

**RECEIVED**  
JAN 14 2019  
SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA  
Workers' Compensation Commission

Commissioners Susan S. Barden, Gene McCaskill, and Melody L. James

SC Court of Appeal's No. 2018-002245

Herman L. Tate, Sr., Employee, .....Respondent,

v.

Nestle Frozen Food/Nestle USA, Employer, and Indemnity Insurance Co.  
of N.A., Carrier, ..... Appellants.

**MOTION REQUESTING PERMISSION TO ORDER  
TRANSCRIPT OUTSIDE OF FILING DEADLINES**

Appellants Nestle Frozen Foods/Nestle USA and Indemnity Insurance Co. of N.A. ("Appellants") hereby move for an Order granting permission to order the hearing transcript outside of the filing deadlines set by Rule 207 of the South Carolina Rules of Civil Procedure. Appellants have now requested the transcript from the court reporter by correspondence dated today and attached herewith for the court's review.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

COLLINS & LACY, P.C.

A handwritten signature in black ink, appearing to read "Stephanie L. Mascella", with a stylized flourish at the end.

Stephanie L. Mascella, Esquire  
Ashley R. Kirkham, Esquire  
1330 Lady Street, Sixth Floor (29201)  
Post Office Box 12487  
Columbia, South Carolina 29211  
803.256.2660 (office)  
803.771.4484 (fax)

COUNSEL FOR APPELLANTS

**MOTION REQUESTING PERMISSION  
TO ORDER TRANSCRIPT OUTSIDE  
OF FILING DEADLINES**

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**PROOF OF SERVICE**

The undersigned employee of Collins & Lacy, P.C., does hereby certify that she has caused to be served on January 14, 2019, a copy of Appellant's Motion for Permission to Order Transcript by mailing a copy of same to the following named individual(s) by United States mail, with sufficient postage affixed thereto and return address clearly marked:

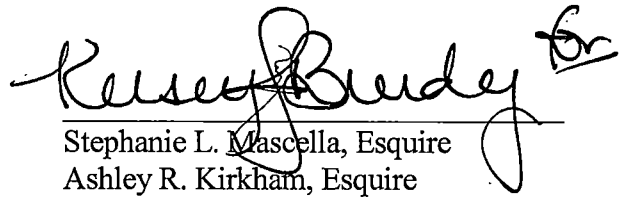
Amy Bracy, Director  
Judicial Department  
SC Worker's Compensation Commission  
Post Office Box 1715  
Columbia, South Carolina 29202-1715

Michael Hart, Esquire  
George Sink, PA Injury Lawyers  
530 Howell Road, Suite 100  
Greenville, SC 29615

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

COLLINS & LACY, P.C.

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COUNSEL FOR APPELLANTS

**PROOF OF SERVICE - MOTION  
REQUESTING PERMISSION TO  
ORDER TRANSCRIPT OUTSIDE OF  
FILING DEADLINES**

Columbia, South Carolina  
January 14, 2019



Stephanie L. Mascella | D: 843.353.2335 | E: smascella@collinsandlacy.com

January 14, 2019

**VIA HAND DELIVERY**

The Honorable Jenny A. Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

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**JAN 14 2019**

**SC Court of Appeals**

Re: Tate v. Nestle USA, Inc.  
WCC File No. 1609488  
SC Court of Appeals No. 2018-002245  
C&L File No. 001669-00822

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of Appellant's Motion for Permission to Order Transcript in the above referenced matter. Also enclosed are our firm's check in the amount of \$25.00, representing the filing fee of same, and a copy of the letter to Creel Court Reporting ordering the transcript. Please file the original motion and six copies and return a clocked copy of same via our courier.

By copy of this letter and enclosure, we are serving same on counsel of record.

Thank you for your time and attention. Should you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephanie L. Mascella". The signature is fluid and cursive, with a large loop at the end. To the right of the signature is a small, stylized mark that looks like a heart or a flourish.

Stephanie L. Mascella

SLM/mmm  
cc (via US Mail):

Amy Bracy, South Carolina Workers' Compensation Commission  
Michael A. Hart, Esquire



1330 Lady Street, Sixth Floor (29201) Post Office Box 12487 | Columbia, SC 29211

**VIA HAND DELIVERY**

The Honorable Jenny A. Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

1669-822

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