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SC Court of Appeals

ELECTRONICALLY FILED - 2023 Jan 03 10:39 AM - NEWBERRY - COMMON PLEAS - CASE#2020CP3600382

STATE OF SOUTH CAROLINA COUNTY OF NEWBERRY	IN THE COURT OF COMMON PLEAS EIGHTH JUDICIAL CIRCUIT
Jefferson Davis, Jr. Plaintiff, vs. Chad Connelly, Dave Wilson, Steven Kirkland, Tom Persons, Neil Mellen, E3 Software, LLC, Endurance International Group Holdings, Inc., John Doe #1, John Doe #2, & John Does 3-40, Defendants.	Case Number: 2020-CP-36-00382 ORDER GRANTING DEFENDANT'S MOTION FOR SANCTIONS AGAINT PLAINTIFF

This Court issued an Order on September 19, 2022 granting Defendants' (Connelly, Wilson, Persons, Mellen) Motion for Sanctions against the Plaintiff.[1] The Findings and Rulings in that Order are incorporated herein by reference. The following lawyers have requested fees and costs, by way of Affidavits[2], as follows:

Justin Novak: $43,547.43
Scott Elliott: $3,962.50
Geoffrey Chambers: $19,608.48

It appears that the above fees and costs represent each lawyer's total time and cost spent on the case. While the Court is convinced that each lawyer has earned their requested total fees, the Court does not believe SCRCP 37 authorizes a total award of fees accrued by an attorney's involvement in the case, but rather a specific award for discovery abuses. Consequently, the Court is going to award a 15% sanction against the Plaintiff for each attorney as follows:

Justin Novak: $6,532.00
Scott Elliott: $594.00
Geoffrey Chambers: $2,941

The Plaintiff shall pay the above within 90 days of the date of this Order to each attorney.

SO ORDERED.

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[1]The Court in this Order reserved the right to decrease or nullify any fee request.
[2] Plaintiff offered no opposition to the Motion or the subsequent submission of Fee Affidavits.

#1 DBA

DONALD B. HOCKER
CIRCUIT COURT JUDGE

Laurens, South Carolina

Date: 12-28-22

#2

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