

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas
Donald B. Hocker, Circuit Court Judge

Appellate Case No. 2023-001623
Civil Action No. 2020-CP-36-00382

Jefferson Davis, Jr. Appellant,

v.

Chad Connelly, Dave Wilson, Stephen Kirkland, Tom Persons, Niel Mellen,
E3 Software, LLC, Endurance International Holdings, Inc., John Doe #1, John
Doe # 2, & John Does 3-40..... Respondents.

MOTION FOR COSTS ON APPEAL OF RESPONDENTS
CHAD CONNELLY, DAVE WILSON, TOM PERSONS, & NIEL MELLEN

Respondents Chad Connelly, Dave Wilson, Tom Persons, & Neil Mellen (“Respondents”) hereby move for the taxation of costs on appeal against Appellant Jefferson Davis, Jr. (“Appellant”) pursuant to Rule 222, SCACR, on the grounds that (1) Appellant petitioned the South Carolina Court of Appeals to reverse twelve orders of the circuit court and (2) the South Carolina Court of Appeals dismissed the notice of appeal because Appellant failed to timely serve Respondents with his notice of appeal and the circuit court’s discovery orders and orders granting discovery sanctions are interlocutory and not immediately appealable. Accordingly, Respondents respectfully request an Order taxing costs against Appellant in the amount of \$2,500 as supported by the attached sworn, itemized statement of costs.

[Separate Signature Page Follows]

Respectfully submitted,

s/Justin P. Novak

M. Dawes Cooke, Jr., Esquire
Justin P. Novak, Esquire
Barnwell Whaley Patterson & Helms, LLC
P.O. Drawer H
Charleston, South Carolina 29402
Phone: (843) 577-7700
Fax: (843) 577-7708
mdc@barnwell-whaley.com
jnovak@barnwell-whaley.com

*Attorneys for Respondents Chad Connelly, Dave
Wilson, Tom Persons, and Niel Mellen*

April 5, 2024

RECEIVED

Apr 05 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas
Donald B. Hocker, Circuit Court Judge

Appellate Case No. 2023-001623
Civil Action No. 2020-CP-36-00382

Jefferson Davis, Jr. Appellant,

v.

Chad Connelly, Dave Wilson, Stephen Kirkland, Tom Persons, Niel Mellen, E3
Software, LLC, Endurance International Holdings, Inc., John Doe #1, John
Doe # 2, & John Does 3-40..... Respondents.

PROOF OF SERVICE

I, the undersigned employee of Barnwell Whaley Patterson & Helms, LLC, hereby certify that pursuant to Rule 222 and 262(b), SCACR, I have served the *Motion for Taxation of Costs on Appeal of Respondents Chad Connelly, Dave Wilson, Tom Persons, and Niel Mellen* in this matter upon the Clerk of the South Carolina Court of Appeals, all counsel of record, and all pro se parties by delivering a copy by electronic mail or by mailing a copy by United States Mail, postage prepaid, on April 5, 2024, to the following addresses:

The Honorable Jenny Abbot Kitchings
Clerk, South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

Jefferson Davis, Jr.
403 McCarter Avenue
Greenville, South Carolina 29615
Email: jeff@apogeetax.com

Douglas W. MacKelcan, III, Esq.
Skyler C. Wilsom, Esq.
Copeland, Stair, Valz & Lovell, LLP
Email: dmackelcan@csvg.law
Email: swilson@csvg.law

Jasmine D. Smith, Esq.
Robinson Gray Stepp & Laffitte, LLC
Email: jsmith@robinsongray.com

Jessica E. Kinard, Esq.
City of Columbia
jessica.kinard@columbiasc.gov

Benjamin Terrell Coppage, Esq.
Coppage Law Firm, LLC
ben@coppagelawfirm.com

/s/Anthony Baglivo
Anthony Baglivo

April 5, 2024