

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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OCT 06 2014

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

SC Court of Appeals

Kristi L. Harrington, Circuit Court Judge

Case No. 2011196386

Mark F. Teseniar and Nan M. Teseniar, on
behalf of themselves and others similarly
situated, and Twelve Oaks at Fenwick
Property Owners Association, Inc.,
Respondents,

v.

Professional Plastering & Stucco, Inc., Maria
Arias, and Miquel Rosales,
Defendants,

Of whom Professional Plastering & Stucco, Inc. is the Appellant.

Professional Plastering & Stucco, Inc., Appellant

v.

Maria Arias, Miquel Rosales, and APS Enterprises Unlimited, Inc., Third-Party
Plaintiffs,

Of whom APS Unlimited, Inc. is Respondent.

**APPELLANT'S REPLY TO RESPONDENT APS ENTERPRISES UNLIMITED,
INC.'S RETURN TO APPELLANT'S MOTION FOR COSTS AGAINST
RESPONDENT APS ENTERPRISES UNLIMITED, INC.**

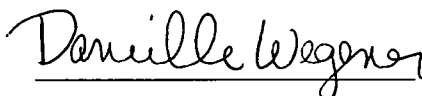
TO: JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

Appellant Professional Plastering & Stucco, Inc. (hereinafter "Professional") hereby submits this Reply to APS Enterprises Unlimited, Inc.'s (hereinafter "APS") Return to Professional's Motion for Costs against APS.

Professional believes the allocation of attorney's fees and costs as set forth in its Motion for Costs against APS is correct. The issue on appeal against APS was separate and unrelated to the issues on appeal against Teseniar. Although in the same case, the appeal against APS stemmed from a third-party action in which APS was granted summary judgment, whereas the appeal against Teseniar stemmed from a trial and jury verdict against Professional. Professional relies on the allocation of attorney's fees and costs set forth in its Motion for Costs against APS, and respectfully requests that the Court grant Professional's Motion for Costs against APS.

Respectfully submitted,

ANDERSON REYNOLDS & STEPHENS, LLC



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October 2nd, 2014
Charleston, South Carolina

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SC Court of Appeals

I certify that I have served Appellant's Reply to Respondent APS Enterprises Unlimited, Inc.'s Return to Appellant's Motion for Costs to Respondent APS Unlimited, Inc. by depositing a copy in the U. S. mail, postage paid and via electronic service on October 2nd, 2014 addressed to Respondents' attorneys as set forth below:

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October 2, 2014

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

RE: Mark F. Teseniar and Nan M. Teseniar, on Behalf of Themselves and
Other Similarly Situated et al vs. Professional Plastering & Stucco, Inc. et al.
Case Number: 2008-CP-10-49
Claim Number: 72-39-263451 (PEG)
AR & S File No.: 20100-41

Case No.: 2011196386


Dear Ms. Kitchings

Please find enclosed the original and seven (7) copies of Appellant's Reply to Respondent APS Enterprises Unlimited, Inc.'s Return to Appellant's Motion for Costs and the originals and seven (7) copies of the corresponding Proof of Service.

Please file the originals and return one (1) clocked copy of the motion and proof of service to me in the self-addressed, postage paid envelope enclosed. Your assistance in this matter is greatly appreciated.

With kindest regards, I am

Sincerely yours,



Danielle B. Wegener

DBW/jcd
Enclosures

cc: Jesse A. Kirchner, Esquire/ Michael A. Timbes, Esquire
Roy P. Maybank, Esquire / Jason A. Daigle, Esquire/Amanda Maybank, Esquire
Phillip W. Segui, Jr., Esquire
John T. Chakeris, Esquire
W. Jefferson Leath, Jr., Esquire/ Michael S. Seekings, Esquire
Justin O'Toole Lucey, Esquire
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(via electronic mail)

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