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**Sep 26 2023**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

The Honorable Deadra L. Jefferson, Circuit Court Judge

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Case No.: 2018-CP-08-00817  
Appellate Case No.: 2019-001140

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Ronald L. Jones and Gayle Langley Jones, Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust, Dated April 3, 2007, and Thomas W. Cone, Jr., as Trustee of The Thomas W. Cone, Jr. Revocable Trust, Dated April 3, 2007, Respondents,

v.

Rogers Townsend & Thomas, P.C.; Lisa Hostetler; Alexander C. Peabody; and Peabody & Associates, Inc., Defendants,

Of Which Rogers Townsend & Thomas, P.C. and Lisa Hostetler are Appellants.

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RESPONDENTS' MOTION FOR COSTS

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ARGUMENTS AND AUTHORITIES

Pursuant to SCACR Rules 222 (a) and (b) and Rule 242 (j), Respondent Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust, Dated April 3, 2007, and Thomas W. Cone, Jr., as Trustee of The Thomas W. Cone, Jr. Revocable Trust, Dated April 3, 2007, hereby requests that the Court tax costs against Appellant as set forth in the accompanying sworn statement.

As set forth in Rule 222 (a) "Unless otherwise ordered by the Appellate Court or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or judgment on

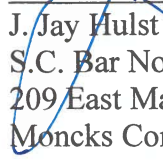
appeal is affirmed.” The judgment of the trial court in favor of Respondent was affirmed, and there is no order that costs not otherwise authorized be awarded.

Further, as set forth in Rule 242 (j)(1) “Unless otherwise ordered by the Supreme Court or agreed to by the parties, costs shall be assessed against the appellant if the decision of the Supreme Court has the effect of affirming the judgment of the lower court or tribunal which was reviewed by the Court of Appeals.” The judgment of the trial court and the Court of Appeals in favor of Respondents was affirmed, and there is no order that costs not otherwise authorized be awarded.

#### CONCLUSION

Based on the foregoing, Respondent Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust, Dated April 3, 2007, and Thomas W. Cone, Jr., as Trustee of The Thomas W. Cone, Jr. Revocable Trust, Dated April 3, 2007, respectfully request that the Court award costs as set forth in the sworn statement of J. Jay Hulst.

WILLIAMS & HULST, LLC



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J. Jay Hulst  
S.C. Bar No. 71667  
209 East Main Street  
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Attorneys for Respondents Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust Dated April 3, 2007, and Thomas W. Cone, Jr., as Trustee of The Thomas W. Cone, Jr. Revocable Trust Dated April 3, 2007

Dated: September 26, 2023

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v.

Rogers Townsend & Thomas, P.C.; Lisa Hostetler; Alexander C. Peabody; and Peabody & Associates, Inc., Defendants,

Of Which Rogers Townsend & Thomas, P.C. and Lisa Hostetler are Appellants.

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PROOF OF SERVICE

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I, J. Jay Hulst, an attorney with the law offices of Williams & Hulst, LLC, do hereby certify, pursuant to Rule 262(c) and Order of the Supreme Court dated May 6, 2022, that on the 26th day of September, 2023, I served Respondents' Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust, Dated April 3, 2007, and Thomas W. Cone, Jr., as Trustee of The Thomas W. Cone, Jr. Revocable Trust, Dated April 3, 2007 **Motion for Costs and Sworn Statement in Support of Motion for Costs** upon all counsel of record by electronic mail from my primary account to their currently listed AIS email address and USPS regular mail as follows:

Chelsea J. Clark (S.C. Bar No. 102211)  
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September 26, 2023  
Moncks Corner, SC

*s/ J. Jay Hulst* \_\_\_\_\_  
J. Jay Hulst (S.C. Bar No. 71667)

**From:** [Jary J Hulst](#)  
**To:** [Chelsea Clark](#); [Warren Powell](#); [robert@maringmoyer.com](mailto:robert@maringmoyer.com)  
**Cc:** [Bailey Kangas](#); [Jary J Hulst](#)  
**Subject:** Ronald L. Jones v. Rogers Townsend & Thomas, P.C., 2019-001140  
**Date:** Tuesday, September 26, 2023 4:25:43 PM  
**Attachments:** [Respondents' Motion for Costs 9.26.2023.pdf](#)  
[Sworn Statement in Support of Motion for Costs 9.26.2023.pdf](#)

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Dear Counsel:

Attached is Respondents' Motion for Costs and Sworn Statement in Support of Motion for Costs. It is being filed today.

J. Jay Hulst  
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