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May 08 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

**The Honorable Bentley Price
Circuit Court Judge**

Appellate Case No. 2022-000592

Pamela Holliday Wallin; Mark Bennett Holliday; Kingsley K. Holliday;
Sara Jane Holliday; and John C. Holliday.....Appellants,

v.

Ross Samuel Holliday as Personal Representative of the Estate of Warren; Phillip Holliday; Ross Samuel Holliday, individually; Warren Lea Holliday, individually; 2233 Highway 17 North, LLC; 2237 Highway 17 North, LLC; 2805 Highway 17 North, LLC; 1606 Meeting Street, LLC; Bacons Bridge Road, LLC; 4687 Franchise Street, LLC; Zeezrom Properties, LLC; John Doe Leased Vehicle; 1905 North Main Street, Summerville, LLC; 815 Folly Road, LLC; 832 Coleman Blvd., LLC; 2189 Discher Avenue, LLC; New Space Science, LLC; Pirates Plunder, LLC; Sawgrass Technologies, Inc.; Holliday Amusement Company, Inc.; and The Revocable Trust Agreement between Warren P. Holliday as Settlor and as Trustee.....Respondents.

MOTION FOR TAXATION OF COSTS ON APPEAL

Pursuant to Rule 222, SCACR, Appellants hereby move this Court for an Order taxing fees and costs against the Respondents in the manner set forth herein. In support of this motion, the Appellants show as follows:

1. This action was before the Charleston County Court of Common Pleas, with the Honorable Bentley D. Price presiding.

2. Appellants appealed Judge Price's March 3, 2022, Order Granting Respondents' Motions for Summary Judgment and Judge Price's April 22, 2022, Order denying Appellants'

Motion to Alter or Amend under Rule 59, SCRPC.

3. Oral arguments were held on December 4, 2024.
4. Thereafter, on September 24, 2025, this Court entered its opinion reversing the lower court's decisions and remanding this matter for further proceedings.
5. Respondents filed a Petition for Rearing and Petition for Rehearing En Banc, which were denied on March 17, 2026.
6. The Remittitur was issued on April 28, 2026.
7. Pursuant to Rule 222, SCACR, Appellants hereby seek an award of recoverable fees and costs, as more particularly described in the Sworn Itemized Statement of Costs Incurred attached hereto and incorporated herein by reference.

Respectfully submitted,

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Attorneys for the Appellants

May 8, 2026
Charleston, South Carolina

[See Itemized Statement of Costs attached hereto]

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PROOF OF SERVICE

I hereby certify that the enclosed was served on all other parties to this matter by depositing a copy of the same in the U.S. Mail on this day.

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Attorneys for Respondents

This 8th day of May, 2026

THURMOND KIRCHNER & TIMBES, P.A.

BY: 
Kaitlyn Nobles
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