

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

WALTON J. McLEOD, Circuit Court Judge

Case No.: 2016-CP-32-03772

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JUL 27 2020
SC Court of Appeals

Wesco Insurance Company, as subrogees
of Villager Construction and its employees
Dock Cooper and Estate and Heirs of
Nelson Gutierrez

Appellant

v.

Albert R. Donahue, Sr., State Farm Insurance
Company, and Alma Rosa Pasos, as Personal
Representative of the Estate of Nelson Enrique
Gutierrez Pasos

Respondent

NOTICE OF APPEAL

Wesco Insurance Company, as subrogees of Villager Construction and its employees
Dock Cooper and Estate and Heirs of Nelson Gutierrez, appeals of the orders of the Honorable
Walton J. McLeod:

1. Granting Albert R. Donahue, Sr. and State Farm Insurance Company Motion for
Summary Judgment (June 9, 2020);

2. Denying Wesco Insurance Company, as subrogees of Villager Construction and its employees Dock Cooper and Estate and Heirs of Nelson Gutierrez Motion for Reconsideration on June 23, 2020.

s/Jerry Reardon

JERRY REARDON

SC Bar #13739

Attorney for Appellant

Law Office of Jerry Reardon

1722 Main Street, Suite 302

Columbia, South Carolina 29201

(O) (803) 602-5242 | (F) (803) 602-5243

July 23, 2020

Columbia, South Carolina

Other Counsel of Record:

Paul V. Kieffer

Minnesota Bar 00244326

Not Yet Admitted in South Carolina

4265 York Avenue North

Minneapolis, MN 55422

Attorney for Appellant

(612) 850-0967

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

LEXINGTON COUNTY

11th JUDICIAL DISTRICT

Case No.: 2016-CP-32-03772

WESCO INSURANCE COMPANY,
as subrogee of VILLAGER CONSTRUCTION
and its employee, DOCK COOPER.

Plaintiff

**AFFIDAVIT OF SERVICE BY
MAILING and EFILING**

ALBERT R. DONAHUE, SR., STATE FARM
INSURANCE COMPANY, and ALMA ROSA PASOS,,
as Personal Representative of the ESTATE OF NELSON
ENRIQUE GUITERREZ PASOS

Defendant

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Personally appeared Paul V. Kieffer for the Plaintiff, who states that he served the Defendants, Albert R. Donahue, Sr., State Farm Insurance Company, with a copy of the Notice of Hearing by Certified mail, with attachments, return receipt requested, in the United States Mail, with proper postage attached, on July 23, 2020 along with by EService, addressed as follows:

Austin Hood
Clauson & Staubes
1612 Marion Street, Suite 200
Columbia, South Carolina 20201

Paul V. Kieffer MW Bar 244326
Paul V. Kieffer, Attorney for Plaintiff / Appellant

KIEFFER LAW OFFICE, LLC

4265 York Avenue North
Minneapolis, MN 55422

(612) 850-0967 (Office)
(612) 465-3170 (Facsimile)

Paul V. Kieffer
paul@kiefferlawllc.com

July 23, 2020

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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re: Wesco Insurance Company as subrogees of Villager Construction and its employees, Dock Cooper and Estate and Heirs of Nelson Gutierrez vs. Albert R. Donaue, Sr., State Farm Insurance Company

Case No.: 2016-CP-32-03772

In the Court of Common Pleas for the Eleventh Judicial Circuit

Dear Ms. Abbott Kitchings:

Attached for filing please find:

1. Wesco Insurance Company as subrogees of Villager Construction and its employees, Dock Cooper and Estate and Heirs of Nelson Gutierrez Notice of Appeal;
2. The Honorable Walton J. McLeod's Order granting Albert R. Donahue, Sr. And State Farm Insurance Company Motion for Summary Judgment. The order was dated June 9, 2020;
3. The Honorable Walton J. McLeod's Order denying Wesco Insurance Company, as subrogees of Villager Construction and its employees Dock Cooper and Estate and Heirs of Nelson Gutierrez Motion for Reconsideration. The order was dated June 23, 2020.

Jenny Abbott Kitchings
Clerk of Court

page 2

July 23, 2020

Thank you for your assistance.

Sincerely,

Paul V. Kieffer for Jerry Reardon with permission
Jerry Reardon

CC:

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Columbia, South Carolina 20201

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Columbia, SC 29201