

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

Case No. 2022-001547

Turner's Marina, LLC

Respondent-Appellant,

v.

Paige Lorberbaum, Jeffrey A. Klapper and Diane L. Klapper

Defendants,

Of whom Paige Lorberbaum is the Appellant-Respondent and Jeffrey A. Klapper and
Diane L. Klapper are Respondents

APPELLANT- RESPONDENT PAIGE LORBERBAUM'S RETURN TO
RESPONDENT-APPELLANT TURNER MARINA LLC'S MOTION FOR COSTS

Appellant-Respondent, Paige Lorberbaum ("Lorberbaum"), pursuant to Rule 222(d), SCACR, respectfully files the within Return to Respondent-Appellant Turner's Marina LLC's ("Turner") Motion for Costs, dated March 23, 2026. Lorberbaum opposes the Motion on the following grounds:

1. Turner appealed two (2) specific issues in this matter, namely: (1) the decision by the Trial Court to not award it any attorney fees and costs; and (2) failure of the Trial Court to reduce the purchase price by \$12,442.50. Pursuant to this Court's Opinion of February 25, 2026, Turner lost both issues he appealed.

2. Lorberbaum did not prevail on her appeal seeking to overturn the Trial Court's Order as to the rule against perpetuities.

3. In this situation, where both Lorberbaum and Turner did not prevail on their respective appeals, fairness and equity dictate neither side be awarded fees and costs under Rule 222, SCACR.

4. Out of an abundance of caution, in the event the Court does not agree with Lorberbaum's position neither side should be awarded fees and costs, Lorberbaum has filed her respective Motion for Costs under Rule 222(d) SCACR.

Respectfully submitted,

/s/ Russell P. Patterson

Russell P. Patterson

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Attorneys for the Appellant Respondent

Paige Lorberbaum

Hilton Head Island, South Carolina
March 26, 2026

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Mar 27 2026

SC Court of Appeals

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below, counsel for Respondent-Appellant, Turner's Marina, LLC and Defendants Paige Lorberbaum, Jeffrey A. Klapper and Diane L. Klapper, were served with a copy of the following documents: **(1) Appellant-Respondent Paige Lorberbaum's Return to Respondent-Appellant Turner Marina LLC's Motion for Costs and (2) Appellant-Respondent Paige Lorberbaum's Motion for Costs Under Rule 222(d) SCACR** by E-Mail on the date set forth below. A copy of the E-Mail is attached hereto.

Thomas C. Taylor, Esquire
Law Office of Thomas C. Taylor, LLC
P.O. Box 1808
Bluffton, SC 29910
Attorney for Respondent-Appellant
Turner's Marina, LLC

James S. Murray, Esquire
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Attorney for Respondents
Jeffrey A. Klapper and Diane L. Klapper

Respectfully submitted,

/s/ Russell P. Patterson

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Attorneys for the Appellant Respondent

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Hilton Head Island, South Carolina
March 27, 2026

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Serving the Lowcountry for over 40 years



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SC Court of Appeals

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March 26, 2026

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Via U.S. Mail & Email
ctappfilings@sccourts.org

RE: Turner's Marina, LLC v. Paige Lorberbaum, et al.
Case No.: 2022-001547

Dear Ms. Kitchings:

I am submitting the following for filing in the above matter:

1. Appellant-Respondent Paige Lorberbaum's Return to Respondent-Appellant Turner Marina LLC's Motion for Costs
2. Appellant-Respondent Paige Lorberbaum's Motion for Costs under Rule 222(d) SCACR.
3. Proof of Service
4. Filing Fee of \$50.00

Please advise if any additional materials are needed. Thanks

Sincerely,
RUSSELL P. PATTERSON, P.A.

Russell P. Patterson

Enclosures
cc: Counsel of Record w/ enc.