

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
D. Garrison Hill, Circuit Court Judge

JAN 14 2019

SC Court of Appeals

Case No. 2013-CP-42-03915
Appellate Case No. 2016-000227

Angie Keene, Individually and as Personal
Representative of the Estate of Dennis Seay, Deceased,
and Linda Seay,..... Respondents,

v.

CNA Holdings, LLC, Appellant.

Motion For Leave to Provide Unpublished Decisions to the Court

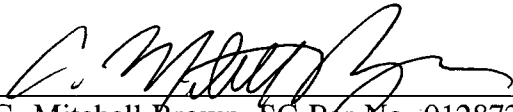
Appellant CNA Holdings hereby files this Motion for leave to provide unpublished decisions to the Court.

Since the briefing was completed in this matter there have been four unpublished United States District Court decisions, by four different judges, on statutory employee issues similar to the issues in this matter. Further, since oral argument was completed in this matter, one United States District Court faced and addressed, again in an unpublished decision, the argument that the Olmstead and Abbott cases fundamentally changed the law and test(s) regarding statutory employees in South Carolina.

These cases are not binding and thus do not belong in a supplemental citation letter. We move to be allowed to present copies of them (and of any subsequent

unpublished decisions on these issues, regardless of result) to this Court, however, for whatever value the Court would gain from them.

NELSON MULLINS RILEY & SCARBOROUGH LLP

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1/14, 2019

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PROOF OF SERVICE

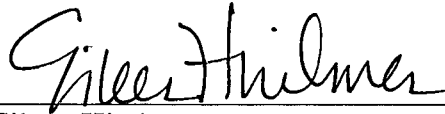
I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for CNA Holdings, LLC, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings: **Motion For Leave to Provide Unpublished Decisions to the Court**

Counsel Served:

Theile B. McVey, Esquire
KASSEL MCVEY
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Columbia, SC 29202

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BLUESTEIN ATTORNEYS
Post Office Box 7965
Columbia, SC 29202

A handwritten signature in cursive script, reading "Eileen Hindman". The signature is written in black ink and is positioned above a horizontal line.

Eileen Hindman
Sr. Administrative Assistant

January 14, 2019



NELSON MULLINS

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January 14, 2019

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SC Court of Appeals

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street (29201)
Post Office Box 11629
Columbia SC 29211

RE: Angie Keene, as Personal Representative of the Estate of Dennis Seay and Linda Seay, Individually v. 3M Company, et al.
Civil Action No. 2013-CP-42-03915
Appellate Case No. 2016-000227
Our File No. 46697/01501

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter please find the original and seven copies of a Motion For Leave to Provide Unpublished Decisions to the Court, and our check for the required filing fee. Please return a clocked-in copy to us via our courier.

By copy of this letter to counsel of record, we are serving them with copies of this document.

With kind regards, I remain

Sincerely yours,

C. Mitchell Brown

CMB:eh
Enclosure
cc: Theile B. McVey, Esquire

The Honorable Jenny Abbott Kitchings

January 14, 2019

Page 2

John D. Kassel, Esquire

Blake A. Hewitt, Esquire

Chris Panatier, Esquire

Kevin W. Paul, Esquire