

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SC WORKERS COMPENSATION COMMISSION

Gene McCaskill, Commissioner
Melody L. James, Commissioner
R. Michael Campbell, II, Commissioner

RECEIVED
AUG 28 2019
SC Court of Appeals

Case No. 1423018

Giles Long Claimant, Appellant/Respondent

v.

Metro Construction, Inc., Employer, and
American Zurich Ins. Co. and The
SC Uninsured Employers' Fund Carrier, Defendants

of which Metro Construction, Inc., Employer, and
The SC Uninsured Employers' Fund, Carrier are..... Respondents/Appellants

And American Zurich Ins. Co..... Respondent

**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, Claimant, Appellant/Respondent designates the following material for inclusion in the record on appeal:

1. Form 50 Notice of Claim dated March 12, 2015;
2. Form 50 Request for Hearing dated December 3, 2015;
3. Form 51 Denial of Claim by Respondent SC Uninsured Employers' Fund dated December 30, 2015;
4. Form 51 Denial of Claim by Respondent American Zurich Ins. Company dated April 7, 2017;

5. Form 58 Claimant's Pre-Hearing Brief and APA Submissions and Exhibits;
6. Form 58 Respondent SC Uninsured Employers' Fund's Pre-Hearing Brief and APA Submissions and Exhibits;
7. Form 58 Respondent American Zurich Ins. Company's Pre-Hearing Brief and APA Submissions and Exhibits;
8. Respondent SC Uninsured Employers' Fund's Motion to Add Respondent American Zurich Ins. Company as a Third-Party Defendant dated March 6, 2016;
9. Order from the Single Commissioner adding Respondent American Zurich Ins. Company as a Third-Party Defendant dated April 14, 2016;
10. Respondent SC Uninsured Employers' Fund's Motion to Add Claimant, Giles Long as a Third-Party Defendant dated March 24, 2017;
11. Claimant's Memorandum in Opposition to Adding Third-Party Defendant dated April 4, 2017;
12. Order from the Single Commissioner denying Respondent SC Uninsured Employers' Fund's Motion to Add Giles Long as a Third-Party Defendant dated April 19, 2017;
13. Form 30, Respondent SC Uninsured Employers' Fund's Appeal dated April 27, 2017;
14. Judicial Conference Decision denying Respondent SC Uninsured Employers' Fund's appeal to add Claimant Giles Long as a Third-Party Defendant;
15. Decision and Order of the Single Commissioner dated August 22, 2018;
16. Form 30, Request for Commission Review by Respondent SC Uninsured Employers' Fund dated September 5, 2018;
17. Form 30, Request for Commission Review By Respondent Respondent American Zurich Ins. Company dated September 5, 2018;
18. Transcript of Hearing Before the Single Commissioner;
19. Decision and Order of the Single Commissioner, dated April 30, 2019;
20. Transcript of Argument Before the Appellate Panel;
21. Deposition of Claimant Giles Long;

22. Deposition of Timothy Lukes;
23. Respondent SC Uninsured Employers' Fund's Brief to the Appellate Panel;
24. Respondent American Zurich Ins. Company's Brief to the Appellate Panel;
25. Claimant's Brief to the Appellate Panel; and
26. Notice of Appeal.

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



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Attorney for Claimant, Appellant/Respondent

August 28, 2019

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SC Court of Appeals

Certificate of Service

I certify that I have served the Designation of Matter upon all parties by depositing a copy of it in the Unites States Mail, postage prepaid, on August 28, 2019, to the Counsel of Record, as listed below:

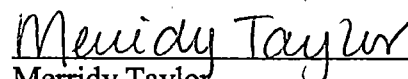
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Robert C. Cook, Esquire
The Robert Cook Law Firm, LLC
128 North Oak Street, Batesburg, SC 29006

And I certify that I have served the Designation of Matter upon the South Carolina Workers' Compensation Commission by depositing a copy of it in the Unites Sates Mail, postage prepaid, on August 28, 2019, as listed below:

Amy Bracy, Judicial Director
S.C. Workers' Compensation Commission
P.O. Box 1715
Columbia, SC 29202-1715


Merridy Taylor



L A W O F F I C E O F
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August 28, 2019

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: Giles Long, Claimant, Appellant/Respondent v. Metro Construction, Inc.,
Employer, and The SC Uninsured Employers' Fund, Carrier, Respondents/Appellants,
and American Zurich Ins. Co., Respondent
Appellate Case No. 2019-000897
Trial Court Case No. 1423028

Dear Ms. Kitchings:

Enclosed herewith please find our communications with Palmetto Court Reporting on April 17, 2018 requesting the hearing transcript of the proceeding held before the SC Workers' Compensation Commission on February 28, 2018. Also please find our letter to Creel Court Reporting dated May 3, 2019 requesting the transcript from the Appellate Panel proceeding hearing held on December 17, 2018. Copies on these transcripts were received on April 24, 2018 and May 31, 2018 respectively. These transcripts will be provided to you in the Record on Appeal.

If you need any additional information, please let me know.

Sincerely,

Nicholas G. Callas

cc: Lee Dixon, Esquire
Timothy B. Killen, Esquire
Robert C. Cook, Esquire
Amy Bracy, Judicial Director