

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J. C. Nicholson, Jr., Judge

Case No. 2011-CP-10-2028

Joseph M. Bettelli, Jr. and Susan B. Bettelli.....Appellants,

v.

Town of Awendaw Board of Zoning Appeals and
Berkeley Electric Cooperative,.....Respondents.

RETURN TO MOTION FOR COSTS

Christopher McG. Holmes
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Attorney for Appellants

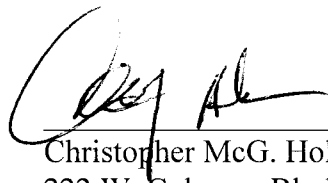
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Appellants object to the Motion for Costs and request that it be denied. The basis for this Opposition is that the lower court substantially ruled in Appellants' favor at every stage until the final Order. Appellants bore the substantial costs of printing the Record on Appeal and Respondent's only expenses were printing of its brief which was less than \$100.00. The appeal was heard by the Court of Appeals on the briefs submitted and without argument so that the parties incurred no expenses in preparing for, traveling to and participating at Court. Appellants are neighbors to Respondent's facility who are hold labor and clerical positions and are merely trying to protect the values and use of their property. They have already incurred significant expenses in these efforts. Respondent is a utility company with vastly greater resources and has yet to perform the mitigating measures required for in its variance.

For all of the foregoing reasons, Appellants request the Motion for Costs be denied.



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Attorney for Appellants

December 15, 2014

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J. C. Nicholson, Jr., Judge

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v.


Town of Awendaw Board of Zoning Appeals and
Berkeley Electric Cooperative,.....Respondents.

CERTIFICATE OF SERVICE

hereby certify that I have this date placed in the United States mail, first class,
postage prepaid, Return to Motion for Cost, addressed to the following:

Jary J. Hulst, Esq.
PO Box 1288
Moncks Corner, SC 29461

Dwayne M. Green, Esq.
602 Rutledge Avenue
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December 15, 2014

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


RE: Bettelli v. Awendaw/Berkeley Electric;
Appellate Case No. 2013-001286

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of Appellants Return to Motion for Costs in the above referenced case and Proof of Service for same.

With kindest regards, I am

Sincerely,



Christopher McG. Holmes
Attorney for Appellants

encl a/s

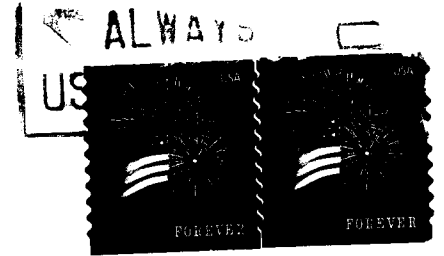
cc: Jary J. Hurst, Esq.
Dwayne M. Greene, Esq.

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