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**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal From The South Carolina
Workers' Compensation Commission

Honorable Melody James, Commissioner
Honorable Gene McCaskill, Commissioner
Honorable Aisha Taylor, Commissioner

WCC File No. 9832206

Appellate Case No. 2017-001804

RECEIVED
APR 11 2018
SC Court of Appeals

Stella Mae Richardson,

Appellant,

v.

Yuasa Exide, Inc., Employer, and Great American Insurance Company of
NY, Carrier,

Defendants,

Of which Yuasa Exide, Inc., Employer, is

Respondent.

**RESPONDENT'S MOTION FOR LEAVE
TO FILE SUPPLEMENTAL RECORD ON APPEAL**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Robert P. Gruber (SC Bar No. 15581)
Catherine H. Chase (SC Bar No. 74593)
25 Calhoun Street, Suite 400 (29401)
P.O. Box 993
Charleston, South Carolina 29402
(843) 720-5488
Attorneys for Yuasa Exide, Inc.

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COMES NOW Respondent, Yuasa Exide, Inc., by and through its undersigned counsel, and hereby respectfully requests that this Honorable Court grant it leave to file/serve the attached Supplemental Record on Appeal and to cite thereto in its Final Brief of Respondent, which is provisionally filed contemporaneously herewith.

The attached Supplemental Record on Appeal includes only the following substantive matter: (1) 1/25/17 Single Commissioner Order; (2) 11/10/16 Hearing Transcript, pp. 1-45; (3) Brooks Dep., pp. 1-67; (4) 2/25/16 Respondent's Brief; and (5) Brooks Dep. Exhibit 3, all of which were designated for inclusion in the Record on Appeal by Respondent. (*See* Respondent's Designation of Matter to be Included in the Record on Appeal (with Proof of Service) dated January 2, 2018, which is attached hereto as **Exhibit A** and incorporated herein by reference.) Although the Amended Record on Appeal prepared by Appellant included most of the matter that Respondent designated for inclusion, it did not include these items.¹

Respondent submits that there is good cause to grant the present motion, such motion being consistent with the interests of justice and not unduly prejudicial to any party. Prior to making this motion, the undersigned counsel for Respondent notified Appellant of this request. (*See, **Exhibit B.***) The undersigned has not received a response to this request.

WHEREFORE, Respondent respectfully requests that the proposed Supplemental Record on Appeal (the original, along with the requisite number of copies under Rule 210(b), SCACR, being filed herewith, and a copy now served on Appellant), be allowed and accepted as filed along with the Final Brief of Respondent, which cites thereto, and which is provisionally filed contemporaneously herewith.

¹ Most of these items were included in the original Record on Appeal filed by Appellant, which was done without page numbers, leaving Respondent unsure of how to cite to the material.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By 

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Attorneys for Yuasa Exide, Inc.

Charleston, South Carolina

Dated: 

April 9, 2018

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal From The South Carolina
Workers' Compensation Commission

Honorable Melody James, Commissioner
Honorable Gene McCaskill, Commissioner
Honorable Aisha Taylor, Commissioner

WCC File No. 9832206

Appellate Case No. 2017-001804

Stella Mae Richardson,

Appellant,

v.

Yuasa Exide, Inc., Employer, and Great American Insurance Company of
NY, Carrier,

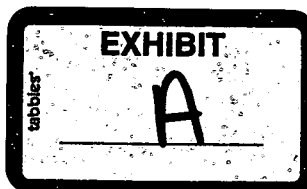
Defendants,

Of which Yuasa Exide, Inc., Employer, is

Respondent.

RESPONDENT'S DESIGNATION OF MATTER

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Attorneys for Yuasa Exide, Inc.



TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

The Respondent Yuasa Exide, Inc. proposes the following to be included in the Record on Appeal:

Orders, Judgments, Decrees, or Decisions

1. 4/3/14 Decision and Order;
2. 12/10/14 Order Approving Settlement Agreement;
3. 6/3/15 Order;
4. 12/7/15 Single Commissioner Order;
5. 3/21/16 Order;
6. 6/29/16 Appellate Panel Order;
7. 1/25/17 Single Commissioner Order;
8. 8/24/17 Appellate Panel Order;

Pleadings

9. 11/16/10 Form 50;
10. 12/6/13 Form 50;
11. 6/12/15 Form 50;
12. 6/19/15 Form 51;

Transcripts

Hearings

13. 8/17/16 Hearing Transcript, pp. 1-67;
14. 11/10/16 Hearing Transcript, pp. 1-45;

Deposition Excerpts

15. Brooks Dep., pp. 1-67;
16. Richardson Dep. p. 1-3, 6-9;

Other Material or Documents

Motions, Memoranda, and Discovery Responses

17. Form 70;
18. Petition;
19. 8/3/15 Form 58;

20. 12/21/15 Form 30;
21. 2/1/16 Form 59;
22. 2/16/16 Motion;
23. 2/25/16 Respondent's Brief;
24. 8/17/16 Form 58;
25. 11/4/16 Form 58;
26. 11/4/16 Amended Notice of Witnesses and Written Reports(s)/Physician or Other Evidence to be Introduced on behalf of Defendants;
27. 2/1/17 Form 30;
28. 3/8/17 Form 59;
29. 3/23/17 Respondent's Brief;

Exhibits

30. Brooks Dep. Exhibit 1;
31. Brooks Dep. Exhibit 2 – 12/5/14 Special Power of Attorney to Endorse and Deposit Settlement Check;
32. Brooks Dep. Exhibit 3;

Documents

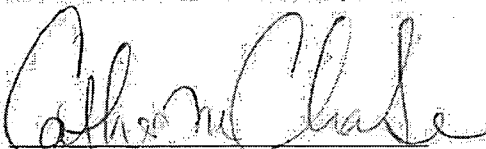
33. 10/31/14 Handwritten Agreement;
34. APA Pg. 515-526.

I certify that this Designation of Matters contains no matter which is irrelevant to this appeal.

[Signature on next page]

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

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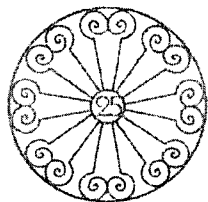
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Attorneys for Yuasa Exide, Inc.

Charleston, South Carolina

Dated: 



YCR LAW

Catherine H. Chase

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March 30, 2018

Via US Mail & E-Mail

Ms. Stella Mae Richardson
5070 Ridge Street
Dalzell, SC 29040
sv-jr1@hotmail.com

Re: Stella Richardson, Appellant, v. Yuasa Exide, Inc., Employer, and Great American Insurance Company of NY, Carrier, of whom Yuasa Exide, Inc., Employer is Respondent
Appellate Case No. 2017-001804
YCR File: 11016-20091251

Dear Ms. Richardson:

I received the Amended Record on Appeal which you filed in the above referenced appeal. I note that (1) 1/25/17 Single Commissioner Order; (2) 11/10/16 Hearing Transcript, pp. 1-45; (3) Brooks Dep., pp. 1-67; (4) 2/25/16 Respondent's Brief; and (5) Brooks Dep. Exhibit 3, all of which were designated for inclusion in the Record on Appeal by Respondent, were not included in the Amended Record on Appeal. The documents need to be included in a record which complies with Rule 210, SCACR, in order for the Respondent to file its final brief. As such, I have prepared the enclosed Supplemental Record on Appeal.

In order to submit a Supplemental Record on Appeal, I will make a motion to the Court of Appeals. Please advise by Thursday, April 5, 2018, if you have an objection to me submitting the enclosed Supplemental Record on Appeal.

As always, thank you for your assistance. If you have any questions, please do not hesitate to contact me. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Catherine H. Chase

CHC/tlb
Enclosure:

1. Supplemental Record on Appeal (*via US Mail and Email*)

