

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BEAUFORT)
)
 BITTMINT, LLC and HARBOUR TOWN)
 SURF SHOT, LLC)
)
 Plaintiffs,)
)
 v.)
)
 LYNDIA H. JOHNSON, CHARLES S.)
 GIANNONE and SEA PINES RESORT,)
 LLC,)
)
 Defendants.)

IN THE COURT OF COMMON PLEAS
 FOURTEENTH JUDICIAL CIRCUIT
 CIVIL ACTION NO. 2017-CP-07-01057

**ORDER AWARDING ATTORNEY'S
 FEES AND COURT COSTS TO LYNDIA
 H. JOHNSON AND CHARLES S.
 GIANONNE'S**

RECEIVED
 JUN 22 2022
 SC Court of Appeals

The matter came before the Court upon Defendants Lynda H. Johnson and Charles S. Giannone's ("Johnson and Giannone"), Motion for Attorney's Fees and Costs ("Motion"). Johnson and Gianonne filed the instant motion on March 14, 2022, seeking attorney's fees and court costs as the prevailing party in this litigation¹, which was initiated by Bittmint, LLC.

Along with the Motion, Johnson and Giannone filed the Affidavit of their counsel John P. Linton, Jr., which stated that the total fees incurred by the Defendants in the litigation were \$193,228.50 and the litigation costs were \$11,123.67. Bittmint filed a response to the motion on March 28, 2022, asserting among other things that the attorney's fees should be reduced by 50% and the costs should not include certain costs such as travel time, meals and lodging costs. On April 4, 2022, Johnson and Giannone filed a reply brief, agreeing to limit the claim for fees to the 50% suggested by Bittmint, LLC and reduce the costs by those challenged by Bittmint, LLC.

¹ At trial the Court granted Defendants' motion for a directed verdict and has denied the Plaintiffs' motion to reconsider that ruling.

This matter came before the Court for a hearing on May 18,2022, at which time counsel for Johnson and Giannone affirmed, as stated in the reply brief, that the Motion is limited to seeking \$96,614.25 in Attorney's fees and \$7004.39 in court costs, for a total amount of \$103,618.64. Plaintiffs filed a memorandum opposing the Motion, but did not present oral argument at the Motion hearing. The Court issued a Form 4 Order on May 24, 2022, granting the motion for fees and costs. The Court now issues this formal order finding that, having considered all of the filings and argument before the court, including the applicable factors for awarding fees and costs to the prevailing party in the litigation, Johnson and Giannone are hereby awarded \$96,614.25 in attorney's fees and \$7004.39 in court costs, for a total amount of \$103,618.64. The clerk is directed to enter a **JUDGMENT** against Bittmint, LLC in the amount of **\$103,618.64**. The judgement should be entered in favor of Lynda H. Johnson and Charles S. Giannone.

[order to be signed electronically on the following page]