

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM YORK COUNTY  
Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

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Opinion No. 4935 (S.C. Ct. App. filed Jan. 25, 2012)

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Shannon Ranucci,

Petitioner,

v.

Corey K. Crain, M.D.,

Respondent.

**RECEIVED**

OCT 21 2014

**S.C. SUPREME COURT**

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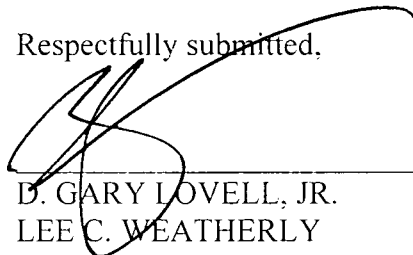
**RETURN TO MOTION FOR COSTS ON APPEAL**

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Respondent respectfully submits this Return in opposition to Petitioner's Motion for Costs on Appeal. This appeal involved a matter of first impression, and this Court's decision has resolved the uncertainty surrounding the application of Sections 15-79-125 and 15-36-100 in medical malpractice cases. Given the significance of the decision to medical malpractice litigants and their attorneys statewide, and in light of the fact that Respondent prevailed in the trial court and in the Court of Appeals before this Court reversed in a 4-1 decision, Respondent submits that it would not be fitting to award Petitioner her costs on appeal. Alternatively, if the Court finds that an award of costs would be appropriate, Respondent respectfully requests a reduction of those costs to reflect only those costs incurred in this Court (\$1,384.26).

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,



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Attorneys for Respondent

October 17, 2014

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**CERTIFICATE OF SERVICE**

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I certify that on the date indicated below, I served Respondent's *Return to Motion for Costs on Appeal* on Petitioner by depositing a copy of it in the United States Mail, postage prepaid, on October 17, 2014, addressed to Petitioner's attorneys of record as follows:

Eric C. Davis, Esq.  
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October 17, 2014

The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, SC 29211

**RECEIVED**

OCT 21 2014

Re: Ranucci v. Crain  
Appellate Case No. 2012-211188  
Our File No.: 3469-39774

**S.C. SUPREME COURT**

Dear Mr. Shearouse:

Enclosed please find for filing in the above-reference matter the original and seven (7) copies of Respondent's Return to Motion for Costs on Appeal, and proof of service of the same. Please return a clocked copy in the enclosed self-addressed, stamped envelope.

By copy of this correspondence, I have served the same upon all counsel of record. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely yours,

  
MICHAEL B. MCCALL

MBM:sht  
Enclosures

cc: Eric C. Davis, Esq.  
Daryl G. Hawkins, Esq.  
Blake A. Hewitt, Esq.