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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
J. Derham Cole, Circuit Court Judge

Appellate Case No. 2021-000446
Civil Action No. 2017-CP-10-04371

Cary E. Fechter, M.D. Appellant,

v.

Leon Martin Ortner, The Ortner Law Firm, LLC, Gerald Rosenthal,
and Rosenthal, Levy, Simon, and Ryles, P.A. Respondents.

**MOTION FOR COSTS ON APPEAL OF RESPONDENTS GERALD ROSENTHAL AND
ROSENTHAL, LEVY, SIMON AND RYLES, PA**

Respondents Gerald Rosenthal and Rosenthal, Levy, Simon, and Ryles, P.A (“Rosenthal Respondents”) hereby move for the taxation of costs on appeal against Appellant Cary E. Fechter, M.D. (“Appellant”) pursuant to Rule 222, SCACR, on the grounds that (1) Appellant petitioned the South Carolina Court of Appeals to reverse the dismissal of his claims against the Rosenthal Respondents for lack of personal and subject matter jurisdiction and (2) the South Carolina Court of Appeals affirmed the dismissal finding that the circuit court properly dismissed Appellant’s claims because Appellant failed to effect service of process on the Rosenthal Respondents. Accordingly, the Rosenthal Respondents respectfully request an Order taxing costs against Appellant in the amount of \$2,582.03 supported by the attached sworn, itemized statement of costs.

[Signature Page Follows]

Respectfully submitted,

KING KOZLAREK ROOT LAW LLC

s/ Michael E. Kozlarek

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*Counsel for Respondents Gerald Rosenthal
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September 26, 2024



KING KOZLAREK
ATTORNEYS AT LAW

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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