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December 31, 2014

Via U.S. Mail

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

Re: *1634 Main, LP vs. Shirley Hammer vs. Howard Hammer and Hammer v Hammer*
Appellate Case No: 2014-000965

Dear Mr. Shearouse:

On Monday, December 29, 2014 we submitted for filing the Respondent's Motion for Costs for the above-referenced matter. A clerical error was made on item #16. The amount in the first set of parenthesis should be \$19,272.50 and should read as nineteen thousand two hundred seventy-two dollars and fifty cents. Accordingly, please find attached a replacement page 6 for that Motion, which we request be substituted for the original page 6 contained in the Motion for Costs previously submitted.

If you should have any questions, please do not hesitate to contact us. With warm personal regards, I am,

Sincerely yours,

Beth Cogan, Paralegal
beth@desaballard.com

cc: (via US Mail and Email)
Arthur K. Aiken, Esquire
Thomas Bunch, Esquire
Shirley Hammer (via email only)

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S.C. SUPREME COURT

16. In defending these appeals, Shirley incurred attorney fees in the amount of nineteen thousand two hundred seventy-two dollars and fifty cents (\$19,272.50) through the date the petition for rehearing was filed. Pursuant to Rule 269, Shirley is informed and believes that she should be entitled to an additional award of attorney fees, beyond those permitted by Rule 222, as well as the costs set forth in the Bill of Costs attached hereto (\$221.44) for a total award of \$19,493.94.(Exhibit E (costs only) and Exhibit F (fees only).

17. Should this Court determine that an the actual fees incurred by Shirley is not appropriate or are insufficient to deter future frivolous filings by Howard, Shirley requests an award of fees pursuant to Rule 269, SCACR in an amount determined by this Court. Her costs remain at \$221.44.

18. Should this Court determine that Shirley is not entitled to an award of fees pursuant to Rule 269, SCACR, then in the alternative, Shirley requests an award of costs and fees pursuant to the Bill of Costs attached hereto and incorporated by reference as Exhibit F in the total amount of \$2,241.44.

Wherefore, having fully set forth the grounds for the relief requested herein, Shirley Hammer moves for an order:

- A. Pursuant to Rule 269, SCACR for an award of attorney fees against Howard Hammer in the amount of \$19,272.50 or in such amount as to be determined by this Court;
- B. In the alternative, Shirley Hammer requests an award of fees and costs pursuant to Rule 222, SCACR, in the amount of \$2,221.44; and

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