

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS COMPENSATION
COMMISSION

Case Number 2019-000597

RECEIVED

JUN 14 2019

SC Court of Appeals

Nicholas B. Thompson, Employee, Appellant,

v.

Bluffton Township Fire District, Employer, and State Accident Fund, Carrier,
Respondents

APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDE IN THE RECORD
ON APPEAL

Appellant Nicholas Thompson, Employee, proposes the following to be
included in the Record on Appeal:

1. Notice of Appeal, filed
2. Orders:
 - a. Order of the Single Commissioner
 - b. Order of the Appellate Panel
3. Form 50
4. Amended Form 50

5. Full transcript of hearing before the Single Commission R. Michael Campbell, date October, 25, 2017, - for context - with specific designations notated in the Appellant's Initial Brief as follows:

- a. Hearing Transcript (hereinafter "HT") p. 19, l. 19 – p. 20, l. 1)
- b. (HT p. 20, ll. 2-9, ll. 20-21)
- c. (HT p. 111, ll11-12)
- d. (HT p. 25, ll. 13-20)
- e. (HT p. 15, l. 13)
- f. (HT p. 20, ll. 19-20)
- g. (HT p. 20, l. 21 – p. 21, l. 8)
- h. (HT p. 21, ll. 5-8)
- i. (HT p. 21, ll. 10-15)
- j. (HT p. 21, ll.12-14)
- k. (HT p. 23, ll. 7-10)
- l. (HT p. 23, ll. 10-15)
- m. (HT p. 22, ll. 8-16)
- n. (HT p. 25, l. 13)
- o. (HT p. 25, ll. 13-14, ll.19-20)
- p. (HT p. 32, ll. 13-16)
- q. (HT p. 24, ll. 6-8)
- r. (HT p. 28, ll. 16-20)
- s. (HT p. 28, ll. 20-22)
- t. (HT p. 28, ll. 24-29)

- u. (HT p. 28, l. 25 – p. 29, l.1)
- v. (HT p. 35, ll. 2-3, HT p., l. 19) Claimant's APA's numbered:
- w. (HT p. 32, ll. 16-24)
- x. (HT p. 34, ll. 8-11)
- y. (HT p. 35, ll.2-5)
- z. (HT p. 36, l. 10)
- aa.(HT p. 36, ll. 10-11; p. 37, ll. 18-20)
- bb.(HT p. 38, ll. 9-10)
- cc. (HT p. 38, ll. 13-15)
- dd.(HT p. 38, ll. 21-24)
- ee. (HT p. 38, l. 25 – p. 39, l.8)
- ff. (HT p. 39, l. 13-23; p. 40, ll. 5-8)
- gg.(HT p. 40, ll. 14-18)
- hh.(HT p. 40, l. 22 – p. 41, l.1)
- ii. (HT p. 41, ll. 9-22)
- jj. (HT p. 42, ll. 2-10)
- kk.(HT p. 43, ll. 14-16)
- ll. (HT p. 80, ll. 23-24)
- mm. (HT p. 79, ll.16-18)
- nn.(HT p. 43, ll. 20-22)
- oo. (HT p. 111, ll. 13-17)
- pp.(HT p. 111, ll. 15-16)
- qq.(HT p. 102, ll. 17-18)

rr. (HT p. 44, l. 22 – p. 45, l. 4)
ss. (HT p. 45, l. 1-5)
tt. (HT p. 45, ll.6-12)
uu.(HT p. 46, ll. 10-14)
vv.(HT p. 45, ll. 12-17)
ww. (HT p. 46, ll. 3-5)
xx.(HT p. 46, ll. 16-18)
yy.(HT p. 47, l. 23 – p. 48, l.2)
zz. (HT p. 76, ll. 5-12)
aaa. (HT p. 48, ll. 12-20)
bbb. (HT p. 49, ll. 1-4)
ccc. (HT p. 49, ll. 11-14)
ddd. (HT p. 49, ll. 17-19)
eee. (HT p. 49, ll. 19-25)
fff. (HT p. 50, ll. 12-20)
ggg. (HT p. 51, ll.11-15)
hhh. (HT p. 51, ll.12-14)
iii. (HT p. 92, ll. 3-9)
jjj. (HT p. 54, ll. 9-10)
kkk. (HT p. 86, ll.8-14)
lll. (HT p. 86, ll. 14-17)
mmm. (HT p. 92, ll.13, 17-20)
nnn. (HT p. 99, ll. 4-7)

- ooo. (HT p. 87, ll. 17-23)
- ppp. (HT p. 93, ll. 11-18)
- qqq. (HT p. 112, ll. 11-14)
- rrr. (HT p. 75, ll. 20-24)
- sss. (HT p. 103, ll. 19-21)
- ttt. (e.g., HT p. 79, ll. 18-19; p. 80, ll. 23-24; p. 85, ll. 24-25)

6. Claimant's APA Exhibits:

- a. (Claimant's Ex. J, page 1)
- b. (Claimant's Ex. J, page 1)
- c. (Claimant's APA #1, p. 3)
- d. (Claimant's APA #2, p.11)
- e. (Claimant's APA #1, p. 4)
- f. (Claimant's APA #1, p. 5)
- g. (Claimant's Ex. F, p.54)
- h. (Claimant's APA #3, p.14)
- i. (Claimant's APA #3, p.15b)
- j. (Defendant's APA #5, p. 28)
- k. (Claimant's APA #3, p.15)

7. Defendant's APA Exhibits

- a. (Defendant's APA #1, p. 1,2,5)
- b. (Defendant's APA #1, p.2)
- c. (Defendant's APA #2, p.6)
- d. (Defendant's APA #2)

- e. (Defendant's APA #3, p.15)Appellant's Exhibits, numbered:
- f. (Defendant's APA #3, p.19)
- g. (Defendant's APA #4, p.21)
- h. (Defendant's APA #5)
- i. (Defendant's APA #5, p. 25)
- j. (Defendant's APA #6, p26)

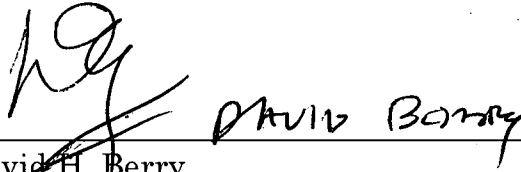
8. Deposition Excerpts:

- a. Full text of the deposition of Dr. James Lindley (for context) with specific notations set out in the Appellant's Initial Brief as follows:
 - i. (JL Dep. p.18, ll.12-16)
 - ii. (JL Dep. p. 32, l. 2-6)
 - iii. (JL Dep. p. 21. l. 23 – p. 22, l. 2)
 - iv. (JL Dep. p. 32, ll. 6-10; p. 33, ll. 8-13)
 - v. (JL Dep. p. 33, l. 19 – p. 34, l.3)
 - vi. (JL Dep. p. 32, ll. 6-10; p. 33, ll. 8-13)
 - vii. (JL Dep. p. 33, l. 19 – p. 34, l.3)
 - viii. (JL Dep. p. 32, ll. 6-10; p. 33, ll. 8-13)
 - ix. (JL Dep. p. 33, l. 19 – p. 34, l.3)

9. Order of the Single Commissioner

- a. Finding No. 7
- b. Findings no. 19
- c. Findings no. 21

I certify that this designation contains no matter which is irrelevant to this appeal.



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June 12, 2019

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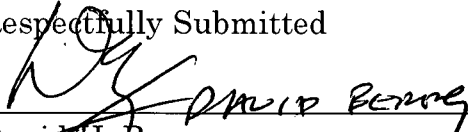
PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing *APPELLANT'S INITIAL BRIEF and DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD* have been served upon the Bluffton Township Fire District, Employer, and State Accident Fund, Carrier, Respondents by mailing one copy by United States Mail, addressed as shown this 12 day of JUNE, 2019

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Respectfully Submitted



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June 12, 2019

**BERRY & CARR**
PURSUING JUSTICE | IMPROVING LIVES

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Respondents

Case Number 2019-000597

Greetings:

I have enclosed the following:

- Appellant's Initial Brief
- Designation of Matter to be Included in the Record on Appeal
- Proof of Service

Please let me know if there is anything else I need to submit at this point

With Kind Regards,



DAVID BERRY

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Hilton Head Island, South Carolina
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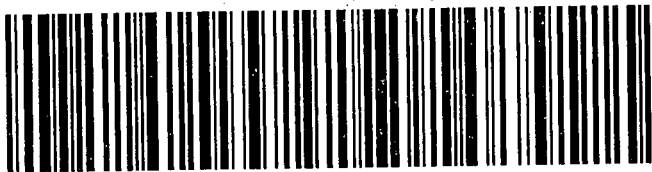
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SC Court of Appeals

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