

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Case Nos. 2010-CP-21-00835 & -00836

RECEIVED
APR 11 2014
S.C. Supreme Court

Ann Coleman, Individually, and as Personal Representative
of the Estate of Mary Brinson Respondent,

v.

Mariner Health Care, Inc. f/k/a Mariner Post-Acute Network, LLC, Mariner Health Care Management Company, Mariner Health Central, Inc., Mariner Health Group, Inc., MHC Holding Company, MHC Florida Holding Company, MHC Gulf Coast Holding Company, MHC MidAmerica Holding Company, MHC Rocky Mountain Holding Company, MHC Northeast Holding Company, MHC West Holding Company, MHC Texas Holding Company, MHC MidAtlantic Holding Company, Living Centers-Southeast, Inc., GranCare South Carolina, Inc., Individually and d/b/a Faith Health Care Center, SavaSeniorCare Management, LLC, SavaSeniorCare Administrative Services, LLC, SavaSeniorCare, LLC, SavaSeniorCare, Inc., National Senior Care, Inc., Palmetto Health Care, LLC, Palmetto Faith Operating, LLC, Individually and d/b/a Faith Health Care Center, Ask Holdings, LLC, Leonard Grunstein, an Individual, Murray Forman, an Individual, Boyd P. Gentry, an Individual, Abraham Shaulson a/k/a Abraham Shavson a/k/a A. Shawson a/k/a Abraham Shawson, an Individual, Avi Klein, an Individual, SC Property Holdings, LLC, SC Faith, LLC, and John Does 1-26., Defendants,

Of whom,

Mariner Health Care, Inc. f/k/a Mariner Post-Acute Network, LLC, Mariner Health Care Management Company, Mariner Health Central, Inc., Mariner Health Group, Inc., MHC Holding Company, MHC Florida Holding Company, MHC Gulf Coast Holding Company, MHC MidAmerica Holding Company, MHC Rocky Mountain Holding Company, MHC Northeast Holding Company, MHC West Holding Company, MHC Texas Holding Company, MHC MidAtlantic Holding Company, Living Centers-Southeast, Inc., GranCare South Carolina, Inc., Individually and d/b/a Faith Health Care Center, SavaSeniorCare Administrative Services, LLC, SavaSeniorCare, LLC, SavaSeniorCare, Inc., National Senior Care, Inc., Leonard Grunstein, an Individual, Murray Forman, an Individual, Palmetto Faith Operating, LLC, Individually and d/b/a Faith Health Care Center are, Appellants.

MOTION FOR COSTS

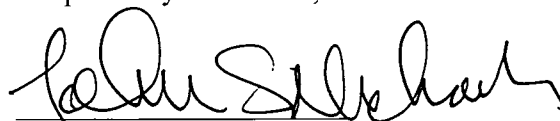
Pursuant to Rule 222 of the South Carolina Appellate Court Rules, Ann Coleman, Individually, and as Personal Representative of the Estate of Mary Brinson requests that the costs of this appeal be taxed against the appellants.

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's opinion affirmed the judgment of the circuit court and issued the remittitur March 28, 2014. Because the Court has not ordered otherwise and the parties have not agreed otherwise, the rule provides the Court should award costs to Ms. Coleman.

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

April 11, 2014

Respectfully submitted,



John S. Nichols
SC Bar No. 004210
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THOMPSON & DELGADO, LLC
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Columbia, SC 29202
(803) 779-7599

Attorneys for Respondent

THE STATE OF SOUTH CAROLINA
In The Supreme Court

Ann Coleman, Individually, and as Personal)
Representative of the Estate of Mary Brinson,)

Respondent,)

v.)

Mariner Health Care, Inc. f/k/a Mariner)
Post-Acute Network, LLC, Mariner Health Care)
Management Company, Mariner Health Central,)
Inc., Mariner Health Group, Inc., MHC Holding)
Company, MHC Florida Holding Company,)
MHC Gulf Coast Holding Company, MHC)
MidAmerica Holding Company, MHC Rocky)
Mountain Holding Company, MHC Northeast)
Holding Company, MHC West Holding)
Company, MHC Texas Holding Company,)
MHC MidAtlantic Holding Company, Living)
Centers-Southeast, Inc., GranCare South)
Carolina, Inc., Individually and d/b/a Faith)
Health Care Center, SavaSeniorCare)
Management, LLC, SavaSeniorCare)
Administrative Services, LLC, SavaSeniorCare,)
LLC, SavaSeniorCare, Inc., National Senior)
Care, Inc., Palmetto Health Care, LLC, Palmetto)
Faith Operating, LLC, Individually and d/b/a)
Faith Health Care Center, Ask Holdings, LLC,)
Leonard Grunstein, an Individual, Murray)
Forman, an Individual, Boyd P. Gentry, an)
Individual, Abraham Shaulson a/k/a Abraham)
Shavlsion a/k/a A. Shawson a/k/a Abraham)
Shawson, an Individual, Avi Klein, an)
Individual, SC Property Holdings, LLC, SC)
Faith, LLC, and John Does)
1-26.,)

Defendants,)

of whom,)

Mariner Health Care, Inc. f/k/a Mariner)
 Post-Acute Network, LLC, Mariner Health Care)
 Management Company, Mariner Health Central,)
 Inc., Mariner Health Group, Inc., MHC Holding)
 Company, MHC Florida Holding Company,)
 MHC Gulf Coast Holding Company, MHC)
 MidAmerica Holding Company, MHC Rocky)
 Mountain Holding Company, MHC Northeast)
 Holding Company, MHC West Holding)
 Company, MHC Texas Holding Company,)
 MHC MidAtlantic Holding Company, Living)
 Centers-Southeast, Inc., GranCare South)
 Carolina, Inc., Individually and d/b/a Faith)
 Health Care Center, SavaSeniorCare)
 Administrative Services, LLC, SavaSeniorCare,)
 LLC, SavaSeniorCare, Inc., National Senior)
 Care, Inc., Leonard Grunstein, an Individual,)
 Murray Forman, an Individual, Palmetto Faith)
 Operating, LLC, Individually and d/b/a Faith)
 Health Care Center are,)
)
)
 Appellants.)
)
)

The Appellate Court is requested to tax the following costs against

Mariner Health Care, Inc. f/k/a Mariner Post-Acute Network, LLC, et. al. (the Appellants)				
COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	62	\$0.073 per page (plus \$7.04 tax)	\$107.64	
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR				

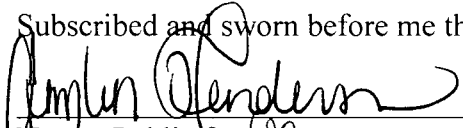
Cost of Court Reporter's Transcript				
Attorney's Fee Provided By Rule 222(b), SCACR			\$1,000.00	
Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing and Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1,107.64	

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 11th day of April, 2017.


Notary Public for SC
My Commission Expires: 4/1/2021

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PROOF OF SERVICE

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

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April 11, 2014
Columbia, South Carolina



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