

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE YORK COUNTY  
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2008-CP-46-2158

69383  
**RECEIVED**  
AUG 09 2013  
**SC Court of Appeals**

Brian and Deborah C. Pulliam, Monica Bradshaw, Helen K. Cook, Kala Craig, Victor E. Dirienzo, Cynthia Ditursi, J. Scott Drexel, Kathleen Kramer, Robert Loebe, Melanie McDaniel, Don and Debbie Neff, David Osborne, Celeste Arrowood, Vincent Dionna, Mikel Marcuse, James P. Wheaton, Jr., Joseph Manfredini, Elena Manfredini, David Cox, Jonathan B. Dillard, and Eric Wilson, and Marianna Junda, .....Respondents,

v.

M.U.I. Carolina Corporation, and Kensington Place Owners' Association, Inc., and Regent Carolina Corporation, .....Defendants.

Of whom, M.U.I. Carolina Corporation and Regent Carolina Corporation are, ..... Respondents,

And Kensington Place Owners' Association, Inc. is the, .....Appellant.

**RESPONDENTS' MOTION FOR  
AN ASSESSMENT OF COSTS**

W. Jefferson Leath, Jr., Esq.  
S.C. Bar #03244  
Michael S. Seekings, Esq.  
S.C. Bar #64850  
Leath, Bouch & Seekings, LLP  
92 Broad Street  
P. O. Box 59  
Charleston, SC 29402  
(843) 937-8811  
*Attorneys for the Respondents*

**RECEIVED**  
AUG 09 2013  
**SC Court of Appeals**

Pursuant to Rule 240, SCACR, Respondents hereby move this Court for an assessment of costs against the Appellants. In support of this Motion, Respondents submit a sworn, Itemized Statement of Costs incurred as a result of this Appeal.

Respectfully submitted,

LEATH, BOUCH & SEEKINGS, LLP

By: 

W. Jefferson Leath, Jr., Esq.

S.C. Bar #03244

Michael S. Seekings, Esq.

S.C. Bar #64850

92 Broad Street

P. O. Box 59

Charleston, SC 29402

(843) 937-8811

*Attorneys for the Respondents*

Charleston, South Carolina

August 7, 2013

OTHER COUNSEL OF RECORD:

Robert T. Lyles, Jr., Esq.

Lyles & Lyles, LLC

342 East Bay Street

P.O. Box 773 (29402)

Charleston, SC 29401

(843) 577-7730

*Attorneys for Respondents*

Kenneth R. Raynor, Esq.

Clay A. Campbell, Esq.

Templeton & Raynor, P.A.

1800 East Blvd.

Charlotte, NC 28203

(704) 344-8500

*Attorneys for Appellant*

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM THE YORK COUNTY  
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

---

Case No. 2008-CP-46-2158

---

Brian and Deborah C. Pulliam, Monica Bradshaw, Helen K. Cook, Kala Craig, Victor E. Dirienzo, Cynthia Ditursi, J. Scott Drexel, Kathleen Kramer, Robert Loebe, Melanie McDaniel, Don and Debbie Neff, David Osborne, Celeste Arrowood, Vincent Dionna, Mikel Marcuse, James P. Wheaton, Jr., Joseph Manfredini, Elena Manfredini, David Cox, Jonathan B. Dillard, and Eric Wilson, and Marianna Junda ..... Respondents,

v.

M.U.I. Carolina Corporation, and Kensington Place Owners' Association, Inc., and Regent Carolina Corporation, ..... Defendants.

Of whom, M.U.I. Carolina Corporation and Regent Carolina Corporation are, .....  
..... Respondents/Appellants,

And Kensington Place Owners' Association, Inc. is the, ..... Appellants/Respondent.

---

**PROOF OF SERVICE**


---

W. Jefferson Leath, Jr., Esq.  
S.C. Bar #03244  
Michael S. Seekings, Esq.  
S.C. Bar #64850  
Leath, Bouch & Seekings, LLP  
92 Broad Street  
P. O. Box 59  
Charleston, SC 29402  
(843) 937-8811  
*Attorneys for the Respondents*

I, Michael S. Seekings, do hereby certify that on August 7, 2013 served opposing counsel with a copy of Respondents' Motion for An Assessment of Costs via regular first class United States mail, postage prepaid, addressed as follows:

Robert T. Lyles, Jr., Esq.  
Lyles & Lyles, LLC  
342 East Bay Street  
P.O. Box 773 (29402)  
Charleston, SC 29401  
*Attorney for Respondents*

Kenneth R. Raynor, Esq.  
Clay A. Campbell, Esq.  
Templeton & Raynor, P.A.  
1800 East Blvd.  
Charlotte, NC 28203  
*Attorneys for Appellant*

  
\_\_\_\_\_  
Michael S. Seekings

Charleston, South Carolina

August 7, 2013

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE YORK COUNTY  
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2008-CP-46-2158

Brian and Deborah C. Pulliam, Monica Bradshaw, Helen K. Cook, Kala Craig, Victor E. Dirienzo, Cynthia Ditursi, J. Scott Drexel, Kathleen Kramer, Robert Loebe, Melanie McDaniel, Don and Debbie Neff, David Osborne, Celeste Arrowood, Vincent Dionna, Mikel Marcuse, James P. Wheaton, Jr., Joseph Manfredini, Elena Manfredini, David Cox, Jonathan B. Dillard, and Eric Wilson, and Marianna Junda, .....Respondents,

v.

M.U.I. Carolina Corporation, and Kensington Place Owners' Association, Inc., and Regent Carolina Corporation, .....Defendants.

Of whom, M.U.I. Carolina Corporation and Regent Carolina Corporation are, .....  
.....Respondents,

And Kensington Place Owners' Association, Inc. is the, .....Appellant.

**RESPONDENTS'**  
**ITEMIZED STATEMENT OF COSTS**

The Court of Appeals is requested to tax the following costs against Appellant Kensington Place Owners' Association, Inc.

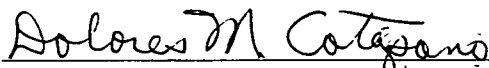
| COSTS TAXABLE UNDER<br>RULE 222, SCACR     | NO. OF<br>PAGES | RATE | REQUESTED | ALLOWED<br>(For Court Use Only) |
|--------------------------------------------|-----------------|------|-----------|---------------------------------|
| Cost of Printing or Copying<br>Final Brief |                 |      | \$92.44   |                                 |

|                                                          |  |       |            |  |
|----------------------------------------------------------|--|-------|------------|--|
| Costs of Printing or Copying Final Reply Brief           |  |       |            |  |
| Cost of Printing or Copying Record on Appeal             |  |       |            |  |
| Filing Fee Paid Under Rule 240(d), SCACR (July 27, 2012) |  |       | \$50.00    |  |
| Cost of Court Reporter's Transcript                      |  |       |            |  |
| Attorney's fee provided by Rule 222(b), SCACR            |  |       | \$1,000.00 |  |
| Other (specify and explain):                             |  |       |            |  |
|                                                          |  | TOTAL | \$1,142.44 |  |

I, Michael S. Seekings, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was mailed to opposing counsel.

  
 \_\_\_\_\_  
 Attorney for the Respondents

Subscribed and sworn to before me this 7<sup>th</sup> day of August, 2013.

  
 \_\_\_\_\_  
 Notary Public for State of South Carolina  
 My Commission Expires: 10-26-22  
 (Seal)

Respectfully submitted,

LEATH, BOUCH & SEEKINGS, LLP

By: 

W. Jefferson Leath, Jr., Esq.

S.C. Bar #03244

Michael S. Seekings, Esq.

S.C. Bar #64850

Leath, Bouch & Seekings, LLP

92 Broad Street

P. O. Box 59

Charleston, SC 29402

(843) 937-8811

*Attorneys for the Respondents*

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE YORK COUNTY  
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2008-CP-46-2158

Brian and Deborah C. Pulliam, Monica Bradshaw, Helen K. Cook, Kala Craig, Victor E. Dirienzo, Cynthia Ditursi, J. Scott Drexel, Kathleen Kramer, Robert Loebe, Melanie McDaniel, Don and Debbie Neff, David Osborne, Celeste Arrowood, Vincent Dionna, Mikel Marcuse, James P. Wheaton, Jr., Joseph Manfredini, Elena Manfredini, David Cox, Jonathan B. Dillard, and Eric Wilson, and Marianna Junda . . . . . Respondents,

v.

M.U.I. Carolina Corporation, and Kensington Place Owners' Association, Inc., and Regent Carolina Corporation, . . . . . Defendants.

Of whom, M.U.I. Carolina Corporation and Regent Carolina Corporation are, . . . . .  
. . . . . Respondents/Appellants,

And Kensington Place Owners' Association, Inc. is the, . . . . . Appellants/Respondent.

**PROOF OF SERVICE**

W. Jefferson Leath, Jr., Esq.  
S.C. Bar #03244  
Michael S. Seekings, Esq.  
S.C. Bar #64850  
Leath, Bouch & Seekings, LLP  
92 Broad Street  
P. O. Box 59  
Charleston, SC 29402  
(843) 937-8811

*Attorneys for the Respondents*

I, Michael S. Seekings, do hereby certify that on August 7, 2013, I served opposing counsel with a copy of Respondents' Itemized Statement of Costs via regular first class United States mail, postage prepaid, addressed as follows:

Robert T. Lyles, Jr., Esq.  
Lyles & Lyles, LLC  
342 East Bay Street  
P.O. Box 773 (29402)  
Charleston, SC 29401  
*Attorneys for Respondents*

Kenneth R. Raynor, Esq.  
Clay A. Campbell, Esq.  
Templeton & Raynor, P.A.  
1800 East Blvd.  
Charlotte, NC 28203  
*Attorneys for Appellant*

  
\_\_\_\_\_  
Michael S. Seekings

Charleston, South Carolina

August 7, 2013



**LEATH, BOUCH & SEEKINGS, LLP**  
COMMERCIAL LITIGATION • CONSTRUCTION • ENVIRONMENTAL

August 7, 2013

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

RE: Brian and Deborah C. Pulliam, et al v. M.U.I. Carolina Corporation, et al  
Case No.: 08-CP-46-2158  
Case Tracking No.: 2011-192247  
LBS File No. 1408.1

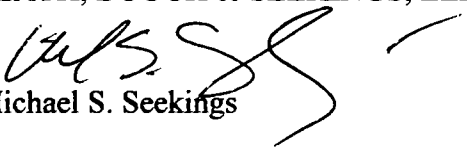
Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Respondents' Motion for An Assessment of Costs with attached Itemized Statement of Costs for filing in the above-referenced case. Also enclosed is a check in the amount of \$25.00 for the filing fee. I would appreciate your returning a file-stamped copy to me in the enclosed envelope. By copy of this letter, I am forwarding a copy of this filing to counsel of record.

With best regards, I am

Yours very truly,

LEATH, BOUCH & SEEKINGS, LLP

  
Michael S. Seekings

MSS/dmc  
Enclosures

cc: Kenneth R. Raynor, Esq.  
Robert T. Lyles, Jr., Esq.

**RECEIVED**

AUG 09 2013

SC Court of Appeals