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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

Appellate Case No.: 2021-000695
South Carolina Workers' Compensation Claim No. 1819776

South Carolina Uninsured Employers Fund, Appellant,

vs.

Jeff Quinn, Employee, Yeamans Hall Club, Employer, Accident Fund
Insurance Co. of America, Carrier, Travelers Property Casualty Co. of
America, Carrier, and Michael Hannaway d/b/a Hannaway Painting,
Employer..... Respondents.

MOTION TO DISMISS RESPONDENT QUINN FROM APPEAL

Pursuant to Rule 240, SCACR, Respondent Quinn requests he be dismissed
from making an appearance in this case based on the following grounds:

1. The findings of the Single Commissioner by Decision and Order dated June 29,
2020, and the findings of the Full Commission by Decision and Order dated
June 1, 2021, regarding compensability and Respondent Quinn's entitlement

to benefits were not appealed and are incorporated by reference and remain the findings of this case.

2. The issues set on appeal pertain solely to a dispute regarding which insurance carrier is responsible for the benefits previously awarded to Respondent Quinn by the Single Commissioner and affirmed by the Full Commission. Respondent Quinn has no position as to which carrier is responsible for the benefits awarded to him.
3. The parties have agreed that Respondent Quinn should be dismissed from making an appearance in this case and agree that he will not participate in the briefing or oral arguments in this case. (See Exhibit A, proposed Consent Order.)

WHEREFORE, based upon the grounds set forth above, Respondent Quinn respectfully requests this Honorable Court dismiss him from making an appearance in the appeal currently pending before this Court.

Respectfully Submitted,



David T. Pearlman
Catherine D. Meehan
Steinberg Law Firm, LLP
Post Office Box 9
Charleston, South Carolina 29402
(843) 720-2800
Attorneys for Respondent Jeff Quinn

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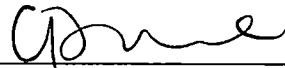
Jeff Quinn, Employee, Yeamans Hall Club, Employer, Accident Fund
Insurance Co. of America, Carrier, Travelers Property Casualty Co. of
America, Carrier, and Michael Hannaway d/b/a Hannaway Painting,
Employer..... Respondents.

PROOF OF SERVICE

I certify that I have served the Motion to Dismiss Respondent Quinn from Appeal by electronic mail on the Honorable Jenny Abbott Kitchings, Clerk of Court of the South Carolina Court of Appeals at ctappfilings@sccourts.org, Robert M. Cook, II, Esquire, attorney for Appellant South Carolina Uninsured Employers Fund at robcook1965@yahoo.com, J. Gabriel Coggiola, Esquire, attorney for Respondents Yeamans Hall Club and Accident Fund Ins. Co. of America at jgcoggiola@wjlaw.net, John Fletcher, Esquire, attorney for Respondent Travelers Property and Casualty Co. of America at jfletcher@barnwell-whaley.com, and Respondent Michael Hannaway d/b/a Hannaway Painting at bluehog11@aol.com.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

STEINBERG LAW FIRM, LLP



10/28/21

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Attorneys for Respondent Jeff Quinn

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Oct 25 2021

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM THE SOUTH CAROLINA
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vs.

Jeff Quinn, Employee, Yeamans Hall Club, Employer, Accident Fund Insurance Co. of America, Carrier, Travelers Property Casualty Co. of America, Carrier, and Michael Hannaway d/b/a Hannaway Painting, Employer..... Respondents.

CONSENT ORDER

It now comes before this Honorable Court the parties have reached an agreement as detailed below and have requested this Court issue this Order memorializing the agreement. The parties have agreed as follows:

1. The findings of the Single Commissioner by Decision and Order, dated June 29, 2020, and the findings of the Full Commission by Decision and Order, dated

EXHIBIT A

June 1, 2021, with the exception of those specifically appealed to this Court, are not subject to appeal and are incorporated by reference and remain the findings of this case.

2. The Claimant/Respondent Jeff Quinn has no position and will be making no argument on this appeal as to insurance coverage.
3. As such, the parties have agreed that Claimant/Respondent Quinn is dismissed from making an appearance in this case and agree that he will not participate in the briefing or oral arguments in the case.

The above agreement has been entered into freely and voluntarily by all parties as evidenced by their signatures below.

NOW, THEREFORE, based upon the above, it is hereby

ORDERED, ADJUDGED, AND DECREED that the above Agreement be incorporated herein as an Order of the South Carolina Court of Appeals.

AND IT IS SO ORDERED!

FOR THE COURT

Columbia, South Carolina
October _____, 2021

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Oct 25 2021

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

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vs.


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America, Carrier, and Michael Hannaway d/b/a Hannaway Painting,
Employer..... Respondents.

PROOF OF SERVICE

I certify that I have served the Consent Order by electronic mail on the Honorable Jenny Abbott Kitchings, Clerk of Court of the South Carolina Court of Appeals at ctappfilings@sccourts.org, Robert M. Cook, II, Esquire, attorney for Appellant South Carolina Uninsured Employers Fund at robcook1965@yahoo.com, Anne V. Noonan, Esquire, and J. Gabriel Coggiola, Esquire, attorneys for Respondents Yeamans Hall Club and Accident Fund Ins. Co. of America at avnoonan@wjlaw.net and jgcoggiola@wjlaw.net, Phillip S. Ferderigos, Esquire, attorney for Respondent Travelers Property and Casualty Co. of America at pferderigos@barnwell-whaley.com, and Respondent Michael Hannaway d/b/a Hannaway Painting at bluehog11@aol.com.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

We Consent:




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Charleston, SC 29402
Attorneys for Respondent Jeff Quinn


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Batesburg-Leesville, SC 29070
Attorney for Appellant SCUEF



for Anne V. Noonan
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Attorney for Respondents Yeamans Hall Club and Accident Fund Ins. Co. of America



John Gabriel Coggiola
Willson Jones Carter & Baxley
3600 Forest Drive, Suite 204
Columbia, SC 29204
Attorney for Respondents Yeamans Hall Club and Accident Fund Ins. Co. of America

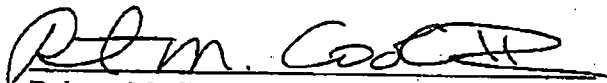


~~Phillip D. Ferdertgos~~ John W. Fletcher
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Attorney for Respondent Travelers Property and Casualty Ins. Co. of America

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Charleston, SC 29406

We Consent:

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Charleston, SC 29402
Attorneys for Respondent Jeff Quinn


Robert M. Cook, II 10-25-21
PO Box 3575
Batesburg-Leesville, SC 29070
Attorney for Appellant SCUEF

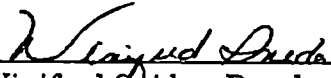
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North Charleston, SC 29405
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STEINBERG LAW FIRM, LLP


Winifred Snider 10/25/2021
Winifred Snider, Paralegal to David T. Pearlman, Esquire
and Catherine D. Meehan, Esquire
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Attorneys for Respondent Jeff Quinn



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Get The Firm Behind You

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October 28, 2021

Sent via Email (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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NOV 01 2021

SC Court of Appeals

Re: Jeff Quinn vs. Yeamans Hall Club, et al.
Appellate Case No. 2021-000695

Dear Ms. Kitchings:

I represent Respondent Jeff Quinn in the above-referenced matter. The Respondent's Initial Brief and Designation of Matter are due tomorrow, October 29, 2021. The purpose of this letter is to request an extension of an additional thirty (30) days for the Respondent Jeff Quinn to file and serve his Initial Brief and Designation of Matter, which would result in a new deadline of November 29, 2021. I notified opposing counsel/parties by email of my intention to request an extension, and I am not aware of any objection to this request. Please let me know as soon as possible if there is any reason this request cannot be granted.

Also enclosed with this letter, please find Respondent's Motion to be Dismissed from Appeal. The \$50.00 filing fee has been placed in the mail with a copy of this letter. By copy of this letter, I am informing opposing counsel/parties of this communication with the Court and serving upon them a copy of Respondent's Motion.

With kindest regards, I am

Sincerely,

Catherine D. Meehan

Email: cmeehan@steinberglawfirm.com

CDM

Enclosures

cc: Jeff Quinn
Michael H. Murphy, Esquire
Robert M. Cook, II, Esquire (via email)

John W. Fletcher, Esquire (via email)
J. Gabriel Coggiola, Esquire (via email)
Mr. Michael Hannaway (via email)

Catie Meehan

From: Robert Cook <robcook1965@yahoo.com>
Sent: Thursday, October 28, 2021 1:47 PM
To: Catie Meehan
Subject: Re: Initial Brief Extension

yes for UEF

ROBERT M. COOK II

ATTORNEY AT LAW
The Robert Cook Law Firm, LLC

128 N. Oak St., Batesburg, SC 29006 (physical address)
P.O. Box 3575, Leesville, SC 29070 (mailing address)
803-317-2171 (office); 803-687-7491 (cell)

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On Thursday, October 28, 2021, 01:45:18 PM EDT, Catie Meehan <cmeehan@steinberglawfirm.com> wrote:

All,

As you know, I filed a proposed Consent Order with the Court and received a letter back stating that a motion must be filed in order for the Court to consider my request. Our initial brief is due tomorrow. Please advise if you consent to a 30-day extension for the filing of Respondent Quinn's brief pending a ruling on the Motion, which will be submitted today.

Thanks,

Catie Dunn Meehan

Attorney

Listed as Super Lawyers Rising Star

Listed in Best Lawyers in America



61 Broad Street

P.O. Box 9

Charleston, SC 29401

Ph 843-720-2800

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Catie Meehan

From: Gabe Coggiola <jgcoggiola@wjcblaw.com>
Sent: Thursday, October 28, 2021 3:20 PM
To: John W. Fletcher; Catie Meehan; 'Robert M. Cook, II, Esquire'; Michael Hannaway
Cc: David Pearlman
Subject: [EXT] Initial Brief Extension

I consent. Thanks,
Gabe



willson jones
carter & baxley

John Gabriel Coggiola

Attorney

email: jgcoggiola@wjcblaw.com
phone: 803.227.2884
3600 Forest Drive, Suite 204
Columbia, South Carolina 29204

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Sent: Thursday, October 28, 2021 1:48 PM
To: Catie Meehan <cmeehan@steinberglawfirm.com>; 'Robert M. Cook, II, Esquire' <robcook1965@yahoo.com>; Gabe Coggiola <jgcoggiola@wjcblaw.com>; Michael Hannaway <bluehog11@aol.com>
Cc: David Pearlman <dpearlman@steinberglawfirm.com>
Subject: RE: [EXT] Initial Brief Extension

I consent.

From: Catie Meehan <cmeehan@steinberglawfirm.com>
Sent: Thursday, October 28, 2021 1:45 PM
To: 'Robert M. Cook, II, Esquire' <robcook1965@yahoo.com>; Gabe Coggiola <jgcoggiola@wjcblaw.com>; John W. Fletcher <jfletcher@barnwell-whaley.com>; Michael Hannaway <bluehog11@aol.com>
Cc: David Pearlman <dpearlman@steinberglawfirm.com>
Subject: [EXT] Initial Brief Extension
Importance: High

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Thanks,

**Catie Dunn Meehan
Attorney**

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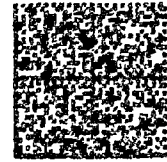
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