

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

S.C. Supreme Court

George C. James, Jr., Circuit Court Judge

Opinion No. 4914 (S.C. Ct. App. Filed November 30, 2011)

Stevens & Wilkinson of South Carolina, Inc.,
Gary Realty Company, Inc., Garfield Traub
Development, LLC, and Turner Construction
Company. Plaintiffs,

Of Whom

Stevens & Wilkinson of South Carolina, Inc.
Gary Realty Company, Inc. and Garfield Traub
Development, LLC are Respondents,

vs.

City of Columbia, Paul C. "Bo" Aughtry III,
Windsor/Aughtry Co., Inc., Vista Hotel Partners,
LLC, and Hilton Hotels Corporation Defendants,

Of Whom

City of Columbia is..... Petitioner.

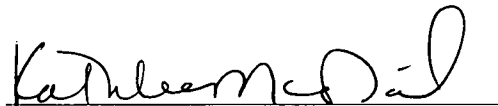
PETITIONER'S MOTION FOR COSTS

Petitioner City of Columbia hereby gives notice and moves the South Carolina Supreme Court, pursuant to Rules 222 and 242(j), SCACR, for an order taxing all costs permitted under Rules 222(b) and 242(j), SCACR, including the set attorney's fees as

provided in Rules 222(b) and 242(j)(2). This Motion is accompanied by a sworn, itemized statement of costs as required by Rules 222(d) and 242(j)(4), SCACR.

The basis for this Motion is that this Court reversed the Court of Appeals and reinstated the judgment of the trial court in favor of the Petitioner. This Court issued the Remittitur on September 5, 2014.

Respectfully submitted,



Michael W. Tighe
Richard C. Detwiler
D. Reece Williams, III
Kathleen M. McDaniel
CALLISON TIGHE & ROBINSON, LLC
Post Office Box 1390
Columbia, SC 29202-1390
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**ATTORNEYS FOR PETITIONER CITY
OF COLUMBIA**

Columbia, South Carolina
September 22, 2014

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PETITIONER'S ITEMIZED STATEMENT OF COSTS

Petitioner City of Columbia respectfully requests this Court tax the following costs against Respondents Stevens & Wilkinson of South Carolina, Inc., Gary Realty Company, Inc., and Garfield Traub Development, LLC:

Costs Taxable Under Rule 222, SCACR	No. of Pages	Rate	Requested	Allowed (Court Use Only)
Attorney's Fee Provided by Rule 222(b), SCACR	n/a		\$1,000.00	
Cost of printing and Copying Amended Final Brief in appeal by Stevens & Wilkinson	37		\$139.74	
Cost of printing and copying Final Brief in appeal by Garfield Traub and Gary Realty	35		\$141.45	
Cost of court reporter's transcript (hearings on Motions for Summary Judgment)	7-9-2009: 184 pages 8-17-2009: 263 pages	\$142.95 \$202.25	\$345.20	
Cost of court reporter's transcript (deposition of Steven Gantt, April 28, 2006)	54		\$458.20	
Cost of court reporter's transcript (deposition of Bob Wislinski, July 11, 2006)	39		\$127.40	
Cost of court reporter's transcript (deposition of Bo Aughtry, September 11, 2007)	202		\$428.10	
Court reporter's transcript (deposition of Brian Fry, December 28, 2007)	109		\$570.55	
Court reporter's transcript (deposition of Greg Dickhens, March 7, 2008)	158		\$870	
Court reporter's transcript (deposition of Damon Jeter, March 12, 2009)	90		\$339.00	
Court reporter's transcript (deposition of John Lumpkin, August 19, 2008)	316		\$1,438.60	

Costs Taxable Under Rule 222, SCACR	No. of Pages	Rate	Requested	Allowed (Court Use Only)
Court reporter's transcript (deposition of Bobby Lyles, August 21, 2008)	162		\$780.50	
Court reporter's transcript (deposition of Greg Garfield, August 22, 2008 and September 3, 2008)	314		\$1,763.50	
Court reporter's transcript (deposition of Paul Little, August 26, 2008)	82		\$567.70	
Court reporter's transcript (deposition of Mark Alles, August 26, 2008)	50		\$485.22	
Court reporter's transcript (deposition of Charles Gary, September 3, 2008)	75		\$440.50	
Court reporter's transcript (deposition of Raymond Garfield, October 2, 2008)	256		\$1,498.25	
Court reporter's transcript (deposition Tameika Isaac Devine, November 17, 2008)	118		\$569.25	
Court reporter's transcript (deposition of Mark Woodworth, November 25, 2008)	149		\$1,275.59	
Court reporter's transcript (deposition of Tony Traub, December 4, 2008)	261		\$1,228.55	
Court reporter's transcript (deposition of City of Columbia Rule 30(b)(6) witness, Steve Gantt, December 9, 2008)	207		\$427.65	
Court reporter's transcript (deposition of Charles Pinkowski, January 23, 2009)	115		\$522.25	
Court reporter's transcript (deposition of Jeff Sachs, February 5, 2009)	163		\$396.90	

Costs Taxable Under Rule 222, SCACR	No. of Pages	Rate	Requested	Allowed (Court Use Only)
Court reporter's transcript (deposition of Charles Phillips, February 18, 2009)	122		\$276.50	
Court reporter's transcript (deposition of Dean Morr, July 8, 2009)	181		\$910.85	
Court reporter's transcript (deposition of Donna Jumper, September 23, 2009)	52		\$326.25	
Costs Taxable Under Rules 242(j), SCACR	No. of Pages	Rate	Requested	Allowed (Court Use Only)
Attorney's Fee Provided by Rule 242(j)(2), SCACR			\$1,000.00	
Cost of printing and copying Final Brief	40		\$276.48	
Cost of printing and copying Final Reply Brief	9		\$100.44	
Cost of Printing and copying Appendix	1,916		\$5,246.08	
Filing fee paid under Rule 242(c), SCACR			\$100.00	
Total: <u>\$24,050.70</u>				

I, Kathleen McDaniel, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon opposing counsel by First Class United States Mail, postage prepaid.

[SIGNATURE PAGE TO FOLLOW]

Kathleen McDaniel

Kathleen McDaniel, Esq.
Attorney for Petitioner City of Columbia

Subscribed and sworn to before me this 22nd day of September, 2014.

Katie A. Mintow

Notary Public for State of South Carolina

My Commission Expires: 2/25/2018

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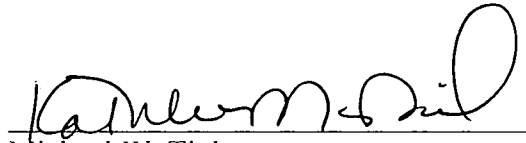
Of Whom

City of Columbia is..... Petitioner.

CERTIFICATE OF SERVICE

I certify that I have served the **PETITIONER'S MOTION FOR COSTS** on the Respondents herein, by causing copies of same to be hand-delivered, to its attorneys of record, Richard A. Harpootlian, at 1410 Laurel Street, Columbia, South Carolina 29202 and Kenneth M. Suggs, Esquire and Francis M. Hinson, IV, Esquire, at Janet Jenner &

Suggs, LLC, 500 Taylor Street, Suite 301, Columbia, South Carolina 29202, on
September 22, 2014.



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