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Mar 22 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

R. Markley Dennis, Jr. Circuit Court Judge

Appellate Case No. 2018-001766

Charleston Development Company, LLC, Charleston Housing Company, LLC and
NotSo Hostel, LLC,

Appellants,

v.

Younesse Alami, Simon M. Adell, Matthew Anderson, Matthew Asher, Daniel Baker, Marie Baker, Matthew and Christina Bare, Andre Bauer, Peter Bierce, Brandon Blount, Barbara Brass, Richard T. Brewer, Sigrid Anne Eilertson, Reginald P. Brown IV, Mary Cahill, Ryan Cockrell, Kevin and Virginia Conlon, Anne Marie Crevar, Christina Cross, Darryl J. Damico, Labar Daniel, Stephen Darwak, Lindsay Davenport, Mary Dickerson, Maxwell Streeter, Kathleen Dougherty, David Dressman, Anna Dressman, Michael Elder, Christopher Scott Farley, Michele Ghastin, Timnah Giller, Virginia Geller, Ryan Gilreath, Sonya Gilreath, Kimberly Glenn, Shaun Halsor, Josephine Rex, Arthur Halvorson, Andrew Halvorson, Linda Hancock, Laura Hyatt, Mike Hartel, Nathan Herring, James Hicks, Jr., Laurie Hicks, Preston G. Hipp, Colin Jones, Matthew F. Jones, Robert C. Jones, Robin Joseph, Molly Keeler, John Kenny, Mandi Walters, Abigail King, Aaron Kless, Laurie Kramer, Robert Kramer, Allison Kreutzer, Benjamin Levitt, Richard Levitt, Jesse Lutz, Nikou Manouchehri, Thomas Naselaris, Zoe Naselaris, Beau O'Steen, Cori O'Steen, Lance Parr, Brandon Perdue, Amanda Lee Raymer, Hadassah Rothenberg, Daniel Ryan, Kimberly Bowlin, Kevin Schnittker, Ginger Scofield, Inderjit Singh, Avtar Singh, Alecia Stevens, Lee Stevens, Justin Swan, Merrick Teichman, John Van Vlack, Jr., William Waterhouse, Jennifer Waterhouse, Anne Wohlfeil, Bryan Young, AJB Trust, Anthony & Jacqueline Bradley, Trustees, Hartshorn Family Trust, Helene Kenny / Bridget Denny Revocable Trust, Wilhelmina M. Wieters Life Estate Childrens Trust, 33 Bogard Street LLC, 249 Cumming, LLC, 253 Coming Street LLC, 259 East Bay LLC, 259 East Bay 10 B LLC, 272 D Coming St. LLC, Café International, Inc., Corner At Old Canton, LLC, Geer Interests LLC, Kit Properties LLC, Lambert-Weiss LLC, The Naws LLC, New Lease Capital LLC, One Henrietta LLC, Periwinkle Partners, LLC, Porch Properties LLC, Westbury Properties, LLC, and Westendorff Hardware LLC,

Of whom,

Younesse Alami, Simon M. Adell, Matthew Anderson, Matthew Asher, Andre Bauer, Peter Bierce, Brandon Blount, Reginald P. Brown IV, Mary Cahill, Ryan Cockrell, Kevin and Virginia Conlon, Anne Marie Crevar, Darryl J. Damico, Stephen Darwak, Lindsay Davenport, Kathleen Dougherty, David Dressman, Anna Dressman, Michael Elder, Christopher Scott Farley, Michele Ghastin, Ryan Gilreath, Sonya. Gilreath, Shaun Halsor, Josephine Rex, Laura Hyatt, Nathan Herring, James Hicks, Jr., Laurie Hicks, Preston G. Hipp, Colin Jones, Matthew F. Jones, Robert C. Jones, Robin Joseph, Molly Keeler, John Kenny, Abigail King, Aaron Kless, Laurie Kramer, Robert Kramer, Allison Kreutzer, Jesse Lutz, Thomas Naselaris, Zoe Naselaris, Beau O'Steen, Cori O'Steen, Lance Parr, Brandon Perdue, Hadassah Rothenberg, Daniel Ryan, Kimberly Bowlin, Kevin Schnittker, Ginger Scofield, Alecia Stevens, Justin Swan, Merrick Teichman, John Van Vlacic, Jr., William Waterhouse, Jennifer Waterhouse, Anne Wohlfeil, Bryan Young, Helene Kenny / Bridget Denny Revocable Trust, 259 East Bay LLC, 259 East Bay 10 B LLC, Corner At Old Canton, LLC, Kit Properties LLC, The Naws LLC, One Henrietta LLC, Periwinkle Partners, LLC, Porch Properties LLC, Westbury Properties, LLC, and Westendorff Hardware LLC, are

Respondents.

MOTION FOR ATTORNEY'S FEES
PURSUANT TO RULE 222(b)

COMES NOW RESPONDENTS, Matthew Asher, Anne Marie Crevar, Stephen Darwak, and Ann Wohlfeil, through undersigned counsel, who hereby move this Honorable Court for an award of Attorney's Fees, pursuant to Rule 222(b), SCACR and Re: Attorney's Fees Under Rules 222 and 242 of the South Carolina Appellate Court Rules, Or. No. 2018-01-17-02 (S.C. Sup. Ct. January 2018).

In support of this Motion, the undersigned states that he represented these moving respondents in the circuit court and on appeal, that all respondents prevailed on Motions for Summary Judgment and on appeal, Appellants' Petition for Certiorari was denied, and that the remittitur was issued March 8, 2023.

The undersigned did not incur costs on appeal as set forth in Rule 22(b)(1)-(5) that were

separate and distinct from the costs incurred by counsel for other Respondents, and therefore only seeks an Order awarding attorney's fees against Charleston Development Company, LLC, Charleston Housing Company, LLC and NotSo Hostel, LLC, joint and several, in the amount of \$2,500 for each party, for a total of \$10,000.

RESPECTFULLY SUBMITTED:



David B. Marvel (SCB#68803)

PO Box 22734

Charleston, SC 29413

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*Attorney for Matthew Asher, Anne Marie Crevar,
Stephen Darwak, and Ann Wohlfeil*

March 23, 2023
Charleston, South Carolina

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Of whom,

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Respondents.

PROOF OF SERVICE

I hereby certify that on March 23, 2023, I served a copy of the Motion for Costs Pursuant to Rule 222(b) on the following by U.S. Mail:

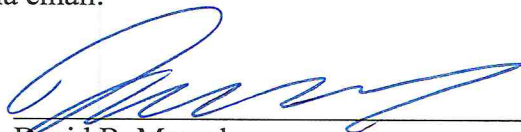
Peyre Thomas Lumpkin, Esquire
Office of Commission Counsel
1220 Senate Street, Suite 106
Columbia, SC 29201

Charleston Housing Company, LLC
c/o Robert Holt, Registered Agent
6 Tully Alley
Charleston, SC 29403

Charleston Development Company, LLC
c/o Robert Holt, Registered Agent
6 Tully Alley
Charleston, SC 29403

NotSo Hostel, LLC
c/o Robert Holt, Registered Agent
6 Tully Alley
Charleston, SC 29403

All other counsel of record served via email.



David B. Marvel

*Attorney for Matthew Asher, Anne Marie Crevar,
Stephen Darwak, and Ann Wohlfeil*



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SC Court of Appeals

Attorney at Law • Proctor in Admiralty
Certified Civil and Federal Court Mediator
Admitted to Practice in South Carolina and Georgia

March 22, 2023

Via SCJB OneDrive

The Hon. Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Charleston Development Company, LLC, et al. v. Younesse Alami, et al.
Appellate Case No. 2018-001766

Dear Ms. Kitchings:

I hope this letter finds you well. I hereby submit a Motion for Attorney's Fees Pursuant to Rule 222(b) and Proof of Service for same. I am transmitting my firm's check no. 1170 for the \$50 filing fee (with a copy of this letter) via U.S. Mail.

As always, thank you for your assistance with this matter. If you have any questions, please do not hesitate to contact me. With best regards, I remain

Sincerely,

David B. Marvel

DBM/tlb
Enclosures
cc (w/enc., via email only):
All Counsel of Record
Peyre T. Lumkin