

McDANIEL LAW FIRM  
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1315 ELMWOOD AVENUE  
COLUMBIA, SOUTH CAROLINA 29201

Proudly representing injured workers  
for over 30 years.

Preston F. McDaniel  
Matthew Robertson

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DEC 21 2018

SC Court of Appeals

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December 18, 2018

VIA FACSIMILE - 734-1839  
AND US MAIL

Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

IMMEDIATE ATTENTION  
REQUESTED!

RE: Clarence Winfrey v. American Fire & Casualty  
Appellate Case Nos.: 2016-000788

Dear Ms. Kitchings:

I am writing this letter with a copy to Counsel of Record seeking your assistance on how I should proceed in reference to a request that the Court stay any further consideration of the above-referenced appeal pending mediation by the parties.

We were advised on December 6<sup>th</sup> that the Court would consider the above-referenced appeal during the December term based on the Briefs and without oral argument.

On December 12<sup>th</sup> I received a notification from Mr. Brett Bayne, Counsel for the Respondent Liberty Mutual, that his client wanted to try to mediate the 2<sup>ND</sup> OR 3<sup>RD</sup> week of January a "global resolution" of all remaining actions pending and arising out of the underlying comp claim; this appeal being one of those. I immediately tried to contact Counsel about a Stay and sent a proposed letter to Respondent's Counsel and to the Attorney General's office mutually requesting a Stay. After several calls and emails Thursday and Friday, we received an "auto reply" that he was in trial through December 21<sup>st</sup>.

Since we have agreed to try to mediate this case in January, I believe it is in everyone's best interest to request that the Court stay further action on the appeal until such time as we have an opportunity to see whether we can mediate a final result.

I believe that the proper way to make this request based on the agreement to mediate, would be to file a Motion in that regard. However, I would appreciate hearing from you and I will

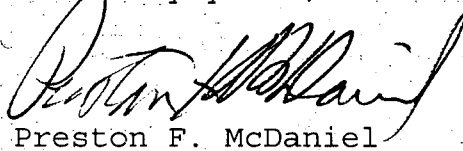
Jenny Abbott Kitchings

December 18, 2018

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then immediately file the Motion. Hopefully all parties will be able to speak and consent by that time. Again, by copy of this letter I am notifying all Counsel of Record of this request for advice and direction from the Clerk's office concerning requesting a Stay until after mediation.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Preston F. McDaniel". The signature is fluid and cursive, with a large initial "P" and "M".

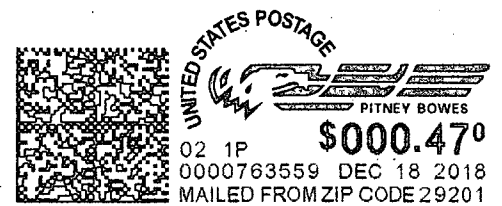
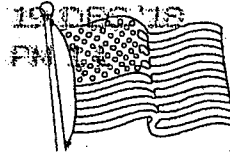
Preston F. McDaniel

PFM/kth

cc: Brett H. Bayne, Esquire (via email and US Mail)  
T. Parkin C. Hunter, Esquire (via email and US Mail)

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1315 Elmwood Ave  
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COLUMBIA  
SC 290



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