

February 17, 2022

**VIA E-FILING ONLY**

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

**Re: *Penn America Insurance Company and Global Indemnity Group, LLC v. Morris Beach Hutson a/k/a M.B. Hutson***  
***Appellate Case No. 2020-001708***  
***Claim No. 16011284***  
***C&L File No. 000774-1021A***

Dear Ms. Kitchings:

Respondents are writing to the Court with respect to Appellant's recently filings of revised versions of the Record on Appeal. Respondents request that the Court only accept the sixth volume of the Record on Appeal, which was emailed by Appellant on February 12, 2022, and marked filed on February 14, 2022.

By way of background, Respondents previously filed a Motion to Correct the Record on Appeal on November 8, 2021. Therein, Respondents explained they had meticulously reviewed the content of the 15-page Index and the 2,096-page (five volume) Record submitted by Appellant on October 29, 2021. Respondents found a number of deficiencies in both the Index and content of the Record. Having already expended significant time and resources reviewing the Index and the Record, Respondents sought corrections in the manner proposed in the motion in an effort to efficiently and expediently move this case forward to final briefing.

This Court entered an Order on January 10, 2022, directing Appellant to file volume six of the Record on Appeal "which shall include Respondent's proposed index and the missing and incomplete documents identified in Respondent's motion and laid out in the proposed index for volume six."

Respondents take no issue with the version of volume six of the Record filed on February 14, 2022.

However, Appellant went beyond the directive of the Court, and without motion or other authority, submitted amended versions of volumes one through five of the Record on Appeal. Respondents sought resolution of the deficiencies in the manner they did to avoid spending additional time and resources scouring the first five volumes record again for any alterations.

Whether a product of ignorance or intent of Appellant, these unnecessary and improper filings create additional work for Respondents. Accordingly, Respondents ask that the Court reject the re-filings of Volumes One through Five of the Record.

Respondents will comply with any directive to file a formal motion to strike with the Court with respect to this matter. However, before incurring the time and expense of preparing and awaiting ruling on such a motion, Respondents wanted to consult with the Court to determine whether the resubmitted volumes one through five of the Record, filed on February 11 and 14, 2022, were being accepted despite their filing being in contravention of the Court's Order on January 10, 2022.

We appreciate your assistance with this matter.

Respectfully,

s/Laura R. Baer

Laura R. Baer

*On behalf of and with consent  
of all Respondents*

cc: Christian Stegmaier, Esq.  
Timothy Newton, Esq.  
John M. Grantland, Esq.  
Morris Beach Hutson