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Apr 05 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable William H. Seals, Jr., Circuit Court Judge

Case No. 2020-CP-26-04144
Appellate Case No. 2022-001606

Ray Wallauer, Carol Wallauer, John White and Pam White..... Respondents

vs.

Accelerate Solar, LLC; Advantage Solar, LLC; Dividend Solar Finance, LLC;
and Justin Pole, Defendants,

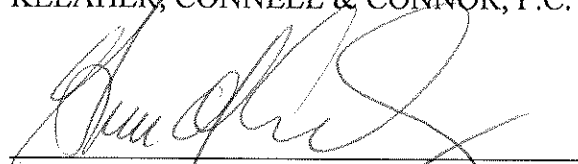
Of which Advantage Solar, LLC is..... Appellant

RESPONDENT’S MOTION TO TAX COSTS

YOU WILL PLEASE TAKE NOTICE that the Respondents, Roy Wallauer, Carol Wallauer, John White and Pam White, by and through their undersigned counsel, do hereby move, pursuant to Rule 222, SCACR, for an Order taxing costs against the Appellant, Advantage Solar, LLC, as set forth in the Itemized Statement of Costs which is attached hereto.

WHEREFORE, Respondent requests that costs be taxed, and for such other and further relief as the Court may deem just, necessary and proper.

KELAHER, CONNELL & CONNOR, P.C.



Gene M. Connell, Jr. (S.C. Bar No. 1358)
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Attorney for Respondents

April 5, 2023
Surfside Beach, South Carolina

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and Justin Pole, Defendants,

Of which Advantage Solar, LLC is..... Appellant

PROOF OF SERVICE

PERSONALLY appeared before me, Shelia Y. McCumbee, who being duly sworn, deposes and says that she is an employee of Kelaher, Connell & Connor, P.C., and that she has served **Respondents' Motion to Tax Costs, Itemized Statement of Costs** on the 5th day of April, 2023, by depositing a copy of same in the United States Mail, postage prepaid, to:

Joseph O. Smith, Esquire
Joshua J. Hudson, Esquire
Smith Hudson Law, LLC
200 N. Main St., Suite 301-C
Greenville, South Carolina 29601

Shelia Y. McCumbee
Shelia Y. McCumbee

SWORN AND SUBSCRIBED before me,
this 5th day of April 2023.

Donna H. Hand
Notary Public for South Carolina
My Commission Expires: 3-28-26

KELAHER, CONNELL & CONNOR, P.C.
ATTORNEYS AT LAW
SUITE 209
THE COURTYARD
1500 U.S. HIGHWAY 17 NORTH
P.O. DRAWER 14547
SURFSIDE BEACH, SOUTH CAROLINA 29587

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April 5, 2023

ctappfilings@sccourts.org

Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Appellate Case No. 2022-001606
Ray Wallauer, et al. v. Advantage Solar, LLC.
C/A No. 2020-CP-26-04144
Our File Nos. 2020-0164C and 2020-0165C

Dear Ms. Kitchings:

Enclosed please find Respondent's Motion to Tax Costs, Itemized Statement of Costs and Proof of Service in the above-captioned case. Our check for the \$50.00 filing fee is being mailed this date.

By copy of this letter, we hereby serve a copy of the above-stated documents on counsel of record.

With best regards, I am

Sincerely yours,



Gene M. Connell, Jr.

GMCJr:sm
Enclosures

cc w/enc.: Joseph O. Smith, Esquire
Joshua J. Hudson, Esquire