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Jun 28 2023
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Justice Jean Toal, Circuit Court Judge

Case No. 2023-000232

Rhonda Meisner,

Appellant,

v.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, P.A.; Tricia L. Flowers; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, P.A.; John Doe (1-10);

Respondents.

MOTION FOR COSTS AND ATTORNEY'S FEES

Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. move the Court, pursuant to Rule 222(a) of the South Carolina Appellate Court Rules, for an order taxing costs and attorney's fees against Appellant Rhonda Meisner. This motion is made upon the following grounds:

1. Appellant filed Notice of Appeal on February 15, 2023.
2. On March 8, 2023, Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. filed a Motion to Dismiss Appellant's Appeal and paid a filing fee of \$50.00 to file that motion.

3. By order filed on June 6, 2023, Appellant's appeal was dismissed because it was not timely filed.
4. The Court issued the remittitur on June 23, 2023.
5. Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting are entitled to recover costs and attorney's fees pursuant to Rule 222(b) of the South Carolina Appellate Court Rules.

This motion is based upon the filings with this Court, the applicable common and statutory law, and the itemized statement of costs filed herewith.

s/Stephanie H. Burton
Stephanie H. Burton (#13089)
GIBBES BURTON, LLC
308 East Saint John Street
Spartanburg, SC 29302
sburton@gibbesburton.com
Telephone: (864) 327-5000
Facsimile: (864) 342-6884

*Attorneys for Respondents Richard G. Whiting and
Law Offices of Richard G. Whiting, P.A.*

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Respondents.

PROOF OF SERVICE

The undersigned, Stephanie H. Burton certifies that she is a member of Gibbes Burton, LLC and on the 28th day of June 2023, she served copies of the following:

1. Motion for Costs and Attorney's Fees of Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A.; and
2. Itemized Statement of Costs.

by email and by depositing in the United States mail, with due and proper postage affixed thereto, copies of the same addressed to:

By U.S. Mail & Email:

Ms. Rhonda Meisner
P.O. Box 689
Blythewood, SC 29016
scorequipment@gmail.com

By Email:

Mr. James Edward Bradley
Moore Bradley Meyers Law Firm, P.A.
P.O. Box 5709
West Columbia, SC 29171
ward@mbmlawsc.com

Mr. James E. Parham, Jr.
James E. Parham, Jr., P.A.
P.O. Box 1576
Irmo, SC 29063
jparham@jparhamlaw.com

Ms. Shanon N. Peake
Smith Robinson Holler DuBose and Morgan, LLC
2530 Devine Street
Columbia, SC 29205
shanonp@smithrobinsonlaw.com

s/Stephanie H. Burton
Stephanie H. Burton

Stephanie H. Burton
sburton@gibbesburton.com



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By E-Mail and U.S. Mail

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

Re: Rhonda Meisner v. Grant Meisner, Grant Meisner, MD, LLC, et al.
Appellate Case No. 2023-000232
C.A. No.: 2022-CP-40-01415

Dear Ms. Kitchings:

We are enclosing for filing the following:

1. Motion for Costs and Attorney's Fees of Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A.;
2. Itemized Statement of Costs; and
3. Proof of Service.

Also enclosed is a check in the amount of \$50.00 for the motion filing fee.

With kind regards,

Yours very truly,

GIBBES BURTON, LLC

Stephanie H. Burton

SHB/bre

Enclosures

cc: Ms. Rhonda Meisner (w/enclosures)(by email and U.S. Mail)
Mr. James E. Parham, Jr. (w/enclosures)(by email)
Mr. James Edward Bradley (w/enclosures)(by email)
Ms. Shanon N. Peake (w/enclosures)(by email)