

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

W.C.C. FILE #1709864

SARAH JEFFERIES )  
 CLAIMANT, )  
 VS. )  
 MILLIKEN )  
 EMPLOYER, )  
 AND )  
 LIBERTY INSURANCE CO )  
 CARRIER. )

SC WORKERS' COMPENSATION COMMISSION  
 HEARING OF  
 SARAH JEFFERIES  
 VS  
 MILLIKEN

This is the Transcript of the South Carolina Workers' Compensation Hearing of Sarah Jefferies versus Milliken, taken before Gloria Davis, a Court Reporter and Notary Public in and for the State of South Carolina, commencing at the hour of 10:56 A.M., Friday, March 2nd, 2018, at Spartanburg County Administration Building, 366 N. Church Street, Spartanburg, South Carolina.

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GLORIA DAVIS

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APPEARANCES

FOR THE CLAIMANT:  
Appeared pro se

FOR THE EMPLOYER/CARRIER:  
Jeffrey S. Jones, Esquire  
Willson Jones Carter & Baxley  
872 South Pleasantburg Drive  
Greenville, SC 29607

ALSO PRESENT:

Mr. J. R. Williams  
Ms. Ashley Atchley

\*Reporter's Note: -- Indicates incomplete thought or sentence, trailing off or interruption by speakers.

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I N D E X

## WITNESSES

All witnesses:	Page
Ms. Jefferies for Claimant	
Direct Examination by Mr. Jones	13:15
Cross-Examination by Commissioner Wilkerson	35:6
Mr. Williams for Defense	
Direct Examination by Mr. Jones	37:25
Cross-Examination by Ms. Jefferies	42:13
Redirect Examination by Mr. Jones	43:17
Recross-Examination by Ms. Jefferies	44:6
Further Redirect by Mr. Jones	44:20
Further Recross by Ms. Jefferies	45:16
Ms. Atchley for Defense	
Direct Examination by Mr. Jones	50:1
Cross-Examination by Ms. Jefferies	51:24
Certificate	61

STIPULATIONS

1  
2  
3  
4  
5  
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Commissioner Wilkerson: Today's date is the 2nd day of March, 2018. We're here in reference to workers' Comp file number 1709864. The Claimant in today's case is Sarah Jefferies; she is pro se. There is an order in the file granting her permission to get an attorney from Commissioner Beck and the time has come and gone; so, we have the hearing scheduled for today. It's my understanding in looking at the file that she has sought legal counsel and does not have legal counsel here today; is that correct, Ms. Jefferies?

Ms. Jefferies: Uh-huh.

Court Reporter: Ma'am, speak up for me.

Commissioner Wilkerson: You've got to say --

Ms. Jefferies: Oh, yes, sir.

Commissioner Wilkerson: -- just say yes.

Ms. Jefferies: Yes, sir.

Commissioner Wilkerson: That's fine. That's perfect. The Employer is Milliken; the Carrier is Liberty Insurance Company represented by Jeffrey Jones. The date of accident, as filed on the Form 50 by the Claimant, is 6/22/2017. The average weekly wage at the time of her accident was one

1 thousand and ninety-eight dollars and eighty-five  
2 cents (\$1,098.85); thus the comp rate would be  
3 seven thirty-two, sixty (\$732.60). We're here to  
4 determine the issues as set forth on a Form and 50  
5 -- excuse me -- 50 and 51. We did have a  
6 preliminary discussion about some paperwork, as  
7 I'm going to call it, to make sure where we were  
8 and the whole nine (9) yards. It's my  
9 understanding that Ms. Jefferies has a change of  
10 address and that the workers' Comp Commission sent  
11 notice to 1438 Boiling Springs Road, Apartment B,  
12 Spartanburg, South Carolina, 29303. There was  
13 some discussion about did she get the proper  
14 documentation from the Defense and off the record  
15 in our pre-hearing we -- we agreed to allow Ms.  
16 Jefferies to file fourteen (14) pages of some  
17 medical records that we marked as Exhibit C-1; I  
18 haven't looked at them, we'll get into that as we  
19 move forward.

20 (CLAIMANT'S EXHIBIT NUMBER ONE WAS MARKED FOR IDENTIFICATION  
21 PRIOR TO GOING ON THE RECORD)

22 Commissioner Wilkerson: Also, Mr. Jones has  
23 agreed that the information he has provided,  
24 whether she got them or not we're not sure; it was  
25 sent regular mail. Unfortunately, based on the

1 information we have here today, it was sent and  
2 filed on her old address and her old address would  
3 have been 125 Camellia Circle, Gaffney, South  
4 Carolina, 29341. It was agreed amongst the  
5 parties that they would share this data amongst  
6 themselves and would allow both the C-1 document  
7 and the APA documents, that currently Ms.  
8 Jefferies has before her, all that information  
9 will come in to the Commission at the hearing and  
10 at the end of the hearing and we will take any and  
11 all testimony at this point in time. I know that  
12 is rather lengthy for both sides but I want the --  
13 the record to be replete where everybody  
14 understands what we're talking about here today.  
15 So, now that we've sort of gone through that  
16 exercise and got it in the record, are there any  
17 other -- are there any objections to the APA's,  
18 jurisdiction, venue or any other items by Ms.  
19 Jefferies?

20 Ms. Jefferies: No.

21 Commissioner Wilkerson: No? Just say none  
22 if you --

23 Ms. Jefferies: Oh, no.

24 Commissioner Wilkerson: -- if you don't have  
25 any. Yes, just speak up. Thank you.

1 Ms. Jefferies: Okay.

2 Commissioner Wilkerson: Mr. Jones?

3 Mr. Jones: No, sir.

4 Commissioner Wilkerson: Okay. Thank you.  
5 Without objection the Commission's file, and the  
6 outside information we talked about on C-1 and the  
7 APA's, now becomes part of the record with the  
8 exception of self-serving declarations and  
9 unstipulated medical reports. Also, I told Ms.  
10 Jefferies before we started, that what I do is we  
11 take the information in, then we'll swear her in,  
12 Mr. Jones will take any and all testimony and,  
13 ma'am, there may be something you need to tell me  
14 at the end; I -- I don't know. Sometimes and most  
15 times they cover it pretty thoroughly, okay?  
16 There will be a lot of stuff, he's going to say,  
17 ma'am, you are so-and-so, ma'am, your date of  
18 birth is here, ma'am -- those type things he will  
19 ask you; we'll run through those real, real quick,  
20 okay?

21 Ms. Jefferies: Okay.

22 Commissioner Wilkerson: But there may be  
23 something you need to tell me and if there is  
24 something you need to tell me at the end, that's  
25 your time to tell me. Anything you tell me, after

1 his questioning, he can come back and ask you  
2 again, ma'am, tell me what it is you meant by --  
3 boom. Ma'am, tell me what it is you meant by  
4 that, okay?

5 Ms. Jefferies: Okay.

6 Commissioner Wilkerson: And that's just how  
7 we do workers' Comp hearings; that way everybody  
8 has their own bite at the apple, we get as much  
9 information in as we can. And as I told you  
10 before we started, my job is to take the facts of  
11 the case, apply the law to it and render my  
12 decision. Also, said at the beginning of the case  
13 before we went on the record, that you can take  
14 your case all the way to the Supreme Court, ma'am,  
15 if you don't agree with any of the -- if you don't  
16 agree with me, you appeal it to the Full  
17 Commission in Columbia, you come to Columbia and  
18 make your argument there; Mr. Jones knows that,  
19 that's why I'm looking at you. And if you don't  
20 agree with the -- the three (3) panel there, you  
21 can appeal it to the Court of Appeals; if you  
22 don't agree with them, then you can appeal it to  
23 the Supreme Court. Then that's how it works and  
24 then the Supreme Court will finally decide what is  
25 right, wrong or indifferent with the case. So, we

1 are going to move forward at this point in time.  
2 Mr. Jones, I'm going to ask you to put your  
3 client's position on the record, whatever it may  
4 or may not be. Then, ma'am, we're going to swear  
5 you in, and you can stay seated, and we're just  
6 going to make it as comfortable as we can, okay?

7 Ms. Jefferies: Okay.

8 Commissioner Wilkerson: Thank you. Please,  
9 Mr. Jones. I'm going -- I'm going to be taking  
10 notes; so, I haven't gone to sleep and I'm not  
11 playing tic-tac-toe up here, okay?

12 Mr. Jones: Okay. Your Honor, again, I  
13 represent Milliken and Liberty Insurance in this  
14 denied workers' Compensation case brought by Ms.  
15 Sarah Jefferies. We, number one, deny that she  
16 sustained a compensable injury by accident arising  
17 out of and in the course of her employment. In  
18 the alternative, we deny the alleged mechanism of  
19 injury caused the alleged condition, which she is  
20 claiming to her left hip. And in her Form 50,  
21 again, she alleges injury to her left hip and leg  
22 from pushing a -- a rack of yarn and a rack --  
23 pushing and pulling some waste or buggies of  
24 waste. Now, Your Honor, it's our position this --  
25 if this was a situation where we could file a

1 motion for summary judgment, we would file a  
2 motion for summary judgment and the reason is, as  
3 you know, she has to have medical to support her  
4 position. Dr. Rollins is her chosen treating  
5 Orthopedic Surgeon; his opinion does not support  
6 her claim; in fact it's just the opposite. He  
7 says he cannot relate it and -- excuse me,  
8 Commissioner. that's on page 72, where he says  
9 very specifically, first she came in and said her  
10 -- she had problems for years; that's the first  
11 visit on June 28th. Then she came in on July the  
12 10th and per his note, she said this was  
13 work-related, he said she actually gave us a  
14 history before, just a couple of weeks ago, that  
15 she had had pain on and off for several years and  
16 now she is saying it is work-related. He said, I  
17 cannot really connect this type of problem to  
18 pushing a buggy; while that may make her hurt  
19 more, I do not think it is a causative factor to  
20 any significant degree. So, this is her doctor  
21 giving that opinion and that's the Orthopedic  
22 Surgeon who did the surgery. And, Your Honor,  
23 really that puts -- that puts an end to the case  
24 and as far as I'm concerned because legally there  
25 is not sufficient evidence to overcome that. And,

1 Your Honor, I would hand up, and I'll hand her a  
2 copy of the case, but there is the Nawa case, you  
3 know, even if you found she had some sort of an  
4 injury --

5 Commissioner Wilkerson: Thank you.

6 Mr. Jones: -- Nawa indicates that the job  
7 has to be more than one factor to any extent in  
8 the injury and, in other words, it has to be the  
9 proximate cause and clearly Dr. Rollins' opinion  
10 indicates that this is not the proximate cause; he  
11 cannot say it's the proximate cause and even got  
12 some inconsistent history from her in the first  
13 place. And, Your Honor, we also deny that she had  
14 any type of injury; at most she was hurting at  
15 work not -- this condition isn't from work. And,  
16 Your Honor, I did do -- this is not evidence but I  
17 did do a medical summary --

18 Commissioner Wilkerson: Okay. Thank you.

19 Mr. Jones: -- of the --

20 Commissioner Wilkerson: Ma'am, when he says  
21 this isn't evidence, it's just -- helps us all lay  
22 out whatever their position is and my ruling is  
23 not made based on summary; my -- my ruling will be  
24 made on the entire evidence of the case, okay?

25 Mr. Jones: -- yes.

1 Ms. Jefferies: Yes, sir.

2 Mr. Jones: And what this -- what this shows  
3 and what the evidence shows is that she had a very  
4 long history of leg, back and hip problems, made  
5 quite a few claims in the past and then, again, it  
6 goes through the history leading all the way up to  
7 this alleged injury and then afterwards sets forth  
8 the varying history given to Dr. Rollins and then  
9 his opinion that he could not relate her problems.  
10 So, Your Honor, we would rely on that medical  
11 heavily but we also assert she did not have an  
12 injury.

13 Commissioner Wilkerson: Okay.

14 Mr. Jones: Thank you.

15 Commissioner Wilkerson: Thank you. So, Ms.  
16 Jefferies, at this point in time I'm going to get  
17 you to raise your right hand; my Court Reporter  
18 will swear you in and then we'll take some  
19 testimony from you, okay?

20 Ms. Jefferies: All right.

21 Whereupon;

22 Sarah L. Jefferies, being duly sworn and cautioned to  
23 speak the truth, the whole truth and nothing but the truth,  
24 testified as follows:

25 Court Reporter: Please state your full name

1 for the record.

2 Witness: Sarah L. Jefferies.

3 Court Reporter: Thank you, ma'am.

4 Commissioner Wilkerson: Thank you, Ms.

5 Jefferies. Mr. Jones, any --

6 Mr. Jones: Okay.

7 Commissioner Wilkerson: -- questions you may  
8 have, please?

9 Mr. Jones: All right.

10 Commissioner Wilkerson: And you can stay  
11 seated or wherever -- or whatever, too.

12 Mr. Jones: Okay.

13 Commissioner Wilkerson: Okay. Thank you.

14 DIRECT EXAMINATION

15 By Mr. Jones:

16 Q. Ms. Jefferies, first of all, just for the record,  
17 what's your full name?

18 A. Sarah L. Jefferies.

19 Q. Okay. And then, you work at Milliken; is that  
20 correct?

21 A. Yes, sir.

22 Q. And that is at the Limestone plant?

23 A. Yes, sir.

24 Q. And I think that plant was previously owned by  
25 Springfield; is that right?

1 A. Yes, sir.

2 Q. And then it was owned by someone else before that,  
3 I think. But you -- you had worked there while at  
4 Springfield and then it got bought by --

5 A. Milliken.

6 Q. -- Milliken?

7 A. Yes, sir.

8 Q. Okay. And you're still an employee, correct?

9 A. Yes, sir.

10 Q. All right. And you are alleging here today that  
11 you had an injury to your left hip and leg from pushing  
12 racks of yarn and buggies filled with waste?

13 A. Yes, sir.

14 Q. Okay. And isn't it true, Ms. Jefferies, that  
15 you've had problems with your hips and legs for years  
16 before this alleged --

17 A. No, sir.

18 Q. -- injury?

19 A. No, sir. I never had problems. I hurt my right  
20 leg before in Springfield and I came over here to  
21 Workers' Comp --

22 Q. Okay.

23 A. -- about pushing that same -- pushing a big buggy,  
24 weighed about a hundred (100) -- it's -- it's like a  
25 hundred (100) and some pounds. We have to put yarn on

1           them; them yarns weigh about five (5) pounds, I guess,  
2           it's about sixty-four (64) on there but it comes to a  
3           hundred (100) and some pounds.

4           Q.           Okay.

5           A.           And I hurt that leg. And I've never had hip --  
6           hip problems before --

7           Q.           All right.

8           A.           -- never because my -- if -- my medical doctor  
9           would have knowed; I never had hip problems before.

10          Q.           Okay. And, ma'am, just to go through your  
11          history, isn't it true as early as 1994, you made a  
12          bodily injury claim for your neck, back and left leg  
13          from a car wreck?

14          A.           From a -- a car wreck?

15          Q.           Yes. Back in 1994, did you have a left leg  
16          problem from a car wreck?

17          A.           Left leg?

18          Q.           Yes, left leg.

19          A.           I might have -- I don't know if I had a left leg  
20          or not.

21          Q.           Okay. But if your records show that --

22                                Mr. Jones: -- and this is page 114 of  
23                                the APA submissions.

24          A.           But my leg ain't never hurted me; my left leg  
25          never hurted me.

1 Q. Well, you complained of your left leg in 1994,  
2 when you went to the doctor?

3 A. If I was in a car wreck --

4 Q. Okay.

5 A. -- I might have hurt my leg but not -- not  
6 complaining; I never complained about my leg.

7 Q. Okay. And then, in 1995, you went to the  
8 Spartanburg Regional Medical Center complaining of  
9 right leg pain after another car wreck and you brought  
10 a bodily injury claim against Spartanburg County and  
11 American Southern Insurance; is that right.

12 A. Oh, if I had insurance and I was in a car wreck,  
13 yeah.

14 Q. Okay.

15 A. Yes, sir.

16 Q. All right.

17 A. But I --

18 Q. And -- and then, in 1998, you went to Mary Black

19 --

20 Mr. Jones: -- and that's page 109, Your  
21 Honor, that second one.

22 Q. In 1998, you went to Mark Black Health Care  
23 Emergency Room complaining of neck, back and left leg  
24 pain after a single vehicle car wreck; is that true?

25 A. Well, they're all way -- yeah, back in the old

1 days? Yeah.

2 Q. All right. Well, you hurt your left leg?

3 A. But I never hurt my -- my left leg never hurt like  
4 you're saying, like I hurted it with my hip; my hip  
5 never hurted me --

6 Q. Okay.

7 A. -- that's my leg but not my hip.

8 Q. All right. And isn't it true that in 1998, that  
9 claim was denied because they didn't believe your story  
10 about your injury, they denied that because they didn't  
11 believe you; isn't that true?

12 A. That must have been when I -- my daughter had a  
13 wreck and I was in the car; they didn't pay it off. If  
14 that's what you're talking about --

15 Q. Okay.

16 A. -- yes, sir.

17 Q. And in 2012, you brought another bodily injury  
18 claim for a car wreck and that claim also wasn't paid  
19 because they didn't believe your story?

20 Mr. Jones: And that's page 102 and 103.

21 Q. Isn't that true?

22 A. But it wasn't no body injury.

23 Q. Well --

24 A. That might have been --

25 Q. -- it indicates you made a bodily injury claim for

1 a car wreck and it wasn't paid --

2 A. -- oh, okay.

3 Q. -- because they didn't believe your story, did  
4 they? And that's back in 2012.

5 A. Yes, sir. But that's don't -- didn't have nothing  
6 to do with my hip.

7 Q. Okay.

8 A. - My hip is the one that got hurt at the job.

9 Q. And in 2014, I think that's what you were talking  
10 about, you brought essentially the same claim against  
11 Springfield ~~that you're bringing now?~~

12 A. No. I never did. The -- I got hurt with my leg  
13 at Springfield; that's the only -- that's my leg, my  
14 right leg. I never brought that my hip was hurting or  
15 my left leg, never.

16 Q. Okay.

17 A. It was only my right leg.

18 Q. Okay. And you saw -- you were seen twice at the  
19 medical clinic and you were seen by Dr. Ruffing for  
20 that and you actually complained of leg and hip pain in  
21 2014; is that right?

22 A. I never complained with my left hip.

23 Q. Okay.

24 A. I mean, I never did that. And when I was pushing  
25 -- oh, I answered your question.

1 Q. Okay. And in 2016, you went to Dr. Ruffing  
2 complaining of leg pain, low back pain with right-sided  
3 sciatica; is that correct?

4 A. Right. This leg right here (indicating) hurt me.

5 Q. Okay.

6 A. Yes, sir.

7 Commissioner Wilkerson: That's your  
8 right leg?

9 witness: My right leg.

10 Mr. Jones: All right.

11 witness: That's the one that hurt me  
12 all the time.

13 Mr. Jones: Okay.

14 Q. And then, in 2016, you complained to him of low  
15 back and leg pain for one month from standing on your  
16 feet and complained of some hip pain.

17 A. 2016, what?

18 Q. In December -- on December 31, 2016, you  
19 complained of some hip pain, leg pain and low back pain  
20 from standing on your feet and you -- and --

21 A. I don't know if I complained of hip pain but  
22 that's my -- it'd have to be my right; I never  
23 complained with my left --

24 Q. -- okay.

25 A. -- never.

1 Q. And --

2 A. I never.

3 Q. -- well, we know you complained of your left leg  
4 before --

5 A. Okay. I never --

6 Q. -- correct?

7 A. -- I never complained with nothing about my left  
8 hip --

9 Q. All right.

10 A. -- or nothing; it was only my right leg.

11 Q. All right.

12 A. Yes, sir.

13 Q. You've had some leg and hip pain of some sort for  
14 years; have you not?

15 A. No, I haven't.

16 Q. Okay.

17 A. No, sir.

18 Q. You've been limping for years, haven't you?

19 A. No.

20 Q. Okay.

21 A. I was limping when I got my right leg hurt. I  
22 work all the time down in that mill --

23 Q. Okay.

24 A. -- and if I was complaining with my leg, I  
25 wouldn't have never been working like sixty (60) and

1           seventy (70) hours a week if my hip was hurting.

2           Q.           Okay.

3           A.           My hip was never hurting.

4           Q.           Well, ma'am, the fact is when you went to Dr.  
5           Rollins on June 28th, 2017, which would be six (6) days  
6           after this alleged injury, you complained of off-and-on  
7           pain over the last several years in both of your hips.

8           A.           I did not tell him that. They changed -- they  
9           gave me the thing that -- I've got some paperwork.

10          Q.           Well, your --

11          A.           Anyway --

12          Q.           -- ma'am, the --

13          A.           -- I --

14          Q.           -- the paperwork --

15          A.           -- okay. But anyway --

16          Q.           -- is in the record.

17                                Mr. Jones: And that's page 63, Your  
18                                Honor.

19          A.           -- okay. Anyway, I went to my doctor first and I  
20          went to Dr. Rollins, I had gotten -- I went to that  
21          doctor; I had got hurt. He's the one that found my hip  
22          out with my hip replacement.

23          Q.           Okay. And he is the one that did your hip  
24          replacement?

25          A.           He did the surgery but I have to go to my regular

1 doctor --

2 Q. Okay.

3 A. -- because he don't check -- he just only checks  
4 me when I come back for my MRI.

5 Q. All right. But when you went to Dr. Rollins --

6 A. I --

7 Q. -- on June 28, 2017, you told him that you'd had  
8 off-and-on pain over the last several years in both of  
9 your hips.

10 A. -- no, I did not.

11 Q. This is your doctor; is it not?

12 A. My doctor -- I had a paper where they had said  
13 that but they told me -- when I went to that doctor I  
14 ~~never~~ never had a hip claim before.

15 Mr. Jones: I'm sorry, Your Honor,  
16 that's page 67; I said 63, it's 67.

17 Q. And you were complaining of bilateral hip pain,  
18 which means both hips --

19 A. No.

20 Q. -- on-and-off for years.

21 A. When I went to doctor --

22 Q. Rollins.

23 ~~A.~~ A. -- Dr. Rollins I didn't know what was wrong with  
24 me. I went to the nurse. I went to my supervisor  
25 first --

1 Q. Okay.

2 A. -- and I told my supervisor I had got hurt pushing  
3 that cart. He went and told J. R. --

4 Q. well --

5 A. -- Stephen did.

6 Q. -- and --

7 A. When Stephen did, J. R. called the nurse. The  
8 nurse did not come; she came on the 26th --

9 Q. -- right.

10 A. -- on a Monday.

11 Q. And when you went to the nurse --

12 A. And when I went to the nurse I told her that I was  
13 hurting, my legs was hurting. I didn't know what was  
14 wrong with me.

15 Q. -- your legs?

16 A. My legs was hurting me --

17 Q. Okay. And --

18 A. -- and it was hurting in there (indicating). I  
19 just told her --

20 Q. -- okay.

21 A. -- I didn't know what was hurting. .

22 Q. In fact, you told her that it was your right leg  
23 that was hurting when you went to see her, didn't you?

24 A. No, I did not. I told her I was hurting on both  
25 of my legs.

1 Q. Okay.

2 A. I didn't know what was wrong with me.

3 Q. And you denied any specific injury but only said  
4 that your right leg, not your left leg, was hurting you  
5 at that time?

6 A. I -- I did not. I told her that my legs was  
7 hurting. I didn't know what was wrong with me and I  
8 was hurting between them --

9 Q. Okay.

10 A. -- real bad. She said she was going to get back  
11 with me; she never did. So, went on vacation. That  
12 week when I came back to work, I got my excuse, I could  
13 not walk.

14 Q. All right. So, you went on a vacation --

15 A. I didn't go on a vacation --

16 Q. -- and after that you couldn't walk?

17 A. -- when we went out for the Fourth of July week.

18 Q. Well, you just said you did go on vacation; so,  
19 did you or not?

20 A. I did not go on vacation --

21 Q. Okay.

22 A. -- I went out for the week -- for a week because  
23 we went out a couple of days. And when we came back to  
24 work on February 27th, I took an excuse down there to  
25 be out for a whole week.

1 Q. On February --

2 A. I mean, not no February; I'm sorry, I'm looking at  
3 the wrong paper. July -- I'm getting confused. I  
4 might have gave it to him. I think you've got -- I  
5 gave it to -- to him. I went out on July the 27; I --  
6 I went down there --

7 Commissioner Wilkerson: So, work -- I  
8 don't have any kind of work excuse.

9 witness: -- oh, okay. Let me see, it's  
10 just that.

11 A. I went out on July the 27th for a whole -- not --  
12 for a -- I was going out for a whole week but Mr. Allen  
13 told me -- I went in the office, he told me --

14 Mr. Jones: -- Your Honor, I'd object to  
15 hearsay.

16 Commissioner Wilkerson: You can't tell  
17 me what the doctor said.

18 Mr. Jones: Yes.

19 witness: -- okay.

20 A. well, when I went to -- to the nurse and I went to  
21 J. R. and them, they -- they tried to help me; they did  
22 help me. They had me helping me somebody else because  
23 I was crawling almost --

24 Q. Okay.

25 A. -- I was hopping real bad.

1 Q. All right.

2 A. And I was hurting but I did work because I was  
3 hurting real bad.

4 Q. Right. And --

5 A. And when I seen the nurse on August the 24th -- I  
6 had went to therapy that day, the 23rd. Stephen -- I  
7 called in; I wasn't going to come to work. Stephen  
8 told me the nurse wanted to see me at nine o'clock that  
9 morning on the 24th of August. I came to work, I was a  
10 little late. I went out there, I talked to Ashley; she  
11 asked me what was wrong with me, I told her it was my  
12 hip, my hip. And --

13 Q. Right.

14 A. -- and I told her I had been to the doctor and the  
15 doctor said he was going to have surgery.

16 Commissioner Wilkerson: You can't tell  
17 me what the doctor said.

18 Mr. Jones: Yes.

19 Witness: Huh?

20 Commissioner Wilkerson: You cannot tell  
21 me what the doctor said.

22 Witness: Okay.

23 I went -- I went to Ashley and I told her. Ashley  
24 took notes but I never signed -- when I got hurt I  
25 never signed a paper --

1 Q. Okay.

2 A. -- and -- and nothing. J. R. did not give me a  
3 paper to sign when I got hurt that day --

4 Q. Well --

5 A. -- him and Stephen.

6 Q. -- Okay. And let me just ask -- I'm the one  
7 asking; so, let me ask you a question. The fact is,  
8 you didn't tell J. R. or the nurse that you had any  
9 specific injury; you just said you were hurting while  
10 you were working?

11 A. No, sir.

12 Q. All right.

13 A. I went to Stephen and I told Stephen I was hurt.  
14 Stephen went to J. R. and J. R. come out there and  
15 said, Sarah, can you wait till the nurse comes. He  
16 called the nurse; she did not come that week --

17 Q. Okay.

18 A. -- she came Monday at four o'clock. So, they told  
19 me, go to the nurse that Monday at four o'clock. I  
20 went to the nurse and that's when I told her, I don't  
21 know what's wrong with me; my legs was hurting.

22 Q. Okay. And you didn't know what was wrong with  
23 you, correct?

24 A. I didn't know.

25 Q. Okay.

1 A. All I know that I had got hurt in the mill.

2 Q. Okay.

3 A. I didn't know nothing about my hip --

4 Q. Right.

5 A. -- because I'd never had a hip problem before.

6 Q. But the fact is, on June 28th, when you did  
7 finally go to Dr. Rollins, you told him you had  
8 on-and-off pain for years in both of your hips?

9 A. When I went to Dr. Rollins I didn't know what was  
10 wrong with me; he took x-rays and he told me it was my  
11 hip. And --

12 Q. And you told him you had had --

13 A. -- and I told him I had a problem with my right  
14 leg. It's not my left; my left leg never hurt me  
15 because I was working. I never said that I had -- he  
16 might have -- he -- my right leg is the one that I hurt  
17 --

18 Q. -- okay.

19 A. -- like several years -- I mean, about two (2) or  
20 three (3) years --

21 Q. Right.

22 A. -- or four (4) or whatever it was; it was my right  
23 leg I hurt at Springfield --

24 Q. Right.

25 A. -- but I never had hip problems before.

1 Q. well, this -- this is what his notes indicate that  
2 you told him you had had off-and-on pain --

3 A. But I never --

4 Q. -- in both of your hips?

5 A. -- I never had hip problems before --

6 Q. Okay.

7 A. -- never.

8 Q. This is your doctor, correct, Dr. Rollins?

9 A. That's not my doctor --

10 Q. well, he is --

11 A. -- that's my -- that's my doctor that he did my  
12 surgery --

13 Q. -- okay.

14 A. -- but Dr. Ruffing is my doctor.

15 Q. All right.

16 A. I go to Dr. Ruffing --

17 Q. And then --

18 A. -- he's my family doctor.

19 Q. -- well, let's -- let's talk about that. On July  
20 10, 2017, you went to Dr. Ruffing, your family doctor?

21 A. Yes, sir.

22 Mr. Jones: Let me find this.

23 Q. And at that time you complained of arthritis and  
24 you had problems in your hips and upper legs aching and  
25 you told him you didn't have any injury; isn't that

1 right?

2 A. No, I didn't.

3 Q. Well, this --

4 A. I told Dr. Ruffing --

5 Q. -- is your family doctor --

6 A. -- wait a minute, my family --

7 Mr. Jones: -- and it's page 59.

8 Q. And it says right here (indicating), no injury;  
9 this is his note, July 10, bilateral -- look here now  
10 -- bilateral, both hip pain; now, you've been denying  
11 both hips but this says both hip pain, July 10, this is  
12 your family doctor and it says no injury.

13 A. -- okay. Well, my doctor said I got hurt on the  
14 job; so, how can he be saying no injury because when I  
15 went --

16 Q. Ma'am, I --

17 Mr. Jones: -- first of all, I object to  
18 what her doctor said because it's hearsay.

19 Commissioner Wilkerson: Yes. You can't  
20 tell me what the doctor said.

21 Witness: -- oh, okay, then.

22 Commissioner Wilkerson: It only can be  
23 if it's in the medical reports.

24 Witness: Oh, okay, then.

25 Q. And we're looking at the medical here --

1 A. Okay.

2 Q. -- and it says, your doctor, not Dr. Rollins, who  
3 also is --

4 A. Well --

5 Q. -- your doctor --

6 A. -- okay. Well, when I went --

7 Q. -- said no injury.

8 A. -- okay. When I went to the doctor -- when I went  
9 to the doctor I told him, I -- he didn't know what was  
10 wrong with me either because --

11 Q. Okay.

12 A. -- we both didn't know because --

13 Q. All right.

14 A. -- I hadn't never had a hip problem before.

15 Q. And -- and -- okay. And Dr. Rollins, though, he  
16 diagnosed it; he knew you had a hip problem because he  
17 is an Orthopedic Surgeon?

18 A. Dr. Rolly, he --

19 Q. Rollins.

20 A. -- when I -- he -- he had -- he did not diagnose  
21 it; he had to give me a MRI.

22 Q. Okay. But my point is --

23 A. when he gave me a MRI, that's how he found it.

24 Q. -- Dr. Rollins is the one that diagnosed you;  
25 isn't that correct, ultimately, with the problems with

1 your hips?

2 A. He told me that it was my hip and --

3 Q. Okay.

4 A. -- and -- and it was -- and it hadn't been going  
5 on too long --

6 Q. Right.

7 A. -- because he said that if it was --

8 Mr. Jones: Your Honor, again --

9 A. -- I had pulled --

10 Mr. Jones: -- I object to hearsay. We  
11 have the --

12 Commissioner Wilkerson: You can't tell  
13 me --

14 Mr. Jones: -- we have the records.

15 Commissioner Wilkerson: -- you've got  
16 to go by the medical records.

17 Mr. Jones: Right.

18 Commissioner Wilkerson: You can't tell  
19 me what a doctor said; he's not -- the doctor  
20 is not here to testify.

21 Witness: -- oh, okay, then.

22 Mr. Jones: Right.

23 Q. And the -- the fact is, you went in on July 12th  
24 and tried to tell him -- first of all, you said your  
25 right hip was better, then you complained of your

1 opposite side, the left hip; isn't that true, at that  
2 time?

3 A. Both hips was hurting and at the time --

4 Q. Okay.

5 A. -- I went back and I told him that my left is  
6 hurting so bad I could not --

7 Q. Okay.

8 A. -- I could not walk.

9 Q. Right.

10 A. -- I kept working. I -- I was hopping.

11 Q. And you tried to tell him then that your hip  
12 problems were from pushing a buggy at work but that's  
13 different from what you had said the first time when  
14 you told him you had had problems for years; isn't that  
15 right?

16 A. I never told him I had problems for years --

17 Q. Okay.

18 A. -- because I didn't.

19 Q. You can't really get your stories straight on this  
20 can you, ma'am?

21 A. Look, I'm telling you the truth.

22 Q. Okay.

23 A. I never told him I had problems for years --

24 Q. All right.

25 A. -- because if I had problems for years, sir, don't

1 you know my hip would have went out --

2 Q. Right.

3 A. -- before then because the way I've been pushing  
4 buggies and stuff --

5 Q. Right.

6 A. -- down at the mill, they would have went out.

7 Q. And isn't it true that you have had hip and leg  
8 problems gradually getting worse for years?

9 A. Ever since I got hurt at Milliken -- at  
10 Springfield my right leg, is the only leg that hurts.

11 Q. Okay.

12 A. I never had a -- a legs problem before.

13 Q. Right. All right. But, again, Dr. Rollins is the  
14 one that did the surgery, that diagnosed you with the  
15 hip problem, correct? He's the one -- he's the expert  
16 that figured out what was wrong with you; is that  
17 correct?

18 A. Dr. Rollins gave me a MRI --

19 Q. Okay.

20 A. -- yes.

21 Q. And he did the surgery?

22 A. He did my surgery.

23 Q. All right.

24 Mr. Jones: And, again, Your Honor, his  
25 opinion about what caused this, even when she

1 indicated that she thought it was push --  
2 pushing a buggy, is indicated on page 72 and  
3 it's very clear that he could not relate  
4 this. That's all I have for this witness.

5 CROSS-EXAMINATION

6 By Commissioner Wilkerson:

7 Q. Ms. Jefferies, we've had quite a discussion  
8 back-and-forth and figuring out happened along the way.  
9 Is there anything else you'd like to add --

10 A. Yes, sir.

11 Q. -- from your perspective --

12 A. Yes, sir.

13 Q. -- not from a doctor's perspective or anything?

14 A. I'd like to add that I got hurt on that job and my  
15 hips never gave me problems. I worked all the time  
16 down there and if I wasn't hurt I would have been at  
17 work now and I wouldn't be on this walker. I hopped  
18 and I worked it. J. R. knows I hopped and I worked it  
19 every day; I never missed a day out of work, never. I  
20 was there until the nurse put me on a cane; she put me  
21 on a cane and I made it then. I went on to work, I  
22 never missed -- I -- I worked it until I gave out; I  
23 couldn't make it no more. And they put me on light  
24 duty and I sat back there and did waste.

25 Q. And what was the last part; I've got light duty?

1 A. The light duty, Ashley put me on light duty; she  
2 put me back there doing waste and told me I could walk  
3 with a cane.

4 Q. Okay. I've got that. All right. Thank you.  
5 Anything else, ma'am?

6 A. They took care of me; J. R. and Stephen took care  
7 of me and then Ashley took care of me, too.

8 Q. Anything else?

9 A. And I cried in that mill. That's when I talked to  
10 Ashley the next day because them people seen me crying  
11 and how bad I was hurting but I was still making it in  
12 there working.

13 Q. Anything else, ma'am?

14 A. No, sir; that's all.

15 Q. Okay.

16 Commissioner Wilkerson: Anything else

17 --

18 Mr. Jones: No, Your Honor, not --

19 Commissioner Wilkerson: -- Mr. Jones?

20 Okay.

21 Mr. Jones: -- not for this witness.

22 Commissioner Wilkerson: Okay.

23 Mr. Jones: I'd just ask a couple of  
24 questions of Mr. Williams.

25 Commissioner Wilkerson: Okay. Mr.

1                   williams, I'll go ahead and get you to come  
2                   up here --

3                   Mr. Williams: Yes, sir.

4                   Commissioner Wilkerson: -- we'll swear  
5                   you in up here. Sir, I'll get you to raise  
6                   your right hand; I'm going to have the Court  
7                   Reporter swear you in and we'll take a little  
8                   testimony.

9                   whereupon;

10                  Michael Eugene Williams, Junior, being duly sworn and  
11                  cautioned to speak the truth, the whole truth and nothing  
12                  but the truth, testified as follows:

13                  Court Reporter: Please state your full  
14                  name for the record.

15                  Witness: Michael Eugene Williams,  
16                  Junior.

17                  Court Reporter: Michael Eugene --

18                  Witness: Yes.

19                  Court Reporter: -- Williams?

20                  Witness: Yes, ma'am.

21                  Court Reporter: Thank you, sir.

22                  Commissioner Wilkerson: Okay. Thank  
23                  you.

24                                   DIRECT EXAMINATION

25                   By Mr. Jones:

1 Q. where do you work, Mr. Williams?

2 A. Milliken Company, Limestone location.

3 Q. And how long have you been at that location?

4 A. Since November of 2016.

5 Q. And how long have you been with Milliken?

6 A. Since May, 2005.

7 Q. And what is your job currently?

8 A. Senior Production Leader over the weave plant.

9 Q. All right. And that's at the Limestone plant?

10 A. Yes, sir.

11 Q. And, of course, you know Ms. Jefferies?

12 A. I do.

13 Q. And did she work under you?

14 A. She did.

15 Q. Okay. And what job duties did she perform?

16 A. Relief weaving.

17 Q. As a --

18 Court Reporter: I'm sorry, sir?

19 Witness: Relief weaving.

20 Court Reporter: Thank you, sir.

21 Witness: Uh-huh.

22 Q. -- and as a Relief Weaver, just quickly, what were  
23 her duties?

24 A. Giving breaks to associates and also allocating  
25 filling and removing waste from our weaving rooms.

1 Q. Okay. So, with the relieving operator part, does  
2 she walk around the weaving machines and make sure  
3 they're operating properly?

4 A. That is correct.

5 Q. Okay. So, most of that is a walking function?

6 A. Yes, sir.

7 Q. Okay. And how much of her shift is involved with  
8 that?

9 A. It's about half-and-half; fifty percent (50%)  
10 relief --

11 Q. Okay.

12 A. -- the other part allocating and removing waste.

13 Q. Okay. And you've just got to speak up slightly.

14 A. No problem.

15 Q. Okay.

16 A. I'm sorry.

17 Q. And --

18 Commissioner Wilkerson: That -- that  
19 mic is not wired and if I don't hear you --  
20 nothing is wired up here.

21 Witness: I'm sorry.

22 Mr. Jones: -- okay.

23 Q. And when she is not relieving operators, what was  
24 she doing?

25 A. That would be allocating filling to the looms,

1 pushing carts with filling or removing waste --

2 Q. Okay.

3 A. -- from our salvage.

4 Q. And does that involve pushing racks with wheels or  
5 -- or pushing a tub with wheels?

6 A. Yes, sir.

7 Q. And is that on a flat concrete floor?

8 A. Yes, sir.

9 Q. Okay. Did she ever report a work injury to you?

10 A. No, sir.

11 Q. Okay.

12 A. Stephen Logan, our supervisor, came to me and said  
13 that -- asked me had I seen Sarah that day and I was  
14 like, yeah, I walked past her. He said, if she's  
15 limping. I was like, she typically has a limp.

16 Q. Okay.

17 A. He was like, well, I -- I think you need to talk  
18 to her; she doesn't look good.

19 Q. Okay.

20 A. So, I went and got Sarah; I had her come into the  
21 office. We had a conversation; she said her legs were  
22 -- were hurting. And I wanted to make sure that she  
23 saw the nurse as soon as possible; so, we tried to make  
24 arrangements for that.

25 Q. Did she say that her legs were hurting from a

1 specific injury at work?

2 A. She just said that her legs were hurting and it  
3 hurt when she pushed the buggy.

4 Q. And you mentioned earlier that she limped; was she  
5 limping the whole time you were over her?

6 A. Yeah. She had a limp --

7 Q. Okay.

8 A. -- the entire time that I've been at Limestone --

9 Q. And that --

10 A. -- since November, 2016.

11 Q. -- okay. And then, I think -- after that I think  
12 her testimony was that you allowed her to work but gave  
13 her a lighter duty?

14 A. That is correct. I mean --

15 Q. Okay.

16 A. -- health and wellness and safety of our  
17 associates is important to us. We wanted to make sure  
18 that until we understood the medical situation that --

19 Q. Okay.

20 A. -- she was okay.

21 Q. And how many people perform that Relief weaver  
22 job?

23 A. Two (2) per shift, we have three (3) shifts; so,  
24 it's six (6) total people.

25 Q. Okay. Did any of these other workers complain of

1 similar problems from doing that job?

2 A. No, sir.

3 Q. Okay.

4 Mr. Jones: That's all I have for this  
5 witness.

6 Commissioner Wilkerson: Ma'am, do you  
7 have any questions --

8 Ms. Jefferies: Yes.

9 Commissioner Wilkerson: -- of Mr.  
10 Williams?

11 Ms. Jefferies: I've got one.

12 CROSS-EXAMINATION

13 By Ms. Jefferies:

14 Q. Okay. J. R. --

15 A. Yes, ma'am.

16 Q. -- when you said Steve came to you, Steve told you  
17 I got hurt. You come out there and you said, Sarah --  
18 you called Ashley and you said, Sarah, can you wait? I  
19 said, yes, because I was -- and you said that when  
20 Ashley came -- it was Monday -- you told me to go to  
21 Ashley at four o'clock, right?

22 A. (Nodded head in an up-and-down motion).

23 Ms. Jefferies: I know because -- that's  
24 all. That's the last question that I wanted.

25 Mr. Jones: So, you --

1 Commissioner Wilkerson: What was the  
2 answer? I didn't hear it.

3 Ms. Jefferies: He shook his head, yeah.

4 Witness: Yeah, that she --

5 Commissioner Wilkerson: Well, I can't

6 --

7 Witness: -- that we wanted her to see  
8 the --

9 Commissioner Wilkerson: -- I can't hear  
10 his head shake.

11 A. -- we -- yes. We -- we wanted her to see the --  
12 the nurse.

13 Q. Yes.

14 A. Absolutely.

15 Mr. Jones: -- all right.

16 **REDIRECT EXAMINATION**

17 **By Mr. Jones:**

18 Q. And then, my follow up is, did she tell you of a  
19 -- of a work injury she had on June 22, 2017, that  
20 caused her problems?

21 A. No. She said it -- it hurt -- her legs hurt when  
22 she pushes the buggy.

23 Q. Okay. So, it was just that she was hurting at  
24 work --

25 A. Yes.

1 Q. -- correct?

2 A. She stated that she was in pain and she looked  
3 like she was in pain.

4 Q. All right.

5 REXCROSS-EXAMINATION

6 By Ms. Jefferies:

7 Q. It was -- it happened on 6/22, right, J. R.? It  
8 happened that day and Ashley didn't come until that  
9 Monday. It happened on 6/22 and Ashley came that  
10 Monday at four o'clock.

11 A. We had a conversation that day --

12 Q. Yes, sir.

13 A. -- we -- just like we -- we stated it and we  
14 wanted to make sure that we saw -- had her see the  
15 nurse as soon as possible --

16 Mr. Jones: Okay.

17 A. -- that's -- that's important to me as a  
18 supervisor to make sure we're taking care of our folks.

19 FURTHER REDIRECT EXAMINATION

20 By Mr. Jones:

21 Q. And, Mr. Williams, are employees trained to report  
22 work injuries if they have them?

23 A. Yes, sir.

24 Q. Okay. Did she, in fact, report a work injury to  
25 you?

1 A. Not a specific work injury --

2 Q. Okay.

3 A. -- no, sir.

4 Q. And did, in fact, the reason you even approached  
5 her was you noticed her limping; is that correct?

6 A. The supervisor came in and said that I needed to  
7 go talk to her and that's what I did, immediately.

8 Q. And did the supervisor report to you that she had  
9 sustained a work injury; that she had reported a work  
10 injury?

11 A. Not a specific work injury; no, sir.

12 Q. Okay.

13 Mr. Jones: All right. That's all I  
14 have.

15 FURTHER RECROSS-EXAMINATION

16 By Ms. Jefferies:

17 Q. Okay. J. R. --

18 A. Yes, ma'am.

19 Q. -- I reported to you 6/22 that I got hurt. You --  
20 I reported it to Steve, Steve came to you. On 6/22 you  
21 called the nurse; I went to the nurse on the 24th. You  
22 all did not write a report that I got hurt. You're  
23 supposed to set down and wrote a report but you and  
24 Stephen did not write the report down.

25 A. So, I want to be clear --

1 Q. They did not write the report. ←

2 A. -- the conversation was --

3 Mr. Jones: Let her --

4 A. -- I just want to be clear, the conversation we  
5 had was, when I push this buggy it hurts my legs. Now,  
6 to us, as a -- trying to understand that, there was not  
7 a specific one time, one event that prompted us to say  
8 this was an injury that we need to report. However, we  
9 do want to make sure that the safety of our associates  
10 is -- is prominent and that's why we reached out  
11 directly to make sure we could make the appointment.

12 Q. Okay. I never was hopping when you -- when you  
13 come out there I -- I -- you haven't been seeing me  
14 hopping. If my leg hurts on my right I might -- you  
15 might see me hopping but the day that I got hurt I come  
16 to you -- I came to Stephen, Stephen came to you  
17 because you're his boss.

18 A. That's correct.

19 Q. You come out there to me and asked me can I wait  
20 till -- till the nurse come. The nurse did not show up  
21 until Monday on the 26th at four o'clock.

22 A. Is that a -- are you asking a question?

23 Q. And you knowed I had got hurt but you did not sit  
24 down and write the report that the way you're supposed  
25 to did because I reported to you that I got hurt that

1

day.

2

Mr. Jones: And, Your Honor, I object.

3

She is not asking a question now --

4

Commissioner Wilkerson: You've got to

5

--

6

Mr. Jones: -- she's just testifying.

7

Commissioner Wilkerson: -- you've got

8

ask a question. You can't pontificate,

9

you've got to --

10

Ms. Jefferies: Okay. Well, I was -- I

11

--

12

Commissioner Wilkerson: -- either ask

13

him a question --

14

Ms. Jefferies: -- that's what I was

15

asking him, I --

16

Commissioner Wilkerson: -- or not.

17

Ms. Jefferies: -- I told him when I

18

came to him --

19

Commissioner Wilkerson: Well, now, you

20

-- no, when you tell somebody something,

21

you're not asking them anything.

22

Ms. Jefferies: -- oh, okay.

23

Commissioner Wilkerson: When I tell you

24

something, I'm not asking you anything.

25

Ms. Jefferies: Okay.

1 Commissioner Wilkerson: You -- you've  
2 got to ask a question.

3 Ms. Jefferies: Okay.

4 Q. When I got hurt I came to you, right? I came to  
5 Stephen --

6 A. Stephen --

7 Q. -- and Stephen came to you?

8 A. -- Stephen approached me and said that I needed to  
9 come talk to you; is -- that is correct.

10 Q. That I was hurt. And when you came did you  
11 appointed me to go to the nurse?

12 A. Absolutely.

13 Q. You called the nurse and the nurse came on a  
14 Monday. You asked me could I wait and I said yes.

15 A. Yes. That's -- I mean, that's correct.

16 Q. And I waited till she came on the 26th at four  
17 o'clock?

18 A. (Nodded head in an up-and-down motion).

19 Q. Okay.

20 Commissioner Wilkerson: Anything --

21 A. And I think --

22 Commissioner Wilkerson: -- anything  
23 else?

24 Mr. Jones: No, Your Honor.

25 Commissioner Wilkerson: Okay.

1 Mr. Jones: Thank you, Mr. Williams.

2 Commissioner Wilkerson: Sir, you may  
3 step down.

4 Mr. Jones: I will ask Ms. Ashley  
5 Atchley one thing or two (2).

6 Commissioner Wilkerson: Ashley, last  
7 name is?

8 Ms. Atchley: Atchley.

9 Commissioner Wilkerson: How do you  
10 spell your last name?

11 Ms. Atchley: A-T-C-H-L-E-Y.

12 Commissioner Wilkerson: Okay. I've got  
13 you. Go ahead and have a seat, ma'am. I'm  
14 going to get you to raise your right hand;  
15 we'll take some testimony from you.

16 Whereupon;

17 Ashley N. Atchley, being duly sworn and cautioned to  
18 speak the truth, the whole truth and nothing but the truth,  
19 testified as follows:

20 Court Reporter: I need for you to state  
21 your full name for the record, again, please.

22 Witness: Ashley N. Atchley.

23 Court Reporter: Thank you, ma'am.

24 Witness: You're welcome.

25 DIRECT EXAMINATION

1 **By Mr. Jones:**

2 Q. Ms. Atchley, where do you work?

3 A. I actually work at two (2) locations; I work at  
4 the Milliken Magnolia location as my primary job and  
5 then I support the Milliken Limestone plant  
6 approximately eight (8) hours per week.

7 Q. Okay. And that's where Ms. Jefferies works?

8 A. That is correct.

9 Q. Okay. And how long have you been with Milliken?

10 A. I have been with Milliken since January of 2015.

11 Q. All right. And you're a Registered Nurse?

12 A. Yes, sir.

13 Q. Okay. And you've heard the testimony here today,  
14 correct?

15 A. Yes, sir.

16 Q. And Ms. Jefferies, did she come to on or about  
17 June 26, 2017?

18 A. Yes, sir.

19 Q. Okay. And what problems did she complain of to  
20 you that day when she came in?

21 A. She complained of her right hip and right anterior  
22 thigh pain.

23 Q. Okay. Did she complain of her left leg that day?

24 A. No, sir.

25 Q. Okay.

1 A. She pointed to the right.

2 Q. Did she tell you of a specific injury that day?

3 A. No, sir. She just stated that it hurt when she  
4 pushes buggies.

5 Q. Okay. And did she -- did you have a history as  
6 the Nurse -- a history of her complaints in the past  
7 when she worked at the same plant for the other owners?

8 A. Yes, sir.

9 Q. Okay.

10 — A. We do have medical records.

11 Q. And what did those show?

12 A. Those showed that she had alleged an injury to the  
13 right leg that was checked by the doctor and ruled not  
14 to be work-related.

15 Q. Okay. So, this was the same thing she was coming  
16 to you with years later?

17 A. Yes, sir.

18 Q. Okay.

19 Mr. Jones: No more, Your Honor.

20 Ms. Jefferies: Okay.

21 Commissioner Wilkerson: Yes.

22 Questions?

23 CROSS-EXAMINATION

24 By Ms. Jefferies:

25 Q. Ashley --

1 A. Yes, ma'am.

2 Q. -- okay. When I came to you on the 26th I told  
3 you I didn't know what was wrong with me, I was hurting  
4 between my legs. I didn't know. I never said anything  
5 about a hip.

6 Commissioner Wilkerson: Is that a  
7 question?

8 Ms. Jefferies: Yes, sir.

9 Commissioner Wilkerson: I don't know  
10 what the question is.

11 Mr. Jones: Right.

12 Ms. Jefferies: I think --

13 Witness: I don't either.

14 Commissioner Wilkerson: You told me  
15 what all you did --

16 Ms. Jefferies: -- okay.

17 Commissioner Wilkerson: -- you haven't  
18 asked her anything.

19 Ms. Jefferies: Okay. I said when I  
20 came -- I was asking Ashley, when I came to  
21 her on the 26th I was hurting on my legs, not  
22 the hip part. I was asking her.

23 Commissioner Wilkerson: Asking her  
24 what?

25 Q. When I came to her on the 26th, I told her that I

1 was hurting in my legs, both legs was hurting and the  
2 padding, right between there.

3 Commissioner Wilkerson: Is that what  
4 she told you?

5 Witness: She --

6 Commissioner Wilkerson: That would be  
7 the question.

8 Witness: -- she pointed to her --

9 Ms. Jefferies: I said, I --

10 Mr. Jones: Well, let her --

11 Commissioner Wilkerson: I can -- I can  
12 only listen to one of you at a time.

13 Mr. Jones: -- okay.

14 Commissioner Wilkerson: Remember, it's  
15 not -- you've already said everything you're  
16 going to say.

17 Ms. Jefferies: Yeah.

18 Commissioner Wilkerson: You -- you've  
19 got to ask questions.

20 Ms. Jefferies: Yes. That's what I was  
21 asking her.

22 Commissioner Wilkerson: But no, you  
23 keep saying this is what I said.

24 Ms. Jefferies: Oh, okay.

25 Commissioner Wilkerson: I asked her, is

1 that what she told you; that's the question.

2 Ms. Jefferies: Okay.

3 Q. When I --

4 Commissioner Wilkerson: No, no, no, no.

5 Time for you to --

6 Ms. Jefferies: -- okay.

7 Commissioner Wilkerson: -- take a break

8 and let her answer this question, then you

9 can ask her another question, okay?

10 Ms. Jefferies: Okay.

11 Commissioner Wilkerson: So, is that

12 what she told you?

13 Witness: -- she pointed to her right

14 anterior thigh when we met --

15 Commissioner Wilkerson: Okay.

16 Witness: -- and complained of pain on

17 that right side, which was the exact same

18 complaint that had been brought before in --

19 I think it was 2014, if I'm not mistaken.

20 Commissioner Wilkerson: Okay. Have you

21 got another question?

22 Ms. Jefferies: No. I don't want to ask

23 her nothing.

24 Commissioner Wilkerson: Okay. Have you

25 got any more questions of this witness?

1 Ms. Jefferies: No. Because I --

2 Q. -- I was just asking, when I came to you what did  
3 I -- what was hurting me on the 26th?

4 A. On the 26th you pointed to the right anterior  
5 thigh and stated, that was hurting, which, again, is  
6 the same complaint that has been brought before and we  
7 spoke regarding that and I stated that that has already  
8 been evaluated prior to and deemed not workers' Comp.

9 Ms. Jefferies: I don't have anymore  
10 questions.

11 Mr. Jones: No more questions, Your  
12 Honor.

13 Commissioner Wilkerson: Okay. Ma'am,  
14 you may step down. Any other witnesses from  
15 either side?

16 Mr. Jones: No, sir.

17 Commissioner Wilkerson: Okay. Ma'am,  
18 my job now is to take your testimony, the  
19 medical records; I'll get those back from  
20 you. You just sit tight; I'll have Mr. Jones  
21 bring those to you. I'll take the medical  
22 records, take the testimony I've heard, apply  
23 the testimony with the medical records and go  
24 back and apply the law to what has taken  
25 place today. So, once that takes place,

1 probably sometime in the next week or two  
2 (2), I will send order instructions out to  
3 the new address --

4 Ms. Jefferies: Okay.

5 Commissioner Wilkerson: -- where we  
6 filed the notice for you to come here today  
7 and it will just be a -- it may be two (2) or  
8 three (3) pages with order instructions.

9 Ms. Jefferies: Okay.

10 Commissioner Wilkerson: Then whomever I  
11 get to write the order, it may be Mr. Jones,  
12 we may -- excuse me -- we may write it  
13 internally. Typically, what I do is I have  
14 -- if he wins the case, he gets to write the  
15 order; if I deem that you won the case, I'll  
16 have someone in our office write the order,  
17 okay?

18 Ms. Jefferies: Okay.

19 Commissioner Wilkerson: And then, at  
20 that point in time, once -- not when those  
21 instructions come out, once you get the  
22 order; that will be the one with my signature  
23 on it. It'll probably -- at this -- it'll  
24 probably be -- that one will be probably ten  
25 (10) or twelve (12) -- it could be twenty

1 (20) pages long because we've got three (3)  
2 people testifying, and that's the order that  
3 you would appeal. That -- if Mr. Jones  
4 loses, that would be the order that he would  
5 appeal; he wouldn't write it if he lost,  
6 okay? And then, that's when the appeal  
7 process starts. Remember fourteen (14) days  
8 from the day you receive the order; I say  
9 receive it, typically it's the day I signed  
10 it but we usually give either -- I don't know  
11 if it's two (2) days or three (3) days for  
12 mailing. So, just don't miss the opportunity  
13 to appeal it because we can't file it  
14 email-wise; we've got to file it through  
15 snail mail, okay? And -- I'm trying to think  
16 is there anything else. Oh, Mr. Jones, you  
17 know this, if you need to order the  
18 transcript --

19 Mr. Jones: I do --

20 Commissioner Wilkerson: -- you can  
21 order it --

22 Mr. Jones: -- I do want to order the  
23 transcript.

24 Commissioner Wilkerson: -- oh, yes, I'm  
25 sorry; he has already ordered it.

1 Mr. Jones: Well, no, I -- I'm just  
2 telling her I do want one.

3 Commissioner Wilkerson: Okay. That's  
4 fine. That's good. She will get you to sign  
5 something and he -- he can get the  
6 transcript, okay? Ma'am, you can get a copy  
7 of the transcript but you've got to --  
8 everybody has to pay for it, okay? I don't  
9 have a clue what it costs. She doesn't know  
10 what it costs because she's got to type it  
11 up; I don't have a clue. Since he is  
12 ordering it he has to pay the full cost of  
13 the transcript, full cost meaning he has to  
14 pay for his as well as ours, he doesn't have  
15 to pay for yours; you would have to pay for  
16 yours, okay? I don't know that you need it.  
17 I don't know that you do need it, okay?

18 Ms. Jefferies: Okay.

19 Commissioner Wilkerson: I can't answer  
20 that question --

21 Ms. Jefferies: I see.

22 Commissioner Wilkerson: -- because I  
23 don't know what my ruling is right now, okay?

24 Ms. Jefferies: If I need it, what do I  
25 do?

1 Commissioner Wilkerson: You call her --

2 Ms. Jefferies: Call her?

3 Commissioner Wilkerson: -- and you've  
4 got to --

5 Court Reporter: My information is right  
6 here.

7 Ms. Jefferies: Okay.

8 Commissioner Wilkerson: -- yes. She'll  
9 -- Jeff, will you hand her on of those --

10 Mr. Jones: Yes.

11 Commissioner Wilkerson: -- and give me  
12 her -- give me the APA's; it'll just work a  
13 little easier.

14 Court Reporter: Okay. Here -- here  
15 just take one of these.

16 Commissioner Wilkerson: Just take one  
17 of those; it'll be easier for her.

18 Court Reporter: Let her stick it on  
19 something.

20 Commissioner Wilkerson: And then, she  
21 can stick it on her envelope and then --

22 Ms. Jefferies: Okay.

23 Commissioner Wilkerson: -- we'll get  
24 the APA's back from her.

25 Mr. Jones: Why don't you just stick --

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Ms. Jefferies: Okay. Thank you.

Mr. Jones: -- why don't you stick it on that?

Ms. Jefferies: Okay. Thank you.

Commissioner Wilkerson: So, thank you all for being here today.

Mr. Jones: Thank you.

Commissioner Wilkerson: You all both have great -- all four (4) of you, I guess, I don't know if there are anymore -- all four (4) of you have a great weekend. So, thank you.

(THERE BEING NO FURTHER DISCUSSION, THE HEARING CONCLUDED  
AT 11:41 A.M.)

STATE OF SOUTH CAROLINA    )  
   )  
 COUNTY OF SPARTANBURG    )

CERTIFICATE

Be it known that I took the foregoing South Carolina Workers' Compensation Commission Hearing of Sarah Jefferies, vs. Milliken;

That I was then and there a Notary Public in and for the State of South Carolina-At-Large;

That by virtue thereof I was duly authorized to administer an oath;

That the witness was first duly sworn to testify the truth, the whole truth, and nothing but the truth, concerning the matter in controversy aforesaid;

The foregoing transcript of 60 typewritten pages represents a true, accurate and complete transcription of the testimony so given at the time and place aforesaid to the best of my skill and ability;

That I am not related to nor an employee of any of the parties hereto, nor a relative or employee of any attorney or counsel employed by the parties hereto, nor interested in the outcome of this action;

Witness my hand and seal this 8th Day of March, 2018.

Gloria G. Davis  
 Gloria G. Davis  
 Notary Public for South Carolina  
 My Commission Expires 12/21/21

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