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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
CIRCUIT COURT
Justice Jean Toal, retired, Circuit Court Judge

Appellate Case # 2023-000232

Rhonda Meisner,

Appellant

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, PA;
Tricia L. Flowers; Flowers Consulting, LLC;
Flowers Consulting, LLC; Richard G. Whiting, Esquire;
Law Offices of Richard G. Whiting, PA;
John Doe, (1-10) a fictional name assigned to identify parties
that are not yet known or not yet determined.

,

Respondent(s)

RETURN TO MOTION FOR ATTORNEY'S FEES BY RICHARD WHITING AND THE
LAW OFFICES OF RICHARD WHITING

The Appellant respectfully requests this Honorable Court to deny the attorney's fees sought after the dismissal of the appeal or limit the fees as no briefs have been filed in this matter.

The Respondents are only entitled for *reimbursement* of fees actually paid and not for "contemplated" fees allowed by statute for the appeal such as when lawyers assist other lawyers that are not billed for the services directly.

The form for requested costs does not contain an itemized list of payments actually paid by Richard Whiting and the Law Offices of Richard Whiting, rather, it simply attaches the form

without the supporting attorney's fee bills. The Appellant urges the Court to deny the fees until the actual billing statements are attached to the document evidencing the payment.

The appellant urges the Court to deny attorney's fees as not properly supported by an affidavit of attorney's fees and costs, attached to the summary form provided by the Courts. In the alternative, if the Court deems the summary page sufficient, the Appellant urges the Court to reduce the amount awarded as no briefs were submitted.

The Appellant is forced to continue to deal with the "bad acts" perpetrated by the Respondents despite the appeal, the appellant requests this Honorable Court to deny relief in the form of attorney's fees and costs.

For the above reasons, the appellant requests this Honorable Court to deny all such requests for costs including attorney's fees or provide minimal relief.

Respectfully,

s/Rhonda Meisner

Rhonda Meisner
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Respondent(s)

PROOF OF SERVICE RETURN TO MOTION FOR ATTORNEY'S FEES BY RICHARD
WHITING AND THE LAW OFFICES OF RICHARD WHITING

The appellant certifies she has served a copy of her return to Motion for costs by Respondents Richard Whiting and the Law offices of Richard Whiting by placing a copy in the United States mail postage pre-paid to the following:

1. Stephanie Burton 308 E. Saint John Street Spartanburg, SC 29302.
2. James Edward Bradley at 1700 Sunset Blvd West Columbia SC 29169
3. James E. Parham, Jr, P.A. Post Office Box 1576 Irmo, SC 29063.
4. Shanon Peake and GMurrell Smith 2530 Devine Street Columbia SC 29205
5. Michael C Tanner PO Box 1061 Bamberg SC 29003.

Respectfully,
s/Rhonda Meisner
Rhonda Meisner
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