 18 Received 01/23/17 Claim Reviewed by Examiner 01/23/17 Claims Fine Satisfied 01/16/17 Form 18 Fine Assessed 11/18/16 Order received from Court of Appeals 08/16/16 Form 32 Rejected 08/12/16 Form 32 Filed 08/11/16 Form 32 Rejected 08/03/16 Form 32 Filed 08/03/16 Claim Reopened 04/05/16 Claim Reviewed by Examiner 04/04/16 Claim Closed 04/04/16 Form 19 Received 03/29/16 Form 32 Rejected 03/11/16 Form 32 Filed 03/11/16 Oral Argument requested 03/11/16 Appeal filed 02/24/16 Order Served 01/20/16 APA Uploaded through eCase by ELLEN M. ADAMS (8) (CAR) 01/20/16 Order Assigned to be Written 12/22/15 Form 18

Received  
12/10/15 Form 32  
Rejected  
11/10/15 Motion Filed  
08/31/15 Hearing Held  
08/24/15 Motion Filed  
08/18/15 Pre-Hearing  
Brief Uploaded through  
eCase by ELLEN M.  
ADAMS (8) (CAR)  
06/26/15 Notice Printed  
06/26/15 Scheduled for  
Hearing  
06/23/15 Form 18  
Received  
05/21/15 Hearing  
Schedule Pending  
05/18/15 Hearing  
Postponed; sent to Judicial  
for Reset  
05/18/15 Notice Printed  
04/29/15 Scheduled for  
Hearing  
04/29/15 Notified of  
settlement  
04/29/15 Notice Printed  
04/28/15 Hearing  
Schedule Pending  
04/28/15 Form 51 Timely  
04/27/15 Hearing on  
Previous F50 per Letter  
04/08/15 Order Served  
04/06/15 Order Assigned  
to be Written  
03/23/15 Form 20  
Received  
03/19/15 Pre-Hearing  
Brief Uploaded through  
eCase by ELLEN M.  
ADAMS (8) (CAR)  
02/25/15 Notice Printed  
02/25/15 Scheduled for  
Hearing  
02/25/15 Form 51/53/55  
Received  
02/12/15 Hearing  
Schedule Pending  
02/12/15 Form 51 Timely  
01/02/15 Form 18





Post Office Box 12487 | Columbia, SC 29211

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