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Jun 06 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 BENJAMIN H. CULBERTSON
CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2018-001265
CIVIL ACTION NO. 2017-CP-26-07775

Kelaher, Connell & Conner, P.C.,

APPELLANT,

versus

South Carolina Workers' Compensation Commission,

RESPONDENT,

**MOTION FOR COSTS OF RESPONDENT
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION**

The Respondent South Carolina Workers' Compensation Commission moves to be awarded costs against the Appellant Kelaher, Connell & Conner, P.C. in the above-referenced appeal under Rule 222, SCACR. The Respondent's Motion is based on this Court's affirmance of the judgment on appeal by Opinion No. 5860 filed September 8, 2021. The Remittitur was issued on May 22, 2023.

The Respondent incurred \$2,632.36 in taxable attorney's fees and costs in this matter. A sworn, itemized statement of these costs is attached. Accordingly, the Respondent respectfully requests that the Court award it \$2,632.36 in fees and costs pursuant to Rule 222, SCACR

Respectfully submitted,

s/ Carmen V. Ganjehsani

Carmen V. Ganjehsani, S.C. Bar No. 73515
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J. Keith Roberts, S.C. Bar No. 100735
SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION
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**ATTORNEYS FOR RESPONDENT
SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION**

June 6, 2023.

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CERTIFICATE OF SERVICE

I, the undersigned, attorney for the Respondent South Carolina Workers' Compensation Commission, do hereby certify that I have this date served the foregoing Motion for Costs, dated June 6, 2023, by personally serving the same pursuant to Section (d)(1) of the Supreme Court's Order dated May 6, 2022, on the following counsel of record using the primary email addresses listed in the Attorney Information System (if applicable):

Gene M. Connell, Jr.
KELAHER, CONNELL & CONNOR, P.C.
Post Office Drawer 14547
Surfside Beach, SC 29587-4547
gconnell@classactlaw.net
Attorney for Appellant

A copy of the sent email is enclosed with this Certificate of Service.

s/ Carmen V. Ganjehsani
Carmen V. Ganjehsani (S.C. Bar No. 73515)
RICHARDSON, PLOWDEN & ROBINSON, PA
Post Office Drawer 7788
Columbia, South Carolina 29202
**Attorneys for the Respondent
South Carolina Workers' Compensation
Commission**


Dated: June 6, 2023.

Carmen Ganjehsani

From: Carmen Ganjehsani
Sent: Tuesday, June 6, 2023 11:29 AM
To: 'gconnell@classactlaw.net'
Cc: 'Roberts, Keith'
Subject: 2018-001265 Kelaher, Connell & Conner v. SCWCC
Attachments: 2018-001265 Kelaher v. SCWCC Mtn for Costs (2929028).pdf

Pursuant to the Supreme Court's Order dated May 6, 2022, please find served upon you the Motion for Costs on behalf of the Respondent South Carolina Workers' Compensation Commission.

Thank you,
Carmen Ganjehsani

HOME	VCARD	LOCATION
	<p>Carmen V. Ganjehsani Shareholder Cganjehsani@RichardsonPlowden.com</p>	<p>Richardson Plowden & Robinson, P.A. 1900 Barnwell Street Columbia, SC 29201 Tel: 803.253.8692 Fax: 803.779.0016 www.RichardsonPlowden.com</p>

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June 6, 2023

Via hand delivery and e-mail (ctappfilings@sccourts.org)

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

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SC Court of Appeals

Re: *Kelاهر, Connell & Conner, P.C. v.*
South Carolina Workers' Compensation Commission
Appellate Case No. 2018-001265
RPR File No.: 008959-002

Dear Ms. Kitchings:

Enclosed for filing is the Motion for Costs on behalf of the Respondent South Carolina Workers' Compensation Commission in the above-referenced case, along with our Certificate of Service. We are also filing this Motion electronically with the Court of Appeals via e-mail at ctappfilings@sccourts.org pursuant to Section (b)(2) of the Supreme Court's May 6, 2022 Order.

Also enclosed is our firm's check in the amount of \$50.00 for the filing fee in this matter.

We have served this Motion for Costs on counsel for the Appellant upon their primary email address listed in the Attorney Information System.

Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

/s Carmen V. Ganjehsani

Carmen V. Ganjehsani

Encs.

cc: Gene M. Connell, Jr. (via e-mail)
J. Keith Roberts (via e-mail)