

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
APPELLATE PANEL, WORKERS' COMPENSATION COMMISSION

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Op. No. 2013-UP-230 (S.C. Ct. App. filed May 29, 2013)

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Andrew Marrs, ..... Respondent,

v.

1751, LLC d/b/a/ Saluda's, and  
The South Carolina Uninsured  
Employer's Fund, ..... Defendants,

Of Whom

1751, LLC, d/b/a Saluda's, is the ..... Appellant.

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**MOTION FOR COSTS**

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Pursuant to Rule 222, SCACR, Andrew Marrs requests that the costs of this appeal be taxed against 1751, LLC, d/b/a Saluda's, who was the appellant.

Rule 222(a) provides that unless the court orders otherwise or the parties agree otherwise, costs shall be taxed against the appellant when the appeal is dismissed or the judgment is affirmed. This Court affirmed the judgment of the Workers' Compensation Commission, and the Court issued the remittitur on September 27, 2013. Because the Court has not ordered otherwise and the parties have not agreed otherwise, the rule provides that the Court should award costs to Mr. Marrs, who was the Respondent.

In accordance with the instructions of Rule 222(d), an itemized statement of costs is attached to this motion.

Respectfully submitted,

October 14, 2013



Blake A. Hewitt, SC Bar #73674  
Allison P. Sullivan, SC Bar #73754  
John S. Nichols, SC Bar #4210  
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Attorneys for Respondent

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Andrew Marrs,	)
	)
Respondent,	)
	)
v.	)
	)
1751, LLC d/b/a/ Saluda's, and	)
The South Carolina Uninsured	)
Employer's Fund,	)
	)
Defendants,	)
	)
Of whom 1751, LLC d/b/a/ Saluda's	)
is the	)
	)
Appellant.	)
_____	)

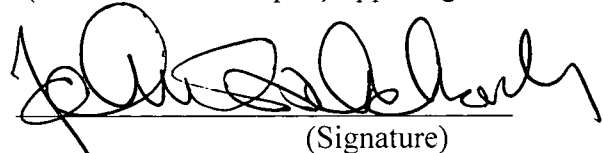
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The Appellate Court is requested to tax the following costs against

1751, LLC d.b.a. Saluda's (the Appellant)				
COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	272	\$28.85 (plus \$2.02 tax)	\$30.87	
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR				
Cost of Court Reporter's Transcript	23	\$54.05	\$54.05	
Attorney's Fee Provided By Rule 222(b), SCACR			\$1,000.00	

Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing and Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1,084.92	

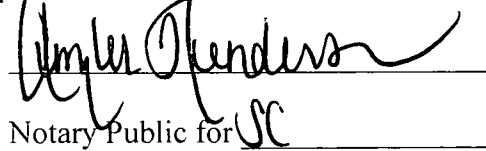
I, John S. Nichols, do swear or affirm that the forgoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.

  
(Signature)

Attorney for

Respondent

Subscribed and sworn before me this 14<sup>th</sup> day of October, 2013.

  
Notary Public for SC

My Commission Expires: 4/1/2021

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
APPELLATE PANEL, WORKERS' COMPENSATION COMMISSION

WCC File No. 1003812

Andrew Marrs, ..... Respondent,

v.

1751, LLC d/b/a/ Saluda's, and  
The South Carolina Uninsured  
Employer's Fund, ..... Defendants,

Of Whom

1751, LLC, d/b/a Saluda's, is the ..... Appellant.

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**PROOF OF SERVICE**

The undersigned hereby certifies that on the date indicated below she served counsel for the Appellant with a copy of the *Motion for Costs* and *Itemized Statement of Costs* by mailing a copy of the same by United States Mail with first class postage prepaid to the following address:

E. Ros Huff, Jr., Esquire  
Shelby H. Kellahan, Esquire  
Huff Law Firm, LLC  
Post Office Box 1935  
Irmo, South Carolina 29063

*Erin Bridges*

October 14, 2013  
Columbia, South Carolina

Erin Bridges  
BLUESTEIN, NICHOLS, THOMPSON  
& DELGADO, LLC



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC  
ATTORNEYS AT LAW

Margaret Miles Bluestein  
John Shannon Nichols  
Stacy Elizabeth Thompson  
John Dennis Delgado  
Allison Paige Sullivan  
Ashley Trout Thompson  
Blake Alexander Hewitt  
Kenneth Henry Dojaquez  
John Clarke Newton

OF COUNSEL  
O. Eugene Powell, Jr.

October 14, 2013

**VIA HAND DELIVERY**

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

Re: Marris v. 1751, LLC  
Case Tracking No.: 2012-209408

70057  
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Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of Respondents' *Motion for Costs* along with an itemized statement of costs in regards to the above referenced matter. I have also enclosed a Proof of Service upon counsel of record along with a check in the amount of \$25.00 for filing this motion. Please return the additional filed copy to me via our courier.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges  
Paralegal to Blake A. Hewitt  
BLUESTEIN, NICHOLS, THOMPSON  
& DELGADO, LLC

/emb

Enclosures

cc: E. Ros Huff, Jr., Esquire  
Shelby H. Kellahan, Esquire  
Lisa Glover, Esquire