

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE WORKERS' COMPENSATION COMMISSION

Appellate Case No. 2020-000351

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AUG 03 2020

SC Court of Appeals

Gene Grady, Employee, Respondent,

v.

The Shaw Group, Employer, and Zurich American Insurance Company, Carrier,
Appellants.

**JOINT MOTION TO AMEND THE PARTIES' DESIGNATIONS OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 240, SCACR, Appellants and Respondent hereby request to amend their respective Designations of Matter in the above-referenced case. The grounds for the Motion are as follows:

1. Appellant's Initial Designation of Matter #5 referenced a Form 21 dated May 3, 2018.
2. Upon information and belief, said Form 21 was actually filed April 27, 2018.
3. Respondent proposed to include the April 27, 2018 Form 21 in their Amended Designation of Matter #8.
4. Therefore, Appellants request to amend their Designation of Matter to remove item #5.
5. Additionally, Respondent included in his Amended Designation of Matter #11 Appellant's Form 58 and APA Submissions dated July 9, 2018. However, this material is included in Appellants' Designation of Matter #9.

6. As such, Respondent proposes to amend his Amended Designation of Matter to omit item #11.
7. Respondent's Amended Designation of Matter #10 references Respondent's Form 58 and APA Submissions dated June 29, 2018. This matter is more appropriately labeled as Respondent's Supplemental Form 58 and APA Submissions dated June 29, 2018.
8. Thus, Respondent proposes to rename item #10 as Respondent's Supplemental Form 58 and APA Submissions dated June 29, 2018.
9. Finally, Respondent's Amended Designation of Matter #5 references a Consent Order dated June 1, 2017; however, upon information and belief, this Consent Order is dated June 1, 2018, and he proposes to rename it as such.
10. The parties respectfully request that the Court allow them to amend their respective Designations of Matter to reflect the corrections set forth in this Motion so that the Record on Appeal is complete and accurate and contains no matter that is irrelevant to the appeal.
11. The parties have included with this Joint Motion their respective Amended Designations of Matter.

Accordingly, the parties respectfully request that the Court grant this Motion and accept their Amended Designations of Matter.

(signature page follows)

Respectfully Submitted,



Malcolm M. Crosland, Jr.

J. Kevin Holmes

THE STEINBERG LAW FIRM, L.L.P.

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Attorneys for the Respondent



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July 30, 2020

93039



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July 31, 2020

VIA U.S. MAIL

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

*Re: Gene Grady v. The Shaw Group, Inc. and Zurich American Insurance Co.
Appellate Case No. 2020-000351*

Dear Ms. Kitchings:

Enclosed please find a \$50.00 check for the filing fee associated with the parties' Joint Motion to Amend their respective Designations of Matter in the above case which was submitted via facsimile on July 31, 2020. I appreciate your consideration. Please do not hesitate to contact me with any additional questions or concerns.

With kind regards,

ELLER TONNSEN BACH, LLC

William F. Childers, Jr.

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WFC

Enclosures

cc: Malcolm Crosland, Jr. (via U.S. mail)
J. Kevin Holmes (via U.S. mail)



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July 31, 2020

VIA FACSIMILE (803) 734-1839

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

*Re: Gene Grady v. The Shaw Group, Inc. and Zurich American Insurance Co.
Appellate Case No. 2020-000351*

Dear Ms. Kitchings:

Enclosed please find the following:

1. Joint Motion to Amend the Parties' Designation of Matter;
2. Appellant's Amended Designation of Matter;
3. Respondent's Second Amended Designation of Matter;
4. Certificate of Service.

I will send you the \$50.00 check for the filing fee associated with this Motion by U.S. Mail today. I appreciate your consideration. Please do not hesitate to contact me with any additional questions or concerns.

With kind regards,

ELLER TONNSEN BACH, LLC

William F. Childers, Jr.

WFC

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CERTIFICATE OF SERVICE

The undersigned certifies that he served the Joint Motion to Amend the Parties' Designations of Matter to be Included in the Record on Appeal and Appellants' Amended Designation of Matter to be Included in the Record on Appeal by depositing a copy of same via U.S. mail, postage prepaid, addressed to:

Malcolm M. Crosland, Jr.
J. Kevin Holmes
The Steinberg Law Firm, LLP
P.O. Box 9
Charleston, SC 29402

The undersigned further accepts service of Respondent's Second Amended Designation of Additional Matter to be Included in the Record on Appeal.



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Attorney for Appellants

July 30, 2020.

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