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**Jun 11 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

The Honorable Michael G. Nettles, Circuit Court Judge

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Appellate Case No. 2019-001488  
Civil Action Case No. 2018-CP-40-06344

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MB Hutson/MB Hudson, ..... Appellant,

v.

Penn America Insurance Company,  
Global Indemnity Group, Inc.,  
Timothy J. Newton, Esq., J.R. Murphy, Esq.,  
John Doe #1, John Doe #2, ..... Respondents.

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**RESPONDENTS' FOURTH JOINT MOTION FOR CORRECTION AND  
CLARIFICATION OF THE RECORD ON APPEAL**

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Pursuant to Rule 210 of the South Carolina Appellate Court Rules and all other applicable authority, Respondents Penn America Insurance Company and Global Indemnity Group, Inc. ("Respondents PAIC"), Timothy J. Newton ("Newton") and J.R. Murphy ("Murphy") (collectively "Respondents"), jointly move this Court for an Order regarding correction and clarification of the Record on Appeal. In support thereof, Respondents state as follows:

The history of the attempts to obtain a compliant Record on Appeal was set forth in Respondents' Third Joint Motion for Correction and Clarification of the Record on Appeal, which was filed on March 31, 2021. To avoid waste of judicial resources, Respondents will not repeat that history, but incorporate it herein by reference.

On May 5, 2021, Respondents' motion was granted. This Court required Appellant MB Hutson/MB Hudson to serve and file a bound, printed copy of the record on appeal that includes the content and pagination of the previously-filed February 22, 2021 record on appeal and February 26, 2021 appendix. This Court further ordered that the pagination and content was to remain identical.

On May 26, 2021, Respondents received several e-mails from Appellant containing attachments that appear to be the re-filed Record on Appeal. As of this date, it appears that only Volumes I and III (plus the Appendix) were filed.

Appellant's May 26, 2021 version of the Record on Appeal is deficient in two respects:

**Volume II is missing**

First, Volume II has not yet been re-filed.

**Incorrect pages in Volume III**

Second, the content of Volume III was not identical to the February 22, 2021 version. Specifically, pages 929 to 960 of Volume III are supposed to contain (and the February 22, 2021 version did contain) a Bates labeled copy of Respondent Newton's V (32 pages). Those pages in the May 26, 2021 version of Volume III contain a hodgepodge of documents. The first six (6) pages appear to be correct. The remainder, from page 935 to 960, are either incorrect documents or parts of the correct document that are out of order.

Beginning on page 961 and continuing through the remainder of Volume III, it appears that the correct documents are included. The issue raised above does not appear to affect the overall pagination.

Accordingly, Respondents respectfully request an Order requiring Appellant to:

- (1) File Volume II of the Record on Appeal in compliance with this Court's May 5, 2021 Order; and
- (2) Re-file Volume III of the Record on Appeal filed May 26, 2021 to correctly include a complete Bates labeled copy of Newton's Exhibit V, as was correctly done in the version filed February 22, 2021.

*[Signature page follows]*

Respectfully submitted,

*s/Christian Stegmaier*

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**RESPONDENTS' THIRD JOINT MOTION  
THIRD JOINT MOTION FOR CORRECTION  
AND CLARIFICATION OF THE RECORD ON  
APPEAL**

Columbia, South Carolina

Dated: June 11, 2021

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SC Court of Appeals

**CERTIFICATE OF SERVICE**

I, the undersigned, attorney for Respondents Penn America Insurance Company and Global Indemnity Group, Inc., do hereby certify that I have this date served the foregoing RESPONDENTS' FOURTH JOINT MOTION FOR CORRECTION AND CLARIFICATION OF THE RECORD ON APPEAL by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, and via electronic mail, addressed to the following:

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Dated: June 11, 2021