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**Oct 17 2023**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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Appeal from Dorchester County  
Court of Common Pleas

James E. Chellis, Master-in-Equity

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Case No. 2016-CP-18-01812  
Appellate Case No. 2020-001029

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David Hannemann,  
as President of the Live  
Oak Village Homeowner's  
Association, Inc.,

Respondent,

v.

William McFarland,

Appellant.

---

**APPELLANT'S MOTION FOR COSTS**

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CLEMENT RIVERS, LLP  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 720-5488

*Attorney for Appellant*

NOW COMES Appellant, William McFarland, by and through his undersigned counsel, pursuant to Rule 222, SCACR, and hereby moves this Honorable Court to tax the following costs on appeal against Respondent, David Hannemann:

<u>Costs taxable under Rule 222</u>	<u>No. of Pages</u>	<u>Rate</u>	<u>Requested</u>	<u>Allowed (For Court Use Only)</u>
Filing fee paid under Rule 203(d)	N/A	\$250.00 <sup>1</sup>	\$250.00	
Cost of court reporter's transcript	226 <sup>2</sup>	\$1,110.25 <sup>3</sup>	\$1,110.25	
Cost of printing or copying the Record on Appeal (excluding covers)	5,040 <sup>4</sup>	\$0.11	\$554.40	
Cost of covers of the Record on Appeal	24 <sup>5</sup>	\$1.00	\$24.00	

<sup>1</sup> By Supreme Court order dated October 9, 2018, this filing fee was set at two hundred fifty (\$250.00) dollars for a notice of appeal filed on or after October 15, 2018. Rule 203(d)(B)(iii), SCACR, n.1.

<sup>2</sup> Including the word index, the transcript of the hearing before the Master-in-Equity is 226 pages, but the costs requested for this line item are not on a cost-per-page basis, but rather the amount of the court reporter's invoice, a copy of which is attached hereto as **Exhibit 1**.

<sup>3</sup> See **Exhibit 1**.

<sup>4</sup> The Record on Appeal is two volumes. *Excluding* their respective front and back covers (which are addressed elsewhere because they are more expensive to print), but *including* their respective indices, Volume 1 is 358 pages and Volume 2 is 482 pages, for a total of 840 pages. By letter dated October 22, 2021, the Court requested six bound copies of the Record on Appeal to be filed in this case. Multiplying 840 pages by six equals 5,040 pages.

<sup>5</sup> Again, the Court requested six bound copies of each of the two volumes of the Record on Appeal. As each volume has two covers (one front, one back), multiplying two covers by two volumes by six copies equals 24 covers.

<u>Costs taxable under Rule 222</u>	<u>No. of Pages</u>	<u>Rate</u>	<u>Requested</u>	<u>Allowed (For Court Use Only)</u>
Cost of printing or copying Final Briefs (excluding covers)	354 <sup>6</sup>	\$0.11	\$38.94	
Cost of covers of Final Briefs	24 <sup>7</sup>	\$1.00	\$24.00	
Attorney's fee under Rule 222(b)	N/A	\$2,500.00 <sup>8</sup>	\$2,500.00	

**<SIGNED ON THE FOLLOWING PAGE>**

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<sup>6</sup> *Excluding* their respective front and back covers (which are addressed elsewhere because they are more expensive to print), but *including* their respective tables of contents and tables of authorities, the Final Brief of Appellant is 47 pages and the Final Reply Brief of Appellant is 12 pages, for a total of 59 pages. By letter dated October 22, 2021, the Court requested six bound copies of Appellant's final briefs to be filed in this case. Multiplying 59 pages by six equals 354 pages.

<sup>7</sup> Again, the Court requested six bound copies of each of Appellant's two final briefs. As each brief has two covers (one front, one back), multiplying two covers by two briefs by six copies equals 24 covers.

<sup>8</sup> By Supreme Court order dated January 17, 2018, the amount of this attorney's fee was set at \$2,500. Rule 222(b) n.1.

I, the undersigned, Russell G. Hines, counsel for Appellant, do hereby swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. As reflected in the proof of service accompanying the filing of the instant motion, a copy of this statement was duly served on opposing counsel.

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: \_\_\_\_\_

Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 720-5488

*Attorney for Appellant*

Charleston, South Carolina

Dated: 10/17/23

\*\*\*

Subscribed and sworn to before me this 17<sup>th</sup> day of October, 2023.

Brittany J Ficken (seal)

Printed Name: Brittany J Ficken

Notary Public For South Carolina

My Commission Expires: 5/17/2032

**BRITTANY J. FICKEN**  
Notary Public - State of South Carolina  
My Commission Expires  
May 17, 2032

# INVOICE

1 of 1

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Russell G. Hines, Esq.  
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PO Box 993  
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Invoice No.	Invoice Date	Job No.
72971	6/22/2021	39396
Job Date	Case No.	
6/16/2020	2016CP1801812	
Case Name		
David Hannemann, et al VS William Mcfarland		
Payment Terms		
Due upon receipt		

Master in Equity Hearing

1,110.25

**TOTAL DUE >>>**

**\$1,110.25**

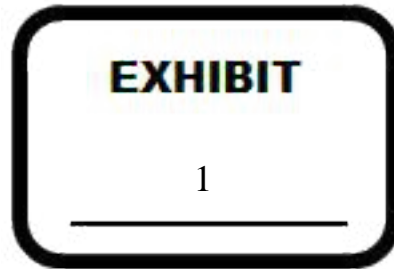
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Clement Rivers, LLP  
PO Box 993  
Charleston, SC 29401

Invoice No. : 72971  
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Remit To: **Clark & Associates, Inc.**  
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Job No. : 39396  
BU ID : CHS-MAIN  
Case No. : 2016CP1801812  
Case Name : David Hannemann, et al VS William  
Mcfarland

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**Oct 17 2023**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
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Appeal from Dorchester County  
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James E. Chellis, Master-in-Equity

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Case No. 2016-CP-18-01812  
Appellate Case No. 2020-001029

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David Hannemann,  
as President of the Live  
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v.

William McFarland,

Appellant.

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**PROOF OF SERVICE**

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CLEMENT RIVERS, LLP  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 720-5488

*Attorney for Appellant*

I, Russell G. Hines, of Clement Rivers, LLP, attorney for Appellant, hereby certify that the foregoing **APPELLANT'S MOTION FOR COSTS** was served on Respondent on October 17, 2023, via email (see attached) to his counsel of record:

James B. Hood, Esquire  
[james.hood@hoodlaw.com](mailto:james.hood@hoodlaw.com)  
Virginia Rogers Floyd, Esquire  
[virginia.floyd@hoodlaw.com](mailto:virginia.floyd@hoodlaw.com)  
HOOD LAW FIRM, LLC  
*Attorneys for Respondent*

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
Russell G. Hines (SC Bar No. 72100)  
*Attorney for Appellant*

Charleston, South Carolina

October 17, 2023

**From:** [Hines, Russell](#)  
**To:** [james.hood@hoodlaw.com](mailto:james.hood@hoodlaw.com); [virginia.floyd@hoodlaw.com](mailto:virginia.floyd@hoodlaw.com)  
**Cc:** [Bell, Pollyana \(Polly\)](#); [info@hoodlaw.com](mailto:info@hoodlaw.com); [Justman, Aimee](#)  
**Subject:** David Hannemann v. William McFarland (2020-001029) -- Appellant's Motion for Costs  
**Date:** Tuesday, October 17, 2023 8:33:41 PM  
**Attachments:** [image001.png](#)  
[2020-001029 \(Hannemann v. McFarland\) -- Appellant's Motion for Costs on Appeal - signed.pdf](#)

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Attached for service please find **Appellant's Motion for Costs** in the above-referenced matter.

Russell G. Hines  
CLEMENT RIVERS, LLP  
[www.ycrlaw.com](http://www.ycrlaw.com)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
Phone: (843) 720-5488  
Fax: (843) 579-1327  
Email: [rhines@ycrlaw.com](mailto:rhines@ycrlaw.com)



**CLEMENT RIVERS, LLP**  
25 Calhoun Street • Suite 400 • Charleston, SC 29401  
[ycrlaw.com](http://ycrlaw.com)