

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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MAY 19 2014

APPEAL FROM THE YORK COUNTY
Court of Common Pleas

SC Court of Appeals

John C. Hayes, III, Circuit Court Judge

Case No. 2008-CP-46-2158

Brian and Deborah C. Pulliam, Monica Bradshaw, Helen K. Cook, Kala Craig, Victor E. Dirienzo, Cynthia Ditursi, J. Scott Drexel, Kathleen Kramer, Robert Loebe, Melanie McDaniel, Don and Debbie Neff, David Osborne, Celeste Arrowood, Vincent Dionna, Mikel Marcuse, James P. Wheaton, Jr., Joseph Manfredini, Elena Manfredini, David Cox, Jonathan B. Dillard, and Eric Wilson, and Marianna Junda,Respondents,

v.

M.U.I. Carolina Corporation, and Kensington Place Owners' Association, Inc., and Regent Carolina Corporation,Defendants.

Of whom, M.U.I. Carolina Corporation and Regent Carolina Corporation are,
.....Respondents,

And Kensington Place Owners' Association, Inc. is the,Appellant.

**RESPONDENTS' MOTION FOR
AN ASSESSMENT OF COSTS**

W. Jefferson Leath, Jr., Esq.
S.C. Bar #03244
Michael S. Seekings, Esq.
S.C. Bar #64850
Leath, Bouch & Seekings, LLP
92 Broad Street
P. O. Box 59
Charleston, SC 29402
(843) 937-8811
Attorneys for the Respondents

Pursuant to Rule 240, SCACR, Respondents hereby move this Court for an assessment of costs against the Appellants. In support of this Motion, Respondents submit a sworn, Itemized Statement of Costs incurred as a result of this Appeal.

Respectfully submitted,

LEATH, BOUCH & SEEKINGS, LLP

By: Jefferson Leath
W. Jefferson Leath, Jr., Esq.
S.C. Bar #03244
Michael S. Seekings, Esq.
S.C. Bar #64850
92 Broad Street
P. O. Box 59
Charleston, SC 29402
(843) 937-8811
Attorneys for the Respondents

Charleston, South Carolina

May 15, 2014

OTHER COUNSEL OF RECORD:

Robert T. Lyles, Jr., Esq.
Lyles & Lyles, LLC
342 East Bay Street
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Charleston, SC 29401
(843) 577-7730
Attorneys for Respondents

Kenneth R. Raynor, Esq.
Clay A. Campbell, Esq.
Templeton & Raynor, P.A.
1800 East Blvd.
Charlotte, NC 28203
(704) 344-8500
Attorneys for Appellant

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v.

M.U.I. Carolina Corporation, and Kensington Place Owners' Association, Inc., and Regent Carolina Corporation, Defendants.

Of whom, M.U.I. Carolina Corporation and Regent Carolina Corporation are, Respondents/Appellants,

And Kensington Place Owners' Association, Inc. is the, Appellants/Respondent.

PROOF OF SERVICE

W. Jefferson Leath, Jr., Esq.
S.C. Bar #03244
Michael S. Seekings, Esq.
S.C. Bar #64850
Leath, Bouch & Seekings, LLP
92 Broad Street
P. O. Box 59
Charleston, SC 29402
(843) 937-8811
Attorneys for the Respondents

I, W. Jefferson Leath, Jr., do hereby certify that on May 15, 2014 I served opposing counsel with a copy of Respondents' Motion for An Assessment of Costs via regular first class United States mail, postage prepaid, addressed as follows:

Robert T. Lyles, Jr., Esq.
Lyles & Lyles, LLC
342 East Bay Street
P.O. Box 773 (29402)
Charleston, SC 29401
Attorney for Respondents

Kenneth R. Raynor, Esq.
Clay A. Campbell, Esq.
Templeton & Raynor, P.A.
1800 East Blvd.
Charlotte, NC 28203
Attorneys for Appellant

Jefferson Leath
W. Jefferson Leath, Jr.

Charleston, South Carolina

May 15, 2014

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v.

M.U.I. Carolina Corporation, and Kensington Place Owners' Association, Inc., and Regent Carolina Corporation,Defendants.

Of whom, M.U.I. Carolina Corporation and Regent Carolina Corporation are, Respondents,

And Kensington Place Owners' Association, Inc. is the, Appellant.

RESPONDENTS'
ITEMIZED STATEMENT OF COSTS

The Court of Appeals is requested to tax the following costs against Appellant Kensington Place Owners' Association, Inc.

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief			\$92.44	

Costs of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 240(d), SCACR (July 27, 2012)			\$50.00	
Cost of Court Reporter's Transcript				
Attorney's fee provided by Rule 222(b), SCACR			\$1,000.00	
Other (specify and explain):				
		TOTAL	\$1,142.44	

I, W. Jefferson Leath, Jr., do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was mailed to opposing counsel.

Jefferson Leath
Attorney for the Respondents

Subscribed and sworn to before me this 15th day of May, 2014.

Caberyl A. Headman
Notary Public for State of South Carolina
My Commission Expires: 10.19.19
(Seal)

Respectfully submitted,

LEATH, BOUCH & SEEKINGS, LLP

By: W. Jefferson Leath

W. Jefferson Leath, Jr., Esq.

S.C. Bar #03244

Michael S. Seekings, Esq.

S.C. Bar #64850

Leath, Bouch & Seekings, LLP

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Attorneys for the Respondents

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Of whom, M.U.I. Carolina Corporation and Regent Carolina Corporation are, Respondents/Appellants,

And Kensington Place Owners' Association, Inc. is the, Appellants/Respondent.

PROOF OF SERVICE

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Attorneys for the Respondents

I, W. Jefferson Leath, Jr., do hereby certify that on May 15th, 2014, I served opposing counsel with a copy of Respondents' Itemized Statement of Costs via regular first class United States mail, postage prepaid, addressed as follows:

Robert T. Lyles, Jr., Esq.
Lyles & Lyles, LLC
342 East Bay Street
P.O. Box 773 (29402)
Charleston, SC 29401
Attorneys for Respondents

Kenneth R. Raynor, Esq.
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Charlotte, NC 28203
Attorneys for Appellant

Jefferson Leath
W. Jefferson Leath, Jr.

Charleston, South Carolina

May 15, 2014



DAVID RAMSAY HOUSE
c. 1740

LEATH, BOUCH & SEEKINGS, LLP

COMMERCIAL LITIGATION • CONSTRUCTION • ENVIRONMENTAL

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SC Court of Appeals

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

RE: Brian Pulliam v M.U.I. Carolina Corp.
Lower Court Case No. 2008CP4602158
Appellate Case No. 2014-000218

Dear Ms. Kitchings:

Please find enclosed an original and seven copies of the Respondents' Motion for an Assessment of Costs, Respondents' Itemized Statement of Costs, and Proof of Service in the above matter. I have enclosed an extra copy of the filings to be stamped upon receipt and returned in the enclosed prepaid envelope for our files.

By copy of this letter, I have served all counsel of record.

Thank you for your courtesies. If you have any questions, please contact me.

Sincerely,

LEATH BOUCH & SEEKINGS, LLP

Cheryl Steadman
Paralegal for W. Jefferson Leath, Jr.

/cas

Enclosures as stated

C: Robert T. Lyles, Jr., Esquire
Kenneth R. Raynor, Esquire
Clay A. Campbell, Esquire

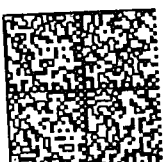


DAVID PAUL MOORE, INC.
ATTORNEYS AT LAW

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CHARLESTON, SC 29401

CAS

The Honorable Jenny Abbott Kitchings
Clerk of Court
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P.O. Box 11629
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