



ATTORNEYS AT LAW

Reply To
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COLUMBIA

February 1, 2013

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Post Office Box 11629
Columbia, South Carolina 29211

RE: Robbin Cole vs. Joy Global and ACE USA/ESIS
Date of Accident: September 8, 2008
WCC File No.: 0825491
Our File No.: 2062.10533
Claim No.: 494C1733402
Case Tracking No.: 2012-205507

Dear Ms. Kitchings:

We are responding to your request for written confirmation of the settlement agreement between the parties to this appeal. Although the parties have reached a settlement in principle resolving all of the issues pending on appeal, the settlement cannot be finalized until certain dependency issues are resolved by the South Carolina Workers' Compensation Commission. The Commission has scheduled a dependency hearing for February 28, 2013, following which it is anticipated the settlement will be finalized. We will advise the Court and provide written confirmation of the settlement agreement, along with a request that this appeal be dismissed, as soon as the settlement is final.

Please do not hesitate to contact the undersigned if you have any questions.

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Conveyor Company d/b/a Joy Mining*

JAN 31 2013

SC COURT OF APPEALS

*Machinery, and Indemnity Insurance
Company of N.A.*

cc: Lynn Shook, Esq.
Donna Richards, ESIS