

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

Avery B. Wilkerson Jr., Chair, Commissioner
T. Scott Beck, Commissioner
R. Michael Campbell, Commissioner

SCWCC File No. 1102937
S.C. Court of Appeals Case No. 2019-001141

RECEIVED

Apr 15 2020

SC Court of Appeals

Barry Adickes, Claimant,

Respondent

v.

Philips Healthcare, Employer and Fidelity and
Guarantee Insurance Company, Carrier,

Appellants.

**APPELLANTS' INITIAL DESIGNATION OF MATTERS
TO BE INCLUDED IN THE RECORD ON APPEAL**

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Attorney for Appellants
Philips Healthcare and Fidelity & Guarantee Insurance Company

The undersigned Appellants hereby designate the following matters to be included in the Record on Appeal:

ORDERS

1. August 27, 2015 Order of Commissioner McCaskill
2. February 8, 2016 Appellate Panel Decision and Order
Comm'rs Wilkerson, Beck and Taylor
3. January 17, 2018 Court of Appeals Decision Op. No. 2018-UP-027
4. July 16, 2018 SCWCC Judicial Department Remittitur Routing Sheet
5. January 17, 2019 Order of Commissioner Barden
6. June 19, 2019 Order of Commissioner James
7. June 20, 2019 Appellate Panel Decision and Order
Comm'rs Wilkerson, Beck and Campbell
8. November 8, 2019 Appellate Panel Decision and Order
Comm'rs Beck, Campbell and Taylor

PLEADINGS:

9. Respondent's September 23, 2014 Form 50 Request for Hearing
10. Appellants' October 15, 2014 Form 51 Answer
11. Respondent's January 6, 2015 Form 58 Pre-Hearing Brief
12. Appellants' January 12, 2015 Form 58 Pre-Hearing Brief
13. Appellants' November 11, 2015 Brief to the Appellate Division
14. Respondent's December 4, 2015 Brief to the Appellate Division
15. Appellants' March 7, 2016 Notice of Appeal
16. Respondent's August 1, 2016 Final Brief to the Court of Appeals
17. Appellants' August 9, 2016 Final Brief to the Court of Appeals
18. Appellants' August 9, 2016 Final Reply Brief to the Court of Appeals

Commissioner Barden Hearing:

19. Appellants' October 12, 2018 Memorandum of Law to Commissioner Barden
20. Respondent's October 12, 2018 Memorandum of Law to Commissioner Barden
21. Appellants' January 18, 2019 Form 30 Appeal to Appellate Division
22. Respondent's January 28, 2019 Form 30 Appeal to Appellate Division
23. Respondent's March 26, 2019 Brief to the Appellate Division
24. Appellants' March 27, 2019 Brief to the Appellate Division.
25. Respondent's April 8, 2019 Response Brief to the Appellate Division
26. Appellants' April 18, 2019 Response Brief to the Appellate Division

Commissioner James Hearing:

27. Respondent's September 20, 2018 Form 50 Request for Hearing
28. Appellants' June 6, 2019 Response to Proposed Order Directives
29. Appellants' July 3, 2019 Form 30 Appeal to Appellate Division
30. Appellants' August 14, 2019 Brief to the Full Commission
31. Respondent's August 23, 2019 Brief to the Full Commission

TRANSCRIPTS WITH EXHIBITS:

32. Transcript of January 21, 2015 Hearing before Commissioner McCaskill
Adickes' APA's pp. 48 – 185
33. Transcript of December 14, 2015 Appellate Division Hearing
34. Transcript of October 9, 2018 Hearing before Commissioner Barden
35. Transcript of April 19, 2019 Hearing before Commissioner James

Adickes' APA's pp. 1 – 43
Appellants' APA's pp.8.27.2015 1 - 6

36. Transcript of April 30, 2019 Appellate Division Hearing

37. Transcript of September 16, 2019 Appellate Division Hearing

OTHER MATERIAL AND DOCUMENTS:

38. July 18, 2018 Emails between Attorneys and SCWCC

39. August 1, 2018 – August 6, 2018 Emails between Attorneys and SCWCC

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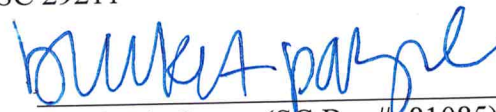
Philips Healthcare, Employer, and Fidelity and
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PROOF OF SERVICE

I certify that I have served **Appellants' Initial Brief and Designation of Matters to be Included in the Record** to the Respondent by depositing a copy in the United States Mail, first class postage prepaid, on **April 14, 2020**, addressed to his attorney of record at the below address:

William L. Smith, II
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Dated: 4.14.2020