

THE STATE OF SOUTH CAROLINA
In The SUPREME COURT

Appellate Case No. 2012-212258

STEPHEN C. WHIGHAM.....PETITIONER,

v.

JACKSON DAWSON COMMUNICATIONSRESPONDENTS
AND THE HARTFORD

RECEIVED
SEP 29 2014
S.C. SUPREME COURT

PETITIONER'S REPLY TO RESPONDENTS' RETURN TO MOTION FOR COSTS

Petitioner, by and through undersigned counsel, would reply to Respondents' Return to Motion for Costs as follows:

1. Petitioner realizes that this Court has not ruled on Respondents' Petition for Rehearing. Petitioner assumes this Court will only address his Motion for Costs after ruling on Respondents' Petition for Rehearing. Unless instructed otherwise, Petitioner will let his Motion for Costs stand and does not intend to re-file it after a ruling on Respondents' Petition for Rehearing.
2. In this particular case, the Court of Appeals is the lower court, and this Court's decision had the effect of reversing the judgment of the Court of Appeals. This Court's decision with regard to compensability of Petitioner's claim under the Workers' Compensation

Act is the final decision contemplated by Rule 242(j)(1), as opposed to any subsequent award by the Workers' Compensation Commission.

3. Assessing attorney fees against Respondents is entirely proper, and an award of attorney fees does not amount to doubling up by Petitioner's attorney. Respondents do not know any details about Petitioner's fee agreement with his attorney. Moreover, fees are capped by the Workers' Compensation Commission and are not in any way increased to contemplate appellate work, much less work before two (2) appellate courts.

Based upon the above, Petitioner respectfully requests that this Court grant the costs requested in his Motion for Costs.

Respectfully submitted,

Date: _____

9/26/14



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PROOF OF SERVICE

I certify that I have served the PETITIONER'S REPLY TO RESPONDENTS' RETURN TO MOTION FOR COSTS on the Respondents by depositing a copy of the document in the United States mail, first class postage prepaid, on September 26, 2014, to Respondents' counsel of record, Benjamin M. Renfrow, Esquire, Willson Jones Carter & Baxley, P.A., 872 South Pleasantburg Drive, Greenville, SC 29607.



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