

RECEIVED

Feb 16 2024

SC Court of Appeals

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

Appeal from Charleston County
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Case No. 2022-CP-10-03328
Appellate Case No. 2023-001006

Justin O'Toole Lucey,

Appellant,

v.

The Town of Mount Pleasant, South Carolina, and WIN515, LLC,

Respondents.

PROOF OF SERVICE

Stephen L. Brown (SC Bar No. 66468)
Brian L. Quisenberry (SC Bar No. 73637)
Russell G. Hines (SC Bar No. 72100)
Zachary M. Kern (SC Bar No. 103731)
Graydon V. Olive, IV (SC Bar No. 105319)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

*Attorneys for Respondent
The Town of Mount Pleasant, South Carolina*

Ross A. Appel (SC Bar No. 79149)
Forrest W. Lewis (SC Bar No. 105525)
MCCULLOUGH KAHN APPEL
2036 eWall Street
Mount Pleasant, South Carolina 29464
(843) 937-0400

*Attorneys for Respondent
WIN515, LLC*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Respondent Town of Mount Pleasant, South Carolina, hereby certify that the **INITIAL BRIEF OF RESPONDENTS and RESPONDENTS' DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** were served on all other parties to this matter on February 15, 2024, by emailing (see attached email) a copy of the same to their counsel of record:

Jeffrey S. Tibbals, Esquire
jst@bybeetibbals.com
Evan P. Williams, Esquire
ewilliams@bybeetibbals.com
BYBEE & TIBBALS, LLC

*Attorneys for Appellant
Justin O'Toole Lucey*

Ross A. Appel, Esquire
ross@mklawsc.com
Forrest William Lewis, Esquire
forrest@mklawsc.com
MCCULLOUGH KHAN APPEL

*Attorneys for Respondent
WIN515, LLC*

Respectfully submitted,

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
*Attorneys for Respondent
The Town of Mount Pleasant, South Carolina*

Charleston, South Carolina

February 15, 2024

From: [Hines, Russell](#)
To: [Jeff Tibbals](#); [Evan Williams](#); [Ross Appel](#); "[forrest@mklawsc.com](#)"
Cc: [Brown, Stephen L.](#); [Quisenberry, Brian](#); [Kern, Zachary \(Zach\)](#); [Olive, IV, Graydon](#); [Justman, Barbara](#); [Liz Lademan](#); [Justman, Aimee](#); [Bell, Pollyana \(Polly\)](#); [Court Of Appeals Filings](#)
Subject: Justin O'Toole Lucey v. The Town of Mount Pleasant- 2023-001006 -- Initial Brief of Respondents
Date: Thursday, February 15, 2024 11:56:57 PM
Attachments: [image001.png](#)
[Lucey v. Mount Pleasant \(2023-001006\) -- Initial Brief of Respondents.pdf](#)
[Lucey v. Mount Pleasant \(2023-001006\) -- Respondents' Designation of Matter.pdf](#)

Attached please find the **Initial Brief of Respondents** and **Respondents' Designation**.

Russell G. Hines
CLEMENT RIVERS, LLP
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



CLEMENT RIVERS, LLP

25 Calhoun Street • Suite 400 • Charleston, SC 29401

ycrlaw.com