

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA
Workers' Compensation Commission
Appellate Panel

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Appellate Case No. 2017-002124 **MAR 19 2020**

SC Court of Appeals

Edmund Dillon, (Deceased) Employee, Appellant,

v.

FleetPride, Employer
And Gallagher Bassett as TPA for
American Zurich Insurance Co, Carrier, Respondents.

CONSENT AGREEMENT AND ORDER OF CONFIRMATION DISMISSING APPEAL
AND FOR ISSUANCE BY ORDER OF THE COURT OF IMMEDIATE REMITTITUR
TO THE SC WORKERS' COMPENSATION COMMISSION

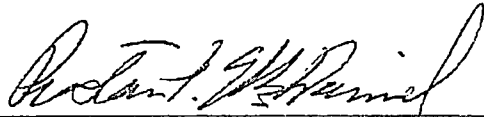
The Parties to this appeal, by and through their respective Counsel, have entered into a settlement agreement resolving the above-referenced case currently pending before the Court and by mutual agreement, and pursuant to Rule 260(b), SCACR, file this Agreement with the Court mutually agreeing:

1. that the appeal be dismissed and that the Court enter its Order of Dismissal.

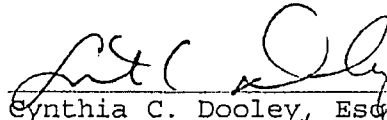
2. that this matter arises out of a workers' compensation claim and the settlement agreement entered into by and between the parties has to be filed with and approved by the SC Workers' Compensation Commission. Because of the impending national situation and so that this matter may be approved by the Commission as soon as possible, the parties consent and hereby request pursuant to Rule 221(b), SCACR, that upon Order of the Court dismissing this matter that the Court also order that the Remittitur be issued in this matter and this matter remitted to the SC Workers' Compensation Commission to approve the settlement entered into by and between the parties.

WHEREFORE, the parties mutually consent and agree that the Court consider issuing an Order confirming the agreement of the parties dismissing this appeal and remitting this matter to the SC Workers' Compensation Commission for approval of the settlement entered into by and between the parties.

WE CONSENT.



Preston F. McDaniel, Esquire
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(803) 771-7211
Attorney for Appellant



Cynthia C. Dooley, Esquire
TURNER PADGET
Post Office Box 1473
Columbia, South Carolina 29202
Attorney for Respondents

ORDER OF CONFIRMATION

After due and proper consideration of the agreement entered into by and between the parties as set forth hereinabove,

IT IS HEREBY ORDERED that the appeal in the above-referenced matter by and hereby is dismissed.

IT IS FURTHER ORDERED pursuant to Rule 221(b), SCACR, that the Remittitur shall be immediately issued by the Clerk and this matter remitted to the SC Workers' Compensation Commission upon the issuance of this Order.

AND IT IS SO ORDERED.

Judge, SC Court of Appeals

Dated: _____

McDANIEL LAW FIRM
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Proudly representing injured workers
for over 35 years.

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Matthew Robertson

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March 19, 2020

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MAR 19 2020

SC Court of Appeals

HAND DELIVERED

V. Claire Allen
Deputy Clerk of Court
SC Court of Appeals
1220 Senate Street
Columbia, South Carolina 29202

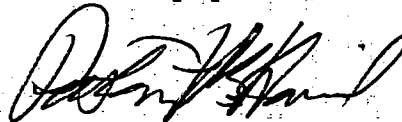
RE: **Edmund Dillon v. FleetPride**
Appellate Case No. 2017-002124

Dear Ms. Allen:

Attached is the cover letter to and the Consent Agreement and Order of Confirmation that we discussed which Cindy Dooley was just able to sign and get back to me. I am going to ask the clerk in reception to bring this to your attention because you are aware of the situation and what we discussed. I appreciate everything you have done in reference to trying to get this matter to a Judge and back to the Commission as soon as possible. If a Judge can sign it, I will be glad to come pick it up and hand deliver everything to the Commission.

I am absolutely convinced that everything is going to get shut down in the not too-distant future and I am trying to help as many of my clients as I can before that happens.

Sincerely yours,



Preston F. McDaniel

PFM/kth
Enclosures

cc: Cynthia C. Dooley, Esquire
Brian Dumas, Esquire

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March 18, 2020

HAND DELIVERED

V. Claire Allen
Deputy Clerk of Court
SC Court of Appeals
1220 Senate Street
Columbia, South Carolina 29202

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MAR 19 2020

RE: Edmund Dillon v. FleetPride
Appellate Case No. 2017-002124

SC Court of Appeals

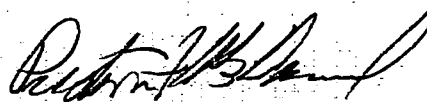
Dear Ms. Allen:

Upon review, I found that the Court Rules, Rule 260(b) and Rule 221, specifically allow for and address this situation. In that regard, please find attached the Consent Agreement and an Order of Confirmation that I put together in the same document which Cindy Dooley and I have signed on behalf of our clients notifying the Court that we have settled the matter, requesting that the case be dismissed per the agreement of the parties, and that the Remittitur by Order of the Court be immediately issued remitting this case to the SC Workers' Compensation Commission to approve the settlement agreement.

I decided to put the Order as part of the Agreement as an Order of Confirmation to save time for the Court. If the Court wants a separate Order or if any additional documentation needs to be submitted, please let me know. Thank you for discussing this matter with me and also for the Court's consideration and help in this matter. By copy of this letter, we are notifying Ms. Dooley of the filing of this Consent Agreement with the Court for its consideration and hopefully the Order of Confirmation being signed dismissing the appeal, the Remittitur being issued, and remanding this matter to the SC Workers' Compensation Commission immediately.

As always, I appreciate all the courtesies and kindnesses shown to me by the Court in this and all matters.

Sincerely yours,



Preston F. McDaniel

PFM/kth
Enclosure

cc: Cynthia C. Dooley, Esquire
Brian Dumas, Esquire