

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

RECEIVED

JAN 07 2019

W.C.C. File No.: 1106789 SC Court of Appeals

Victor G. Benjamin, Employee,.....Appellant,

v.

Rexam Beverage Can Company
d/b/a Rexam Beverages, Employer, and
Hartford Insurance Company of the
Midwest c/o Sedgwick CMS, Carrier,..... Respondents.

**MOTION FOR CORRECTION OF
RECORD ON APPEAL**

Pursuant to Rules 210 and 240, SCACR, Respondents Rexam Beverage Can Company d/b/a Rexam Beverages and Hartford Insurance Company of the Midwest c/o Sedgwick CMS hereby move this Court to order Appellant Victor G. Benjamin to correct or supplement the Record on Appeal that was served on Respondents on December 27, 2018. Pursuant to Rule 210(c), SCACR, “[t]he Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267.” The Record needs to be corrected or supplemented in the following respects:

- the Record is missing pages 604 and 605 of the APAs submitted by Appellant to the Commission, which Respondents designated to be included in the

Record. The Record on Appeal should be supplemented with these designated pages; and,

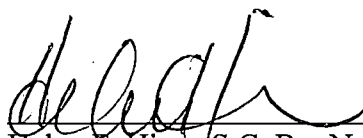
- the transcripts of Appellant's depositions taken March 2, 2012 and March 31, 2014, found respectively at pages 849-856 and pages 857-862 of the Record, are in mini-script. Pursuant to Rule 267(c), SCACR, "[t]ype size shall be standard 12-point or larger ..." The Record on Appeal should be supplemented with the designated pages from these transcripts in full-sized print.

Respondents further request this Court to order that their Final Brief in this appeal will not be due until after the Record on Appeal has been corrected or supplemented as described above.

Respectfully submitted,

McANGUS GOUDELOCK & COURIE, LLC

January 2, 2019



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CMS*

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PROOF OF SERVICE

I certify that on the 2nd day of January 2019, I served the Respondents' **Motion for Correction of Record on Appeal** on Victor G. Benjamin by depositing a copy of it in the United States Mail, postage prepaid, addressed to his counsel of record:

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mgc

Reply To

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JAN 07 2019

SC Court of Appeals

January 2, 2018

Via U.S. Mail

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

RE: Victor Benjamin v. Rexam Beverage Can Company, d/b/a Rexam
Beverages and Hartford Insurance Company of the Midwest c/o Broadspire
Date of Accident: June 15, 2011
WCC File No.: 1106789
Our File No.: 20149.18179
Claim No.: 195027138
Appeal No.: 2018-000965

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Respondents' Motion for Correction of Record on Appeal, and the original and one copy of the Proof of Service in the above-referenced matter. Please file the originals and return a clocked-in copy in the enclosed self-addressed, stamped envelope. Also enclosed is our firm's check in the amount of \$50 for filing the motion.

If you have any questions, please do not hesitate to contact me.

Yours truly,

McAngus Goudelock & Courie, LLC



Helen F. Hiser

Enclosures

cc: Stephen B. Samuels, Esq.
Jeff C. Chandler, Esq.

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