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SC Court of Appeals

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

**APPEAL FROM THE FLORENCE COUNTY
COURT OF COMMON PLEAS**

The Honorable H. Steven DeBerry, IV
Civil Action Number: 2020CP2101817

Appellate Case No.: 2023-001713

Barbara L. Sarb Respondent/Appellant,

vs.

Julie W. Phillips and Joseph M. Phillips Appellant(s)/Respondent(s).

**RESPONDENT/APPELLANT’S MOTION FOR COSTS, PURSUANT TO RULE 222,
SCACR**

Valerie Garcia Giovanoli (SC Bar No. 102524)
MCCABE TROTTER & BEVERLY, PC
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Pursuant to Rule 222, SCACR, Respondent/Appellant hereby moves for the taxation of costs against Appellants/Respondents. In support of this Motion, Respondent/Appellant would show as follows:

On August 27, 2025, the Court of Appeals issued its opinion (Unpublished Opinion No. 2025-UP-302) *affirming in part, reversing in part and remanding* the order/judgment of the trial court. Pursuant to Rule 222(a), SCACR, “[u]nless otherwise ordered by the appellate court or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed. When a judgment is reversed, costs shall be taxed against the respondent unless the court orders otherwise. When an appeal is affirmed or reversed in part or is vacated, costs shall be allowed only as ordered by the appellate court.” The recoverable amounts include an attorney’s fee in an amount set by Order of the Supreme Court.”¹ Rule 222(b), SCACR. Pursuant to this Court’s order filed March 5, 2024, the attorney’s fee amount could total up to \$5,000.00, in light of the consolidation of two appellate cases. Because this Court ruled in favor of Respondent/Appellant, costs are taxable against Appellants/Respondents pursuant to Rule 222, SCACR, and Respondent/Appellant is entitled to an award of costs. A sworn itemized statement of costs is attached as **Exhibit A** and incorporated herein by reference.

WHEREFORE, Respondent/Appellant prays that costs and attorney’s fees be taxed against Appellants/Respondents in the amount of **\$5,384.63.00**, as set forth in itemized statement of costs accompanying this motion.

September 18, 2025
Columbia, SC 29209

Respectfully submitted,
s/ Valerie Garcia Giovanoli
Valerie Garcia Giovanoli (SC Bar No. 102524)
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Attorney for Respondent/Appellant

¹ Pursuant to order 2018-01-17-02 of the Supreme Court of South Carolina, the amount is currently \$2,500.

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EXHIBIT A

COUNSEL’S AFFIDAVIT OF FEES AND COSTS

The Court is requested to tax the following costs against **Appellants/Respondents**:

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying All Final Briefs (1 copy per Court request 6/16/24)	63 (copies) 3 (spiral coil binding) (Sales Tax)	\$.10/pg. \$3.75/each	\$6.3 \$11.25 \$1.41 (Total: \$18.96)	
Cost of Printing or Copying All Final Briefs (6 copies per Court request 11/13/24)	396 (copies) 18 (spiral coil binding) (Sales Tax)	\$.10/pg. \$3.75/each	\$39.60 \$67.50 \$8.57 (Total: \$115.67)	
Filing Fee(s) Paid Under Rule 203(d), SCACR		\$250.00/each	\$250.00	
Attorney’s Fee Provided By Rule 222(b), SCACR			\$5,000.00 ²	
		TOTAL	\$5,384.63	

I, Valerie Garcia Giovanoli, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served via email on opposing counsel/parties.

Valerie Garcia Giovanoli, Attorney for Respondent/Appellant

Subscribed and sworn to before me this 18th day of September, 2025

(Seal)



Notary Public for South Carolina
My Commission Expires: 3/10/2030

² Pursuant to this Court’s order filed March 5, 2024, the attorney’s fee amount could total up to \$5,000.00, in light of the consolidation of two appellate cases.