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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM SPARTANBURG COUNTY
Appellate Panel of South Carolina Workers' Compensation Commission

Aisha Taylor; Avery B. Wilkerson; R. Michael Campbell, II
South Carolina Workers' Compensation Commissioners

Case No. 1614297
Appellate Case No. 2021-000669

Kenneth D. Christian, Employee, Appellant,
v.
SEW Eurodrive, Inc., Employer,
and Great American Alliance
Insurance Company, Carrier, Respondents.

**AMENDED RESPONDENTS' DESIGNATION OF MATTER TO BE INCLUDED IN
THE RECORD ON APPEAL**

Respondents propose the following to be included in the Record on Appeal:

1. Expert Report from Dr. Gregory Feldman (6/28/2019): Defendants' APA Submissions Nos. 301-304;
2. Medical Records from Allergy Partners of the Upstate (1/14/2016): Defendants' APA Submissions Nos. 305-311;
3. Medical Records from Drs. Kendall and Kemmerlin (4/24/2001-12/21/2016): Defendants' APA Submissions Nos. 312-409;

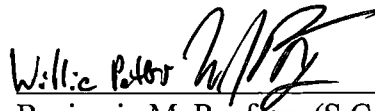
4. Pulmonary – Lung Center Medical Records (10/10/2016): Defendants’ APA Submissions Nos. 410-417;
5. Medical Records from Upstate Cardiology (10/15/2003-9/28/2016) Defendants’ APA Submissions Nos. 418-476;
6. Medical Record from Anderson Radiology (8/25/2015): Defendants’ APA Submissions No. 477;
7. Medical Record from Baptist Easley – Medical Center of Easley (9/9/2015): Defendants’ APA Submissions No. 478;
8. Industrial Hygiene Sampling Report (including all attachments): Defendants’ APA Submissions Nos. 479-598;
9. Records from Carolina Investigations, Inc.: Defendants’ APA Submissions Nos. 599-604;
10. Medical Records from GHS Laboratories (8/26/2016): Defendants’ APA Submissions Nos. 605-608;
11. Purchase Order Inquiry Printouts: Defendants’ APA Submissions Nos. 609-615;
12. Miscellaneous Employment Records: Defendants’ APA Submissions Nos. 616-624;
13. Expert Report of Dr. Gordon Early, along with Curriculum Vitae, and Areas of Clinical Expertise: Defendants’ APA Submissions Nos. 625-641;
14. Data from Employer regarding Soldering: Defendants’ APA Submissions Nos. 642-686;
15. Curriculum Vitae for Dr. Gregory Feldman: Defendants’ APA Submissions Nos. 687-740;

16. Expert Report of Dr. Albert Mitsos: Defendants' APA Submissions Nos. 826-829;
17. Curriculum Vitae for Dr. Albert Mitsos: Defendants' APA Submissions Nos. 830-833;
18. Expert Report of Dr. Gregory Feldman (9/13/2019): Defendants' APA Submissions Nos. 834-835;
19. Medical Records from Drs. Kendall and Kemmerlin, P.A. (4/24/2001-9/4/2015): Defendants' APA Submissions Nos. 836-846;
20. Weekly Repair Numbers for SEW Eurodrive: Defendants' APA Submissions Nos. 847-892;
21. Questionnaire from Dr. Early (9/26/2019): Defendants' APA Submissions No. 893;
22. Correspondence between Claimant's Attorney and Drs. Pearle and Simon: Defendants' APA Submissions Nos. 894-1097;
23. Internet Printout on Dr. Pearle: Defendants' APA Submissions Nos. 1098-1101;
24. Internet Definitions of Pneumonitis: Defendants' APA Submissions Nos. 1102-1107;
25. Deposition of Dr. Gregory Feldman: Defendants' APA Submissions Nos. 1108-1117;
26. Deposition of Dr. Gordon Early: Defendants' APA Submissions Nos. 1118-1129;
27. Medical Records from Kendall and Kemmerlin, P.A (4/21/2001-7/28/2016): Claimant's APA Submissions Nos. 1-32;

28. Medical Records from St. Francis Downtown (12/18/2015-10/4/2016):
Claimant's APA Submissions Nos. 33-45;
29. Medical Records from Allergy Partners of the Upstate (10/14/2016): Claimant's
APA Submissions Nos. 46-50;
30. Medical Records from Cancer Institute – Grove (7/6/2016-9/21/2016):
Claimant's APA Submissions Nos. 51-61;
31. Medical Records from GHS Imaging (12/21/2016-6/28/2016): Claimant's APA
Submissions Nos. 62-77;
32. Diagnostic Imaging (8/25/2015-8/10/2016): Claimant's APA Submissions Nos.
78-82;
33. Medical Records from Palmetto Pulmonary (10/30/2015-3/28/2016): Claimant's
APA Submissions Nos. 83-108;
34. Medical Records from GHS Lung Center (6/28/2016-3/11/2019): Claimant's
APA Submissions Nos. 109-223;
35. Vocational Evaluation from Weldon & Associates, Inc.: Claimant's APA
Submissions Nos. 348-352;
36. Curriculum Vitae for Dr. Albert Mitsos: Claimant's APA Submissions Nos. 382-
385;
37. Deposition Transcript of Ricky Jones (entire transcript): 7/26/2019;
38. Defendants' Exhibits 4 and 6 for Deposition Transcript of Dr. Gregory Feldman;
39. Defendants' Continuation Sheet: 1/12/2020;
40. Post-Hearing Memorandum with Exhibit: 3/9/2020;
41. Brief of Defendants/Appellants: 9/11/2020;

42. Response to Claimant's Motion to Reconsider Request for Proposed Decision & Order: 11/25/2020;
43. All of Defendants' Exhibits for Full Commission oral argument;
44. **Entire deposition transcripts of Appellant (Kenneth Christian): 12/13/2016 and 2/15/2019.**

Respectfully submitted,



Benjamin M. Renfrow (S.C. Bar No. 71245)
Willson Jones Carter & Baxley, P.A.
325 Rocky Slope Road, Suite 201
Greenville, SC 29607
(864) 527-3296
Attorney for Respondents

Date: September 29, 2021

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Kenneth D. Christian, Employee, Appellant,
v.
SEW Eurodrive, Inc., Employer,
and Great American Alliance
Insurance Company, Carrier, Respondents.

CERTIFICATE OF COUNSEL

The undersigned certifies that the Amended Respondents' Designation of Matter to be
Included in the Record on Appeal contains no matter which is irrelevant to the Appeal.

Respectfully submitted,

Wille Peter [Signature] for B.M.R.
Benjamin M. Refrow (S.C. Bar No. 71245)
Willson Jones Carter & Baxley, P.A.
325 Rocky Slope Road, Suite 201
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PROOF OF SERVICE

I certify that I served the Amended Respondents' Designation of Matter to be Included in the Record on Appeal, and Certificate of Counsel on Appellant on September 29, 2021, by electronic mail and by depositing a copy of the same in the United States mail, first class, postage prepaid, and addressed to Appellant's attorney of record, Thomas S. Phillips, Smith Jordan, P.A., P.O. Box 1207, Easley, South Carolina 29641; phillips@smithjordan.com.

[Signature Block on Next Page]

Respectfully submitted,

Willie Peter [Signature] for B.M.R.
Benjamin M. Renfrow (S.C. Bar No. 71245)
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325 Rocky Slope Road, Suite 201
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Attorney for Respondents

Date: September 29, 2021

WILLSON JONES CARTER & BAXLEY, P.A.

ATTORNEYS AT LAW

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September 29, 2021

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: Kenneth Christian vs. SEW Eurodrive, Inc.
WCC File No.: 1614297 DOI: 8/25/2016
Carrier: Great American Alliance Insurance Company - Claim No.: 564-661257
WJC&B File No.: 0285.00350
Appellate Case No.:

Dear The Honorable Kitchings:

Please find enclosed the following documents regarding the above-mentioned appeal with the corrected caption:

1. Amended Respondents' Designation of Matter to be Included in the Record on Appeal;
2. Certificate of Counsel and
3. Proof of service.

With kindest regards,

WILLSON JONES CARTER & BAXLEY, P.A.



Benjamin M. Renfrow

BMR/wjp

Enclosures

cc: Thomas Phillips, Esquire

USA

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THE HONORABLE JENNY ABBOTT KITCHINGS
SOUTH CAROLINA COURT OF APPEALS
MAIL TO 1220 SENATE STREET
COLUMBIA, SC 29201