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Jul 06 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

Respondent Erwin Mangubat, MD ("Dr. Manugbat"), by and through his undersigned counsel, respectfully requests this 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 a Notice of Appeal on February 15, 2023.
2. On March 22, 2023, Respondent Dr. Mangubat a Motion to Dismiss Appellant's Appeal and paid a filing fee of \$50.00.

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. Respondent Dr. Mangubat is 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 law, and the itemized statement of costs filed herewith.

s/ Shanon N. Peake

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Attorneys for Ewin Mangubat, MD

July 6, 2023

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PROOF OF SERVICE

The undersigned, Shanon N. Peake, certifies that she is a member of Smith Robinson Holler DuBose and Morgan, LLC and on the 6 day of July 2023, she served copies of the following:

1. Motion for Costs and Attorney's Fees of Respondent Erwin Mangubat, MD; 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
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s/ Shanon N. Peake

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