

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION  
W.C.C. File No. 1423018

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Appellate Case No. 2019-000897

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Giles Gregg Long, Claimant, Appellant/Respondent,

v.

Metro Construction, Inc., Employer, American Zurich Ins. Co., Carrier, and  
South Carolina Workers' Compensation Uninsured Employers' Fund, Respondents/Appellants,  
of which Metro Construction, Inc., Employer and the South Carolina Workers' Compensation  
Uninsured Employers' Fund are Respondents/Appellants,  
and American Zurich Ins. Co. is the Respondent.

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REPLY BRIEF OF RESPONDENT/APPELLANT FUND

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SC Court of Appeals

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**STATEMENT OF ISSUE ON APPEAL**

**WHETHER THE WORKERS' COMPENSATION COMMISSION ERRED  
IN FINDING THAT ZURICH PROPERLY CANCELLED EMPLOYER'S  
POLICY.**

**STATEMENT OF THE CASE**

The South Carolina Workers' Compensation Uninsured Employers' Fund ("Fund") Respondent/Appellant hereby files this Reply Brief in response to the Brief of American Zurich ("Zurich"), Respondent pursuant to SCACR 208. Zurich's Brief addresses only the issue raised by Giles Gregg Long ("Long"), Appellant/Respondent, and Metro Construction, Inc. ("Metro"), Respondents/Appellants, as set forth in their Briefs. That issue addresses whether or not Zurich properly cancelled Metro's workers' compensation policy prior to Long's date of accident.

On this limited issue, Fund hereby adopts by reference the arguments of both Long and Metro as set forth in their briefs.

**CONCLUSION**

Based upon the foregoing arguments and authorities, the Order of the Appellate Panel of the Full Commission should be reversed.

RESPECTFULLY SUBMITTED,



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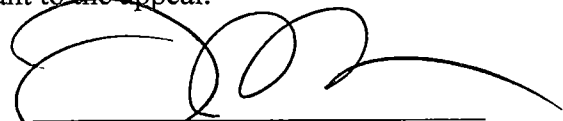
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CERTIFICATE OF COUNSEL **SC Court of Appeals**

I hereby certify on this 12<sup>th</sup> day of December 2019, that the Respondent/Appellant Fund's  
Reply Brief contains no matter which is not relevant to the appeal.

December 12, 2019



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and American Zurich Ins. Co. is the Respondent.

**PROOF OF SERVICE**

I hereby certify that I have served Respondent/Appellant Fund's Reply Brief on the attorneys for all other parties by placing them in the U.S. Mail, sufficient postage pre-paid, on December 12, 2019, addressed as follows:

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December 12, 2019

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RE: Appellate Case No: 2019-000897  
Giles Long, Claimant, Appellant/Respondent,

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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. is the Respondent.

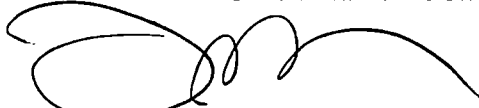
Dear Ms. Kitchings:

Enclosed please find an original and one (1) copy of Respondent/Appellant The SC Uninsured  
Employers' Fund's Reply Brief regarding the above-referenced matter.

By copy of this correspondence, a copy of Respondent/Appellant The SC Uninsured Employers'  
Fund's Reply Brief is being provided directly to all parties as listed on the enclosed Proof of Service.

Respectfully,

**HOLDER PADGETT LITTLEJOHN + PRICKETT**



Timothy B. Killen

TBK/maa  
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