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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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AUG 04 2015
SC Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION
COMMISSIONER GENE MCCASKILL
COMMISSIONER SUSAN S. BARDEN
COMMISSIONER AISHA TAYLOR

WCC File No. 1202332
Appellate Case No. 2014-002289

Elliott Barber, Employee,..... Appellant.

v.

Candies Construction Co., LLC, Employer, and Granite State Insurance Co., Carrier, and Custom Coated Components, LLC, Uninsured Employer, and the South Carolina Uninsured Employers' Fund, ... Respondents.

MOTION FOR COSTS

Pursuant to Rule 222, of the South Carolina Appellate Court Rules, Respondents respectfully move this Court for an Order awarding costs in this appeal. By Order dated July 1, 2015, this Court dismissed this appeal, finding the order of the Appellate Panel of the South Carolina Workers' Compensation Commission remanding the case to the single commissioner for a hearing de novo was not immediately appealable. Costs shall be taxed against the appellant when

the appeal is dismissed. See Rule 222(a), SCACR. Respondents incurred attorney's fees from reviewing the transcript, preparing the initial brief, and filing the motion to dismiss the appeal. Accordingly, Respondents respectfully requests this Court for an Order awarding costs for the standard $1,000 attorney's fees allowed.

Respectfully Submitted,

COLLINS & LACY, P.C.

By:

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ATTORNEYS FOR
RESPONDENTS CANDIES
CONSTRUCTION CO., LLC AND
GRANITE STATE
INSURANCE CO.

Columbia, South Carolina
August 4, 2015

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WORKERS' COMPENSATION COMMISSION
Commissioner Gene McCaskill
Commissioner Susan S. Barden
Commissioner Aisha Taylor

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Elliott Barber, Employee,Appellant.

v.

Candies Construction Co., LLC, Employer, and Granite State Insurance Co., Carrier, and Custom Coated Components, LLC, Uninsured Employer, and the South Carolina Uninsured Employers' Fund, Respondents.

STATEMENT OF COSTS

PERSONALLY APPEARED BEFORE ME, the undersigned, **CHRISTIAN STEGMAIER**, who after being duly sworn, deposes and says:

1. My name is Christian Stegmaier and I am over the age of eighteen (18), of sound mind and competent to make a statement under oath. I have first-hand knowledge of matters covered in this Affidavit with the exception of those stated

upon information and belief. As to those matters stated upon information and belief, I reasonably believe them to be true.

2. We represented Respondents Candies Construction Co., LLC and Granite State Insurance Co. in the above-titled appeal.

3. By Order dated July 1, 2015, this Court dismissed this appeal, finding the order of the Appellate Panel of the South Carolina Workers' Compensation Commission remanding the case to the single commissioner for a hearing de novo was not immediately appealable.

4. Respondents incurred attorney's fees from reviewing the transcript, preparing the initial brief, and filing the motion to dismiss the appeal.

5. Respondents respectfully move for an Order awarding costs for the standard $1,000 attorney's fees.

6. The foregoing costs were necessarily incurred in this action.

FURTHER, AFFIANT SAYETH NAUGHT.

Christian Stegmaier

Sworn to and subscribed before me
this 4th day of August, 2015.

(L.S.)
Notary Public for South Carolina
My Commission Expires: 10/26/99

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PROOF OF SERVICE

Counsel for Respondents Candies Construction Co., LLC and Granite State Insurance Co. certifies that she has served the Motion for Costs on all parties by depositing a copy of it in the United States Mail, postage prepaid, on August 4, 2015, addressed to the following attorneys of record:

Ryan T. LeBlanc, Esquire
Joye Law Firm, LLP
Post Office Box 62888
North Charleston, SC 29419-2888

Lisa C. Glover, Esquire
S.C. Uninsured Employers' Fund
PO Box 210039
Columbia, SC 29221

Respectfully Submitted,

COLLINS & LACY, P.C.

By: _____

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ATTORNEYS FOR RESPONDENTS CANDIES CONSTRUCTION CO., LLC AND GRANITE STATE INSURANCE CO.

PROOF OF SERVICE-MOTION FOR COSTS