

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE YORK COUNTY  
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2008-CP-46-2158

72301

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MAY 27 2014

SC Court of Appeals

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/Appellants,

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

**RESPONDENTS' AMENDED 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 Respondents/Appellants. In support of this Amended 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.  
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*Attorneys for the Respondents*

Charleston, South Carolina  
May 21, 2014

OTHER COUNSEL OF RECORD:

Robert T. Lyles, Jr., Esq.  
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342 East Bay Street  
P.O. Box 773 (29402)  
Charleston, SC 29401  
(843) 577-7730  
*Attorneys for Respondents/  
Appellants*

Kenneth R. Raynor, Esq.  
Clay A. Campbell, Esq.  
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1800 East Blvd.  
Charlotte, NC 28203  
(704) 344-8500  
*Attorneys for Appellants/  
Respondents*

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**PROOF OF SERVICE**

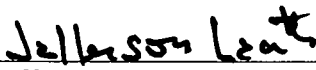
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Charleston, SC 29402  
(843) 937-8811  
*Attorneys for the Respondents*

I, W. Jefferson Leath, Jr., do hereby certify that on May 21, 2014 I served opposing counsel with a copy of Respondents' Amended 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  
P.O. Box 773  
Charleston, SC 29402  
*Attorney for Respondents/Appellants*

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

  
\_\_\_\_\_  
W. Jefferson Leath, Jr.

Charleston, South Carolina

May 21, 2014



DAVID RAMSAY HOUSE  
c. 1740

# LEATH, BOUCH & SEEKINGS, LLP

COMMERCIAL LITIGATION • CONSTRUCTION • ENVIRONMENTAL

May 21, 2014

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211-1629

RE: Brian and Deborah C. Pulliam, et al v. M.U.I. Carolina Corporation, et al  
Case No.: 08-CP-46-2158

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Respondents' Amended Motion for An Assessment of Costs with attached Itemized Statement of Costs for filing in the above-referenced case. The previously filed Motion incorrectly identified the Respondents/Appellants. I have enclosed the Amended Motion with the party correctly identified. Also enclosed is our firm check in the amount of \$25.00 for the filing fee. I would appreciate your returning a file-stamped copy to me in the enclosed envelope. By copy of this letter, I am forwarding a copy of this filing to all counsel of record.

With best regards, I am

Yours very truly,

LEATH, BOUCH & SEEKINGS, LLP

*Jefferson Leath*

W. Jefferson Leath, Jr.

WJL/cas

Enclosures as stated

c: Kenneth R. Raynor, Esquire  
Robert T. Lyles, Jr., Esquire

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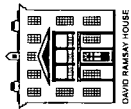
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SC Court of Appeals

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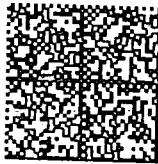
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*CAS*  
LEATH, BOUCH & SEEKINGS, LLP  
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92 BROAD STREET  
CHARLESTON, SC 29401

*The Honorable Jerry A. Kittling  
Clerk, SCCOA  
PO Box 11629  
Columbia SC  
29211-1629*



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**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 21<sup>st</sup> day of May, 2014.

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

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

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I, W. Jefferson Leath, Jr., do hereby certify that on May 21, 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:

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342 East Bay Street  
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\_\_\_\_\_  
W. Jefferson Leath, Jr.

Charleston, South Carolina

May 21, 2014