



ATTORNEYS AT LAW

Reply To  
HELEN F. HISER  
Direct Dial: (843) 576-2930  
helen.hiser@mgclaw.com  
CHARLESTON

May 7, 2013

Via U.S. Mail

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Robbin Cole vs. Joy Global and ACE USA/ESIS  
Date of Accident: September 8, 2008  
WCC File No.: 0825491  
Our File No.: 2062.10533  
Claim No.: 494C1733402  
Case Tracking No.: 2012-205507

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Motion to Dismiss Appeal signed by counsel for both parties, and the original and one copy of the Proof of Service in the above-referenced matter. Please file the originals and return the clocked-in copies via the enclosed stamped, self-addressed envelope.

Also, enclosed is our firm's check in the amount of \$25 for filing the motion.

If you have any questions, please contact me.

Yours truly,

McAngus Goudelock & Courie, LLC

  
Helen F. Hiser

Enclosures

cc: Lynn Shook, Esquire  
Donna Richards, ESIS

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MAY 13 2013  
SC Court of Appeals

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM  
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

WCC File No. 0825491

Robin Bradley Cole, Employee ..... Respondent,

v.

Goodman Conveyor Company,  
d/b/a Joy Mining Machinery, Employer, and  
Indemnity Insurance Company of N.A., Carrier ..... Appellants.

MOTION TO DISMISS APPEAL

Appellants Goodman Conveyor Company d/b/a Joy Mining Machinery and Indemnity Insurance Company of N.A. hereby move to dismiss the appeal in the above-reverenced matter pursuant to Rule 260(c) SCACR. This matter is currently pending before this Court on appeal from an Order of the South Carolina Worker's Compensation Commission. Claimant/Respondent is represented by Lynn Shook, Esquire and Appellants are represented by Weston Adams, III, Esquire and Helen F. Hiser, Esquire. The parties have reached a settlement agreement regarding the issues on appeal. The parties have further agreed that each party will bear its own costs with respect to this appeal.

There parties hereby move to dismiss this appeal with prejudice.

This motion conforms with Rule 240 and Rule 267, SCACR.

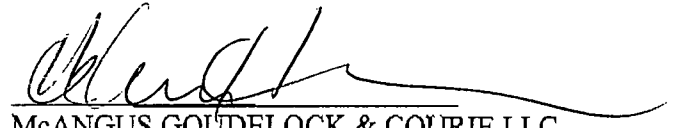
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May 7, 2013



Lynn Shook, Esquire  
906 Augusta Street  
Greenville, South Carolina 29605  
*Attorney for Respondent*  
(864) 467-0880



McANGUS GOUDELOCK & COURIE LLC  
Weston Adams, III  
Meridian 10<sup>th</sup> Floor  
1320 Main Street  
P.O. Box 12519  
Columbia, SC 29211-2519  
(803) 779-2300

Helen F. Hiser  
735 Johnnie Dodds Blvd., Suite 200  
P.O. Box 650007  
Mount Pleasant, SC 29465  
(843) 576-2900

*Attorneys for Appellants*

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

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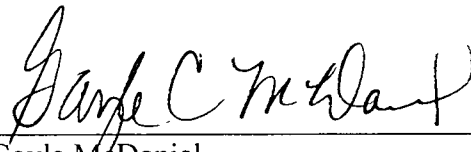
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**PROOF OF SERVICE**

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I certify that I have served the **MOTION TO DISMISS APPEAL** on the attorney of record for Robbin Bradley Cole by depositing a copy of it in the United States Mail, postage prepaid, on May 7, 2013, addressed as follows:

Lynn Shook, Esquire  
906 Augusta Street  
Greenville, South Carolina 29605



Gayle McDaniel  
Legal Assisitant to Helen F. Hiser  
735 Johnnie Dodds Blvd., Suite 200  
P.O. Box 650007  
Mount Pleasant, South Carolina 29465  
(843) 576-2900  
*Attorneys for Appellants Goodman  
Conveyor Company, d/b/a Joy Mining  
Machinery and Indemnity Insurance  
Company of N.A.*

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