

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION  
COMMISSION  
Gene McCaskill, Commissioner

Appellate Case No.: 2015-001546  
W.C.C. 0919909

**RECEIVED**  
JAN 23 2018  
SC Court of Appeals

Rudy Barreira Almazan, Employee,

v.

Henson & Associates, Inc., Employer, and Auto Owners Insurance  
Company, Carrier,.....Respondents,

and

S.C. Uninsured Employers Fund.....Appellant.

**MOTION FOR FEES AND COSTS**

Henson & Associates, Inc., Employer, and Auto Owners Insurance Company,  
Carrier, Respondents in the above-named matter, hereby move for an award of attorney's  
fees and costs pursuant to Rule 222, SCACR. This Motion is based upon the South  
Carolina Court of Appeals's opinion affirming the Appellate Panel's Order (Unpublished  
Opinion No. 2017-UP-124, filed on March 15, 2017), which transferred liability to the  
South Carolina Uninsured Employers' Fund. The Petition for Writ of Certiorari was  
denied by the South Carolina Supreme Court by Orated January 12, 2018.

The Clerk of the Court of Appeals is requested to tax fees and costs in the amount of \$1,769.34, representing the cost of the court reporter's transcripts, the cost of printing the final brief under Rule 210, and attorney's fees from the appeal to the Court of Appeals as provided by Rule 222(b), SCACR; against the Appellant, the South Carolina Worker's Compensation Uninsured Employers Fund. The aforementioned fees and costs are stated more particularly in the attached Itemized Statement of Fees and Costs.

The Respondents, Henson & Associates, Inc., Employer, and Auto Owners Insurance Company, Carrier, further request such other relief against the Appellant as this honorable Court may deem just and proper.

Respectfully Submitted,

*Kirsten L. Barr*

January 16, 2018

Roy A. Howell, III, SC Bar #11888  
Kirsten L. Barr, SC Bar #15525  
Trask & Howell, L.L.C.  
P.O. Box 2167  
Mt. Pleasant, SC 29465  
(843) 881-4228  
Attorneys for Employer and  
Auto Owners Insurance Co.,  
Respondents

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**PROOF OF SERVICE**

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The undersigned hereby certifies that the above-named Appellant, the South Carolina Uninsured Employers Fund, was served with a copy of the Motion for Fees and Costs and Itemized Statement of Fees and Costs of the Respondents this 16<sup>th</sup> day of January 2018, by depositing a copy of the same in the United States Mail, first class postage prepaid, addressed to the attorney of record, as follows:

Amy V. Cofield, Esq.  
809 South Lake Drive  
Lexington, SC 29072

John Preston Griffith, III, Esq.  
P.O. Box 2866  
1102 North Main Street  
Anderson, SC 29622

January 16, 2018



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Attorneys for Employer and

Auto Owners Insurance Co.,

Respondents

TRASK  
HOWELL  
WORKERS' COMPENSATION DEFENSE

Reply to  
Kirsten L. Barr  
(843) 881-1027  
kbarr@trask-howell.com

January 16, 2018

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

Re: Rudy Barreira Almazan v. Henson & Associates, Inc.  
W.C.C. File No.: 0919909  
Appellate Case No. : 2015-001546  
Carrier File No.: 36-2229-10  
Date of Accident: September 26, 2009

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Dear Ms. Kitchings:

Enclosed herewith for filing, please find the original and six (6) copies of our Motion for Fees & Costs, Itemized Statement of Fees and Costs, and original Proof of Service of the same in the above-referenced case.

By a copy of this correspondence, I am serving the other counsel of record with a copy of our Motion. Also enclosed, please find our check in the amount of \$25.00 for the filing of this Motion.

Yours very truly,

*Kirsten L. Barr*

Kirsten L. Barr

KLB/ebw/les

Enc.

cc: Iris Harris, Auto Owners Insurance Company (w/enc.) (email only)  
Stephanie Wilson, Auto Owners (w/enc.) (email only)  
John Preston Griffith, III, Esq. (w/enc.)  
Amy V. Cofield, Esq. (w/enc.)  
Roy A. Howell, III

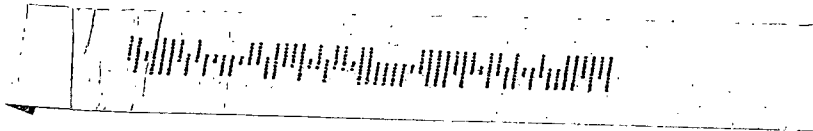




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**The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211**

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