

RECEIVED

Oct 03 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

H. Steven DeBerry, IV, Circuit Court Judge

Case No.: 2020-CP-21-01817

Appellate Case No.: 2023-001713

Barbara L. SarbRespondent/Appellant,

v.

Julie W. Phillips and Joseph M. PhillipsAppellants/Respondents.

**APPELLANTS/RESPONDENTS' RESPONSE TO RESPONDENT/APPELLANT'S
MOTION FOR COSTS AND REPLY TO RESPONDENT/APPELLANT'S RESPONSE
TO APPELLANTS/RESPONDENTS MOTION FOR COSTS, PURSUANT TO
RULE 222, SCACR**

s/ Edward A. Love
EDWARD A. LOVE
Post Office Box 1764
135 South Dargan Street, Suite 201
Florence, SC 29503
(843) 407-5525 – Tel
Attorney for
Appellants/Respondents

In response to Respondent/Appellant's Motion for Costs and in Reply to Respondent/Appellant's Response to Appellants/Respondents Motion for costs, the Appellants/Respondents would argue to this honorable Court the following:

SCACR 222 provides in part: "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."

In this Appeal and Cross-Appeal, nothing more than a review of the issues on appeal are necessary to determine the award of fees. The Sellers raised the following issues: 1) whether the court erred in denying their Motion for JNOV – that issue was affirmed. 2) whether the fees awarded to Seller were reasonable – that issue was reversed. For Buyers raised the following issues: 1) whether the trial court erred in denying her Motion for JNOV – that issue was reversed and 2) whether the trial court erred in not awarding her more fees – that issue was affirmed as to the amount and reversed/remanded as to the rationale supporting same.

As such, equity requires an award of costs on appeal to the Sellers or, in the alternative, a split of the fees (\$2500 to each) and an award of costs to both sides.

October 3, 2025

s/ Edward A. Love
EDWARD A. LOVE
Post Office Box 1764
135 South Dargan Street, Suite 201
Florence, SC 29503
(843) 407-5525 – Tel
Attorney for
Appellants/Respondents

RECEIVED

Oct 03 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

H. Steven DeBerry, IV, Circuit Court Judge

Case No. 2020-CV-21-01817

Appellate Case No. 2023-001713

Barbara Sarb.....Respondent/Appellant,

v.

Julie W. Phillips and Joseph M. Phillips.....Appellants/Respondents.

PROOF OF DELIVERY

The undersigned hereby certifies that on October 3, 2025:

**APPELLANTS/RESPONDENTS’ RESPONSE TO RESPONDENT/APPELLANT’S
MOTION FOR COSTS AND REPLY TO RESPONDENT/APPELLANT’S RESPONSE TO
APPELLANTS/RESPONDENTS MOTION FOR COSTS**

was served on counsel for Respondent/Appellant by electronic means to the following addresses:

Valerie G. Giovanoli, S.C. Bar No. 102524

Valerie.Giovanoli@mccabetrotter.com

Fiona R. Reed, S.C. Bar No. 104732

Fiona.reed@mccabetrotter.com

s/Edward A. Love

EDWARD A. LOVE #75118

elove@kingandlove.com

ATTORNEYS FOR

APPELLANTS/RESPONDENTS

October 3, 2025