

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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APPEAL FROM HORRY COUNTY
Court Of Common Pleas

NOV 10 2014

The Honorable Steven H. John, Circuit Court Judge **S.C. Supreme Court**

Case No: 2012-CP-26-5610

Shaul Levy and Meir Levy,.....Appellants.

v.
Carolinian, LLC,.....Respondent.

PETITION FOR AWARD OF COSTS

The Appellants respectfully petition the Court for an award of costs and attorney’s fees pursuant to Rule 222(d), SCACR. The Appellants were the prevailing parties in this appeal, and the Respondent’s petition for rehearing was denied. The Court issued the Remittitur on October 24, 2014. Therefore, the Appellants are entitled to an award of costs under Rule 222, SCACR, and the Appellants seek the costs specified in the Affidavit for Award of Costs, which is filed with this Petition.

(Signature on next page)

Respectfully submitted,

R. Hawthorne Barrett

R. Wayne Byrd
Mark B. Goddard
Turner Padgett Graham & Laney P.A.
2411 N. Oak Street, Suite 301
Myrtle Beach, SC 29577
(843) 213-5500

R. Hawthorne Barrett
Turner Padgett Graham & Laney P.A.
P.O. Box 1473
Columbia, SC 29202
(803) 254-2200

Attorneys for the Appellant

November 10, 2014

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AFFIDAVIT FOR AWARD OF COSTS

The Appellate Court is requested to tax the following costs against the Respondent:

| COSTS TAXABLE UNDER RULE 222, SCACR | NO. OF PAGES | RATE | REQUESTED | ALLOWED (For Court Use Only) |
|---|--------------|--------|-----------|------------------------------|
| Cost of Printing or Copying Final Brief | 390 | \$0.07 | \$27.30 | |
| Cost of Printing or Copying Final Reply Brief | 300 | \$0.07 | \$21.00 | |
| Cost of Printing or Copying Record on Appeal | 2,610 | \$0.07 | \$182.70 | |
| Filing Fee Paid Under Rule 203(d), SCACR | \$100.00 | N/A | \$100.00 | |
| Cost of Court Reporter's Transcript | N/A | N/A | N/A | |

| | | | | |
|---|-----|--------------|-------------------|--|
| Attorney's Fee Provided By Rule 222(b), SCACR | N/A | N/A | \$1,000.00 | |
| | | TOTAL | \$1,331.00 | |

I, R. Hawthorne Barrett, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement has been served upon opposing counsel.

R. Hawthorne Barrett
R. Hawthorne Barrett

Attorney for the Appellants

Subscribed and sworn to before me this 10th day of November, 2014.

Carolyn B. Buigg
Notary Public for the State of South Carolina

My Commission Expires: 12/15/15

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The Honorable Steven H. John, Circuit Court Judge **S.C. Supreme Court**

Case No.: 2012-CP-26-5610

Appellate Case No. 2013-000650

Shaul Levy and Meir LevyAppellants,

vs.

Carolinian, LLC.....Respondent.

PROOF OF SERVICE

The undersigned, an attorney in this matter for the Appellants certifies that I have this **10th day of November, 2014**, served copies of the Appellants' **Petition for Costs and Affidavit for Award of Costs** on counsel for the Respondent by causing them to be deposited in the United States mail with sufficient postage attached, addressed to: Benjamin A. Baroody, Esq.; The Bellamy Law Firm; P.O. Box 357; Myrtle Beach, SC 29578.

[Signature page to follow.]

TURNER PADGET GRAHAM & LANEY P.A.

R. Hawthorne Barrett

R. Wayne Byrd
Mark B. Goddard
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November 10, 2014