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**IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM RICHLAND COUNTY
Court of Common Pleas**

Thomas W. Cooper, Jr., Circuit Court Judge

Case No. 2013-002806

RECEIVED

MAR 31 2015

SC Court of Appeals

John D. Cattano Appellant,


v.

Emser Tile, LLC Respondent.

RESPONDENT'S MOTION TO ASSESS COSTS

**ANTHONY D. HOEFER
LEVI, WITTENBERG, HARRITT
HOEFER & DAVIS, P.A.
Post Office Drawer 730
Sumter, SC 29151-0730
(803) 773-8431
(803) 775-9011
Attorney for Respondent**

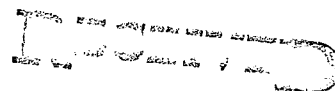
YOU WILL PLEASE TAKE NOTICE that the Respondent moves for the assessment of costs on Appeal pursuant to Appellate Court Rule 222, SCACR . The ground and basis of said Motion being that this Court issued its Order in favor of the Respondent affirming the judgment of the Lower Court.


ANTHONY D. HOEFER
LEVI, WITTENBERG, HARRITT
HOEFER & DAVIS, P.A.
Post Office Drawer 730
Sumter, SC 29151-0730
(803) 773-8431
(803) 775-9011
Attorney for Respondent

March 27, 2015

**FORM 17
ITEMIZED STATEMENT OF COSTS**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]



MAR 31 2015

SC Court of Appeals

Emser Tile, LLC

) Lower Court Case No. 2012CP4005587

) Appellate Case No. 2013-002806

v.

John Cattano

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SC Court of Appeals

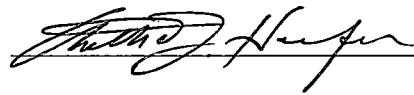
The Appellate Court is requested to tax the following costs against

(John Cattano)

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief				
Cost of Printing or Copying Final Reply Brief	208	\$.040	\$85.06	
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR				
Cost of Court Reporter's Transcript				
Attorney's Fee Provided By Rule 222(b), SCACR			\$1,000.00	
Other (specify and explain):				

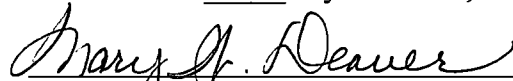
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing or Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1,085.83	

I, Anthony D. Hoefel do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.

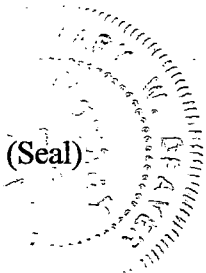

 (Signature)

Attorney for Emser Tile LLC

Subscribed and sworn to before me this 27th day of March, 2015.



Notary Public for South Carolina
 My Commission Expires: 07/13/20



**IN THE STATE OF SOUTH CAROLINA
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Court of Common Pleas**

Thomas W. Cooper, Jr., Circuit Court Judge

Case No. 2013-002806


Emser Tile, LLC..... Respondent,

v.

John D. Cattano Appellant.

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true copy of Respondent's Motion to Assess Costs to: John D. Cattano, P.O. Box 106, Columbia, SC 29202 this 27th day of March, 2015


**ANTHONY D. HOEFER
LEVI, WITTENBERG, HARRITT,
HOEFER & DAVIS, P.A.
Post Office Drawer 730
Sumter, SC 29151-0730
(803) 773-8431 Phone
(803) 775-9011 Fax
Attorney for Respondent**

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SC Court of Appeals

LAW OFFICES
OF
LEVI, WITTENBERG, HARRITT, HOEFER & DAVIS, P.A.

207 N. WASHINGTON STREET
P.O. DRAWER 730
SUMTER, SOUTH CAROLINA 29151

WENDELL M. LEVI (1891-1976)
PHILIP WITTENBERG - OF COUNSEL

TELEPHONE
803-773-8431
FAX
803-775-9011

WILLIAM L. HARRITT, JR.
ANTHONY D. HOEFER
JOSEPH F. DAVIS

March 27, 2015

The Honorable Jenny Abbott Kitchings
Clerk, The South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Emser Tile, LLC vs John Cattano

Appellate Case No. 2013-002806

Dear Ms. Kitchings:

I enclose herewith an original and six (6) copies of Respondent's Motion to Assess Costs pursuant to Appellate Court Rules: Rule 222 SCACR, together with Certificate of Service, and our check in the amount of \$25.00.

With kind regards, I am

Sincerely,

LEVI, WITTENBERG, HARRITT,
HOEFER & DAVIS, P. A.


Anthony D. Hoefer

ADH/mwd

Enclosures

cc: Mr. John Cattano
Post Office Box 106
Columbia, South Carolina 29202
w/enclosures

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SC Court of Appeals



COLUMBIA SC 292

FRI 27 MAR 2015 PM

The Honorable Jenny Abbott Kitchings
Clerk, The South Carolina Court of
Appeals
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Columbia, South Carolina 29211