

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM SOUTH CAROLINA
Workers' Compensation Commission

SC Court of Appeals

Commissioners Aisha G. Taylor, Susan S. Barden and Gene McCaskill

Appellate Case No. 2021-001174

Trial Court Case No. 1717573

Jeffrey W. McCoy, Employee,Appellant-Respondent,

v.

Cromed, LLC, Employer and Guarantee Ins. Co. (in Liquidation)/S.C. Property & Casualty Ins.
Guaranty Assoc, Carrier,Respondents-Appellants.

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

Pursuant to Rule 209, SCACR, the Respondent-Appellants, Cromed, LLC, Employer and
Guarantee Insurance Company in liquidation through the South Carolina Property and Casualty
Insurance Guaranty Association, propose the following eighteen (18) items be included in the
Record on Appeal:

1. Transcript of hearing before Commissioner Avery Wilkerson on July 16, 2020

2. Form 58 Pre-Hearing Brief with attached Addendum and Notice of Witnesses and Written Report(s) Physician or Other Evidence to Introduced on Behalf of The Employer/Carrier, along with all APA submissions and exhibits, dated June 15, 2020
3. Amended Form 58 Pre-Hearing Brief with Amended Notice of Witnesses and Written Report(s) Physician or Other Evidence to Introduced on Behalf of The Employer/Carrier, along with all APA submissions and exhibits, dated July 15, 2020
4. All reports/evaluations of Dr. Steven Poletti related to this claim.
5. Amended Form 51 of the Employer/Carrier, stamped June 18, 2020
6. Form 50 of Stephen B. Samuels on behalf of the claimant, dated February 4, 2020
7. Order of Commissioner Avery Wilkerson, dated April 13, 2021
8. Order of the Appellate Panel of the South Carolina Workers' Compensation Commission, dated September 20, 2021.
9. Form 30 and attached addendum of Employer Carrier, dated April 27, 2021
10. Defendants/Appellants Brief to Full Commission, dated June 21, 2021
11. Reply Brief of Respondents/Appellants to Full Commission, dated July 6, 2021
12. Notice of Appeal to the Court of Appeals, dated October 19, 2021
13. Deposition transcript of Steven C. Poletti, MD, taken on August 14, 2019
14. Deposition transcript of Slif Ulrich, MD, taken on December 4, 2018
15. Deposition transcript of Ivan E. LaMotta, MD taken on September 11, 2018
16. Deposition transcript of Jeffrey McCoy, taken on May 31, 2018
17. Deposition transcript of Malcolm Young, taken on August 2, 2018
18. Deposition transcript of Robert Cronan, taken on May 31, 2018

Pursuant to Rule 209 (c), SCACR, I certify that this Designation contains no matter which is irrelevant to the appeal.

Respectfully submitted,



Mark D. Cauthen

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ATTORNEY FOR RESPONDENTS-APPELLANTS

March 04, 2022
Columbia, South Carolina

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SC Court of Appeals

APPEAL FROM SOUTH CAROLINA
Workers' Compensation Commission

WCC FILE NO. 1717573

Jeffrey W. McCoy, Claimant,Appellant-Respondent,

v.

Cromed, LLC, Employer and Guarantee Ins. Co. (in Liquidation)/S.C. Property & Casualty Ins.
Guaranty Assoc, Carrier,Respondents-Appellants.

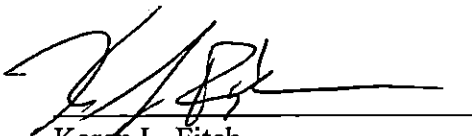
PROOF OF SERVICE

I certify that I, Karen Fitch, paralegal for Cauthen Law Group, LLC, have served the **Initial Brief of Respondents-Appellants and Designation of Matter** on Jeffrey McCoy by depositing a copy of it in the United States Mail, postage prepaid on **March 4, 2022**, addressed to his attorney of record, Samuel B. Stephens, addressed as follows:

Stephen B. Samuels, Esquire
Samuels Reynolds Law Firm, LLC
1320 Richland Street
Columbia, SC 29201

March 4, 2022

Respectfully submitted,



Karen L. Fitch
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March 4, 2022

VIA: USPS FIRST CLASS MAIL

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

**RE: Jeffrey W. McCoy v. Cromed, LLC
Appellate Case No.: 2021-001174**

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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed for filing, please find the original and one (1) copy of the **Initial Brief of Respondents-Appellants and Designation of Matter to be Included in the Record on Appeal**, along with Proof of Service, in the above referenced matter.

I would appreciate if you would return the additional clocked-in copy to us in the enclosed envelope.

By copy of this letter, I am serving a copy of our Initial Brief of Respondents-Appellants and Designation of Matter to be Included in the Record on Appeal upon counsel for the Appellant-Respondent.

Very Truly Yours,




Mark D. Cauthen

MDC/klf
Enclosure
cc: Stephen B. Samuels, Esquire

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SC Court of Appeals

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