

July 2, 2018

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S.C. SUPREME COURT

**VIA HAND DELIVERY**

The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of SC  
1231 Gervais Street  
Columbia, SC 29201

Re: *Allstate Vehicle and Property Insurance Company v. Rose Wadford  
Hunter; Jane Doe, by and through her mother and natural Guardian  
ad Litem, Mary Roe; and Mary Roe, individually*  
USDC-SC-Beaufort Case No. 9:17-cv-384-DCN  
**Appellate Case No. 2018-001068**  
Allstate Claim No. 0433311206  
GWB File No. 8300-346

Dear Mr. Shearouse:

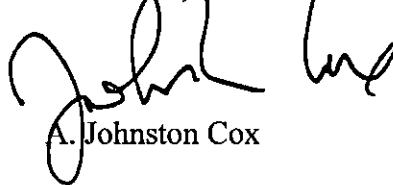
Enclosed for filing with your office is the original and seven copies of the Motion of Plaintiff to File Documents as Part of Record on Appeal. I would appreciate you filing the original and six copies, and returning a clocked copy via our courier. I have included a check in the amount of \$25 to cover the cost of filing.

By copy of this letter, I am serving the above-referenced on counsel of record, as well as providing a copy to the certifying Judge, David C. Norton.

With kind regards, I am

Very truly yours,

GALLIVAN, WHITE & BOYD, P.A.



A. Johnston Cox

AJC:keh  
Enclosures

cc: The Honorable David C. Norton  
Lawrence E. Richter, Jr., Esquire  
Aaron E. Edwards, Esquire  
Benjamin T. Coppage, Esquire

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

CERTIFIED QUESTION FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

David C. Norton, United States District Judge

**RECEIVED**

APPELLATE CASE NO.:  
2018-001068

JUL 02 2018

S.C. SUPREME COURT

Allstate Vehicle and Property Insurance Company,  
..... Plaintiff,

v.

Rose Wadford Hunter; Jane Doe, by and through her mother and  
natural Guardian ad Litem, Mary Roe; and Mary Roe,  
individually,  
..... Defendants.

**MOTION OF PLAINTIFF TO FILE DOCUMENTS  
AS PART OF RECORD ON APPEAL**

Pursuant to Rule 244(b), SCACR, Plaintiff Defendant Allstate Vehicle and Property Insurance Company (“Allstate”), hereby files this motion requesting that the Certifying Court submit a certified copy of the Allstate House and Home Policy, policy number 990438526 (“Policy”) issued by Allstate to Joseph Hunter and Rose Hunter as part of the Record on Appeal in this matter.

Rule 244(b) provides that “[i]n the event a party believes that additional materials from the record before the certifying court are necessary, it shall notify the Supreme Court and the certifying court so that the certifying court can determine if the materials will be submitted.” Rule 244(b), SCACR. Allstate respectfully requests that the Policy

at issue in this matter be submitted so that the Court can consider the policy in its entirety consistent with South Carolina rules of contract construction. *Yarborough v. Phoenix Mut. Life Ins. Co.*, 266 S.C. 584, 592, 225 S.E.2d 344, 348 (1976)(“the meaning of a particular word or phrase is not determined by considering the word or phrase by itself, but by reading the policy as a whole and considering the context and subject matter of the insurance contract.”). Allowing this Court to review the entire policy is necessary and will aid in the decisional process.

In accordance with the requirements of Rule 244(b), SCACR, Allstate also affirms that it will provide notice of this request to the Certifying Court so that the Certifying Court can determine if the Policy should be submitted to this Court.

Respectfully submitted,

GALLIVAN, WHITE & BOYD, P.A.

By: 

A. Johnston Cox (Fed. I.D. No. 6534)

Janice Holmes (Fed. I.D. No. 11366)

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Attorneys for Allstate Vehicle and Property  
Insurance Company

Columbia, South Carolina  
June 29, 2018

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

**CERTIFIED QUESTION FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

David C. Norton, United States District Judge

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APPELLATE CASE NO.:  
2018-001068

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Allstate Vehicle and Property Insurance Company,  
..... Plaintiff,

v.

Rose Wadford Hunter; Jane Doe, by and through her mother and  
natural Guardian ad Litem, Mary Roe; and Mary Roe,  
individually,  
..... Defendants.

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**PROOF OF SERVICE**

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I, the undersigned employee of Gallivan, White & Boyd, P.A., do hereby certify that I have caused the below referenced to be served via U.S. mail, postage prepaid, *or by other delivery as indicated*, to all parties of record at the address(es) shown below.

**DOCUMENT(S) AND PARTIES SERVED:**

Motion of Plaintiff to File Documents as Part of Record on Appeal

Lawrence E. Richter, Jr., Esquire  
Aaron E. Edwards, Esquire  
The Richter Firm, LLC  
622 Johnnie Dodds Boulevard  
Mt. Pleasant, SC 29464

Benjamin T. Coppage, Esquire  
Coppage Law Firm, LLC  
PO Box 2473  
Beaufort, SC 29901

July 2, 2018

  
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Legal Assistant