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Apr 07 2023

SC Court of Appeals

**STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS**

Appeal from the Court of Common Pleas
For Charleston County
Honorable R. Markley Dennis, Jr., Circuit Court Judge
Civil Action No.: 2015-CP-10-05415
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, N. 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, TIMM 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. HIPPI, 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 CHILDREN'S TRUST, 33 BOGARD STREET, LLC; 249 CUMMING, LLC; 253 COMING STREET, LLC; 259 EAST BAY, LLC; 259 EAST BAY 10B, LLC; 272 D COMING ST. LLC, CAFE INTERNATIONAL, INC.; COMER 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,

Defendants,

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 RAISOR, JOSEPHINE REX, LAURA HYATT, NATHAN HERRING, JAMES HICKS, JR.; LAURIE HICKS, PRESTON G. HIPPIE, 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, COMER 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 the

Respondents.

**MOTION FOR LEAVE TO FILE
RETURN OUT-OF-TIME
And
RETURN TO MOTIONS FOR APPELLATE COSTS**

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*Attorneys for the Appellants,
Charleston Development Company, LLC;
Charleston Housing Company, LLC; and
NotSo Hostel, LLC*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Appellants, Charleston Development Company, LLC, Charleston Housing Company, LLC and NotSo Hostel, LLC (the “Appellants”), pursuant to Rule 240(e) of the South Carolina Appellate Court Rules, and hereby respectfully requests this Court of Appeals to permit the Appellants to file this joint **Return to Motion for Appellate Costs** in the above-captioned appeal. This motion is based upon good cause.

STATEMENT OF THE FACTS AND CASE

On 15 January 2023, the Appellants’ attorney - Sean K. Trundy, Esquire (“Attorney Trundy”) passed away unexpectedly.¹ In response to this tragic situation, the South Carolina Supreme Court appointed Peyre T. Lumpkin, Esquire (“Attorney Lumpkin”) to assume responsibility for Attorney Trundy’s client files, trust account(s), escrow account(s), operating account(s), and any other law office account(s) which Attorney Trundy maintained as of his death.² Attorney Trundy had handles this matter in both this Court of Appeals and in the South Carolina Supreme Court with the latter denying the Appellants’ *Petition for Writ of Certiorari* by order dated 7 March 2023.³

¹ Holt Affidavit, para. 6. See Affidavit of Robert “Bob” Holt sworn to on 7 April 2023 (the “Holt Affidavit”). A copy of the Holt Affidavit is attached hereto as **Exhibit “A”** and incorporated herein by reference as are all similar attachments.

² *Id.*

³ *Id.*, at para. 7.

Due to Attorney Trundy’s death, the Appellants were not made aware of the South Carolina Supreme Court’s denial of the *Petition for Writ of Certiorari* until on or about 27 March 2023, when the Appellants’ general counsel – Erika V. Harrison, Esquire (“Attorney Harrison”)⁴ – received word from Attorney Lumpkin and, in turn, advised the Appellants of the Supreme Court’s order.⁵ In addition, Attorney Harrison also advised the Appellants that they should be prepared to possibly receive one or more *Motions for Appellate Costs* from some of the successful respondents as would be permitted by Rule 222 of the *South Carolina Appellate Court Rules*.⁶

The Appellants did not know that any appellate costs motions had been filed with this Court of Appeals until 30 March 2023, when the Appellants’ owner – Robert “Bob” Holt (“Mr. Holt”) - received copies of two such motions – one filed by Gregory K. Voight, Esquire (“Attorney Voight” and the other by David B. Marvel, Esquire (“Attorney Marvel”), just before Mr. Holt was to leave for an out-of-state trip.⁷ Upon consultation with the undersigned as possible substitute appellate counsel, Mr. Holt was advised to review the South Carolina Judicial Department’s C-Track Public Access system and, in doing so, discovered that other appellate costs motions had been filed by Daniel C. Boles, Esquire (“Attorney Boles”) (one motion on 20 March 2023) Nancy Bloodgood,

4 Attorney Harrison never was involved in the litigation proceedings nor did she appear as counsel for the Appellants in either the Charleston County Court of Common Pleas, this Court of Appeals, or in the South Carolina Supreme Court. Holt Affidavit, para. 10. Attorney Trundy was the only legal counsel involved. *Id.*, at para. 7.

5 *Id.*, at para. 8.

6 *Id.*, at para. 9.

7 *Id.*, at para. 11.

Esquire (“Attorney Bloodgood”) (two separate motions on 22 March 2023, and 23 March 2023 respectively), and Christopher L. Murphy, Esquire (“Attorney Murphy”) (20 separate motions on 22 March 2023).⁸

The C-Track Public Access system shows the following *Motions for Appellate Costs* have been filed with this Court of Appeals seeking attorney’s fees as noted:

- A. Attorney Boles’ motion sought **\$500.00** and the Proof of Service shows it was served via the U.S. Mail only on Attorney Trundy.⁹
- B. Attorney Voight’s motion sought **\$12,500.00** and the Proof of Service shows that it was served via the U.S. Mail on the Appellants’ registered, as well as upon Attorney Lumpkin.¹⁰
- C. Attorney Marvel’s motion sought **\$10,000.00¹¹** and the Proof of Service shows that it was served via the U.S. Mail on the Appellants’ registered agent, as well as upon Attorney Lumpkin.¹²
- D. Attorney Bloodgood’s motions sought **\$500.00** and **\$882.72** respectively and the Proof of Service shows that they were served via the U.S. Mail on Attorney Lumpkin, as well as a number of other individuals, but not upon the Appellants’ registered agent.¹³

⁸ *Id.*, at paras. 12-13.

⁹ *Id.*, at para. 14.

¹⁰ *Id.*, at para. 15. Attorney Voight’s motion seeks attorney’s fees of \$2,500.00 each for Respondents, Matthew F. Jones, Robert C. Jones, Daniel Ryan, Kimberly Bowlin, 259 East Bay Street LLC, and 259 10B East Bay Street LLC. Based upon the \$10,500.00 requested amount two of these listed respondents must only claim one \$2,500.00 amount.

¹¹ *Id.*, at para. 16. Attorney Marvel’s motion seeks attorney’s fees of \$2,500.00 each for Respondents Matthew Asher, Anne Marie Crevar, Stephen Darwak, and Ann Wohfeil.

¹² This Court of Appeals has issued a deficiency letter to Attorney Marvel on 24 March 2023, indicating that this Court of Appeals would decline to consider his appellate costs motion if he did not submit the required sworn, itemized statement of costs as required by Rule 222(d), SCACR, within 10 days of the date of the letter. *Id.*, at para. 19. As of the date hereof, 7 April 2023, the C-Track Public Access system does not show that Attorney Marvel has filed the sworn, itemized statement of costs as directed. *Id.*, para. 20.

¹³ *Id.*, at para. 17. Attorney Bloodgood noted in her letter to this Court of Appeals that one of her motions “represent[ed] the amount one of [her] clients contributed towards the

- E. Attorney Murphy's 20 motions sought **\$1,500.00** per motion (totaling **\$30,000.00**)¹⁴ and the Proof of Service shows that it was served via e-mail upon Attorney Trundy and assorted other individuals, but was not served upon the Appellants' registered agent.¹⁵

ARGUMENT AND CITATION OF AUTHORITY

It is undisputed that Rule 222(b), SCACR, allow for a successful party to seek incurred appellate costs, as well as attorney's fees of \$2,500.00, assuming the requested amount are properly and timely submitted to and ultimately approved by this Court of Appeals. Nevertheless, appellate costs are not intended to be a punitive measure assessed to further punish the losing party and/or parties. Moreover, since the taxation of appellate costs and attorney's fees is discretionary with the appellate court, even though a party succeeds on appeal that mere fact is not justification for some alleged mandatory costs and attorney's fees assessment. The assessment is a matter of fairness and equity in light of all of the facts and circumstances of the appeal.

Only Attorney Bloodgood's motion (and accompanying correspondence) contain some explanation of the costs she has sought for her clients and for herself. Attorney Murphy's motions fail to designate the represented respondents and offer no

appeal which they would like reimbursed" and the other one addresses "attorney[s] fees [she] incurred which remain unpaid." See Letter from Nancy Bloodgood, Esquire to The Hon. Jenny Abbott Kitchings, Clerk of the South Carolina Court of Appeals dated 22 March 2023, p.1.

14 Attorney Murphy has not designated the identities of the 20 respondents for which he seeks \$1,500.00 each from the Appellants.

15 *Id.*, at para. 18. He same deficiency letter also went to Attorney Murphy stating his motion would not be considered if he did not submit the required sworn, itemized statement of costs as required by Rule 222(d), SCACR, within 10 days of the date of the letter. *Id.*, at para. 19. As of the date hereof, 7 April 2023, the C-Track Public Access system does not show that Attorney Murphy has filed the sworn, itemized statement of costs as directed. *Id.*, para. 20.

explanation of how his unidentified clients incurred *appellate* attorney's fees of \$1,500.00 per respondent. Attorney Voight's motion, while identifying his clients, also fails to offer any explanation of how his unidentified clients incurred *appellate* attorney's fees of \$2,500.00 per respondent. Attorney Marvel's motion, while again identifying his clients, also failed to provide any explanation of how his unidentified clients incurred *appellate* attorney's fees of \$1,500.00 per respondent. Finally, Attorney Boles' motion, also identified his client, but failed to provide any explanation of how his unidentified clients incurred *appellate* attorney's fees of \$500.00.

As a practical matter, it appears that many, if not all, of the various respondents may have each contributed \$500.00 to the collective defense of this litigation at the trial level and during the appellate process. The Respondents' collective appellate *Respondents Brief, Return to Petition for Rehearing, and Return to Petition for Writ of Certiorari* were all authored by Attorney Bloodgood, albeit on a collective basis for all of the Respondents. Even though the documents initially indicate the "participation" of other counsel, Attorney Bloodgood was the lone signatory.

None of the attorneys seeking costs herein, other than Attorney Bloodgood, have set forth a justification, reasonable or otherwise, as to how they individually incurred the requested appellate attorney's fees, whether it be \$500.00, \$1,500.00, or \$2,500.00. Furthermore, there is no explanation to justify the asserted multiplication of the requested amount of attorney's fees, again whether it is \$500.00, \$1,500.00, or \$2,500.00, for each respondent which the particular attorney represented. There is nothing in Rule 222, SCACR, which states or, for that matter, even reasonably implies,

that an attorney who represents multiple successful Respondents or Appellants is entitled to \$2,500 (or the requested amount) per party. The attorney's fees amount was set at \$2,500.00, not some multiple of that amount.

CONCLUSION

The Appellants, Charleston Development Company, LLC, Charleston Housing Company, LLC and NotSo Hostel, LLC, respectfully request this Court of Appeals to deny the various *Motions for Appellate Costs* filed in this matter. In the alternative, the Appellants respectfully requests that any assessment be significantly reduced from the amounts sought by the various Respondents' counsel. Reasonable justification for appellate attorney's fees have not been provided and such claims should be denied or extensively limited.

Respectfully submitted:

BUTLER SNOW LLP

By: *Stephen P. Groves, Sr.*

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*Attorneys for the Appellants,
Charleston Development Company, LLC;
Charleston Housing Company, LLC; and
NotSo Hostel, LLC*

Charleston, South Carolina

7 April 2023

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CHARLESTON HOUSING COMPANY, LLC and NOTSO
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Appellants,

v.

YOUNESSE ALAMI, *ET AL.*,

Defendants,

Of Whom YOUNESSE ALAMI, *ET AL.*, are the

Respondents.

AFFIDAVIT OF ROBERT HOLT

7. Attorney Trundy had been handling this appellate matter in both this Court of Appeals and in the South Carolina Supreme Court, the last matter being a *Petition for Writ of Certiorari* filed on 30 August 2021, and which was denied by order dated 7 March 2023.

8. I was not aware of the decision of the South Carolina Supreme Court to deny the Appellants' *Petition for Writ of Certiorari* until on or about 27 March 2023, when the general counsel for the Appellants – Erika V. Harrison, Esquire (“Attorney Harrison”)- advised me of the order.

9. Attorney Harrison also advised me on or about 27 March 2023, that some of the various respondents may file *Motions for Appellate Costs* as permitted by Rule 222 of the *South Carolina Appellate Court Rules*.

10. Attorney Harrison was never involved and/or otherwise appeared as counsel for the Appellants either in the appellate matter or during the trial proceedings in the Charleston County Court of Common Pleas.

11. I was also unaware that any appellate costs motions had been filed with this Court of Appeals until on Thursday, 30 March 2023, I received copies of two such motions – one filed by Gregory K. Voight, Esquire (“Attorney Voight” and the other by David B. Marvel, Esquire (“Attorney Marvel”), just before I was to leave for an out-of-state trip.

12. I have never received copies of any other appellate costs motions, although, from speaking with my new appellate counsel – Stephen P. Groves, Sr., Esquire (“Attorney Groves”) – I checked the C-Track Public Access website to see if anything else had been filed.

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13. After checking the C-Track Public Access system I discovered that other appellate costs motions had been filed by Daniel C. Boles, Esquire (“Attorney Boles”) (one motion on 20 March 2023) Nancy Bloodgood, Esquire (“Attorney Bloodgood”) (two separate motions on 22 March 2023, and 23 March 2023), and Christopher L. Murphy, Esquire (“Attorney Murphy”) (20 separate motions on 22 March 2023).

14. Attorney Boles’ motion seeks \$500.00 and the Proof of Service shows it was served via the U.S. Mail only on Attorney Trundy.

15. Attorney Voight’s motion seeks \$12,500.00 and the Proof of Service shows that it was served via the U.S. Mail on me as the registered agent for the Appellants, as well as upon Attorney Lumpkin.

16. Attorney Marvel’s motion seeks \$10,500.00 and the Proof of Service shows that it was served via the U.S. Mail on me as the registered agent for the Appellants, as well as upon Attorney Lumpkin.

17. Attorney Bloodgood’s motions seek \$500.00 and \$882.72 and the Proof of Service shows that it was served via the U.S. Mail on Attorney Lumpkin, as well as a number of other individuals, but not upon me as the Appellants’ registered agent.

18. Attorney Murphy’s 20 or so motions seeks \$1,500.00 per motion and the Proof of Service shows that it was served via e-mail upon Attorney Trundy and assorted other individuals, but was not served upon me as the Appellants’ registered agent.

19. On 24 March 2023, this Court of Appeals has issued deficiency letters to Attorney Marvel and Attorney Murphy indicating that the Court of Appeals will decline to consider their respective appellate costs motions if they did not submit the required sworn, itemized statement of costs as required by Rule 222(d), SCACR, within 10 days.

20. As of the date of this affidavit, 7 April 2023, the C-Track Public Access system does not show that either Attorney Marvel or Attorney Murphy have done as directed.

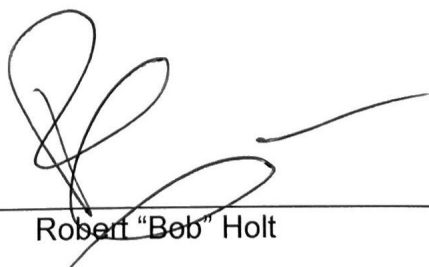
21. I believe that I have been diligently to retain substitute appellate counsel once I discovered that certiorari had been denied and once I was served with only two of the appellate costs motions.

22. As the Appellants' owner, I understand the utility of an award of appellate costs, which include attorney's fees, but I do not believe the intent of the appellate costs award provisions is to punish, with impunity, an appellate who in good faith seeks a judicial determination of a dispute, but ultimately is unsuccessful in that pursuit.

23. This action was filed in good faith in the Charleston County Court of Common Pleas, this Court of Appeals, and in the South Carolina Supreme Court.

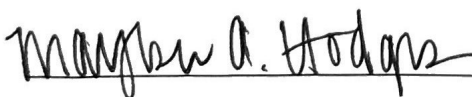
24. The Appellants believed they had a sustainable legal position at the time of the filing and continue to hold that position at the present time.

FURTHER AFFIANT SAYETH NOT.



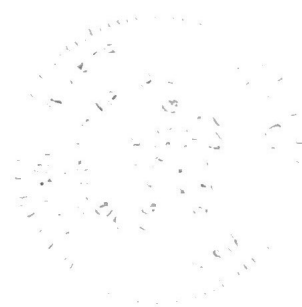
Robert "Bob" Holt

Sworn before me this 7th day of April 2023



Notary Public for the State of South Carolina

My Commission Expires: 09/09/2024



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WOHLFEIL, BRYAN YOUNG, AJB TRUST, ANTHONY & JACQUELINE BRADLEY, TRUSTEES; HARTSHORN FAMILY TRUST, HELENE KENNY, BRIDGET DENNY REVOCABLE TRUST, WILHELMINA M. WIETERS LIFE ESTATE CHILDREN'S TRUST, 33 BOGARD STREET, LLC; 249 CUMMING, LLC; 253 COMING STREET, LLC; 259 EAST BAY, LLC; 259 EAST BAY 10B, LLC; 272 D COMING ST. LLC, CAFE INTERNATIONAL, INC.; COMER 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,

Defendants,

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 RAISOR, JOSEPHINE REX, LAURA HYATT, NATHAN HERRING, JAMES HICKS, JR.; LAURIE HICKS, PRESTON G. HIPPI, 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, COMER 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 the

Respondents.

**PROOF OF SERVICE
For The
MOTION FOR LEAVE TO FILE
RETURN OUT-OF-TIME
And
RETURN TO MOTIONS FOR APPELLATE COSTS**

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*Attorneys for the Appellants,
Charleston Development Company, LLC;
Charleston Housing Company, LLC; and
NotSo Hostel, LLC*

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 7 April 2023, I electronically served a copy of the **Motion for Leave to File Return Out-of-Time and Return to Motions for Appellate Costs** submitted by the Appellants, Charleston Development Company, LLC; Charleston Housing Company, LLC; and NotSo Hostel, LLC, on counsel for the Respondents via e-mails at the addresses indicated as follows:

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By: ***Stephen P. Groves, Sr.*** _____

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Charleston, South Carolina

7 April 2023
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