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Apr 12 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Mikell R. Scarborough, Master-In-Equity
Ninth Judicial Circuit

Court of Common Pleas Case No. 2016-CP-10-1560
Appellate Case No. 2017-002546
Opinion No. 2021-UP-280 (Filed July 21, 2021)

CARPENTER BRASELTON, LLCAppellant,

vs.

ASHLEY ROBERTS, JEREMY COOK, and
SALAHEDDINE EZZAUDI, Respondents.

RESPONDENTS’ MOTION TO TAX COSTS

Pursuant to Rule 222(a), SCACR, Respondents Ashley Roberts, Jeremy Cook, and Salaheddine Ezzaoudi (“Respondents”), by and through their undersigned counsel, respectfully move this Court to tax costs against the Appellant.

This motion is based on the following:

On December 12, 2017, the Appellant, Carpenter Braselton, LLC appealed the Order of The Honorable Mikell R. Scarborough, Charleston County Master-In-Equity, filed on November 14, 2017. This Court affirmed on July 21, 2021. On August 3, 2021, the Appellant filed a Petition for Rehearing *En Banc*. The Respondents filed their Return to the Petition for Rehearing on August 23, 2021, and Appellant filed its Reply to Respondents’ Return on August 27, 2021. On

October 27, 2021, this Court entered an Order Denying Appellant's Petition for Rehearing. On November 24, 2021, Appellant filed a Petition for a Writ of Certiorari with the South Carolina Supreme Court. Respondents filed their Return to the Petition on December 23, 2021, and Appellant filed its Reply to Respondents' Return on December 30, 2021. On March 30, 2023, the South Carolina Supreme Court entered an Order Denying Appellant's Petition for a Writ of Certiorari. Thereafter, this Court served the Remittitur the same day.

Respondents are the prevailing parties, and they are entitled to tax costs against Appellant in accordance with the rules of this Court. Pursuant to Rule 222(d), SCACR, accompanying this motion is a sworn itemized statement of costs incurred in the form prescribed by the appendix to the South Carolina Appellate Court Rules.

Respectfully submitted,

CALLISON TIGHE & ROBINSON, LLC

s/ Demetri K. Koutrakos
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Harry A. Dixon, SC Bar #103509
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Attorneys for Respondents

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PROOF OF SERVICE

I hereby certify that, on this date, the Respondents' Motion to Tax Costs was served on Appellant's counsel via AIS email, pursuant to Order No. 2022-05-06-02 issued by the Supreme Court of South Carolina, as follows:

Daniel F. Blanchard, III, Esquire
Rosen Hagood, LLC
151 Meeting Street, Suite #400
Charleston, SC 29501
Email: dblanchard@rosenhagood.com
(Attorney for Appellant)

I further certify that all parties required by Rule to be served have been served.

s/ Demetri K. Koutrakos
Demetri K. Koutrakos

April 12, 2023

Demetri "Jim" K. Koutrakos - Member
803-404-6900
JimKoutrakos@callisontighe.com

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VIA EMAIL: ctappfilings@sccourts.org
The Honorable Jenny Abbott Kitchings
Clerk of Court
S. C. Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: Carpenter Braselton, LLC vs. Ashley Roberts, et al.
Appellate Case No. 2017-002546

Dear Ms. Kitchings:

Please be advised that I represent the Respondents in the above-referenced matter. Enclosed herewith please find Respondents' Motion to Tax Costs, together with the Form 17-Itemized Statement of Costs and Proof of Service. Kindly file the same and return a clocked-in copy via return email. This firm's check in the amount of \$50 in payment of the required fee is being hand delivered to your office.

Please feel free to contact me with any questions.

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC

s/ Demetri "Jim" K. Koutrakos

Demetri "Jim" K. Koutrakos

DKK:ksr

cc: Daniel F. Blanchard, III, Esquire (via email)
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