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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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AUG 03 2016

APPEAL FROM CHARLESTON COUNTY
The Honorable Mikell R. Scarborough, Charleston County Master-In-Equity
SC Court of Appeals

Case No. 2011-CP-10-9513
Appellate Case No. 2014-002742

Amh-Ashley Marina, LLC, and Amh Management, LLC.....Appellants,

v:

The Harborage at Ashley Marina Horizontal Property Regime,
The Harborage at Ashley Marina Condominium Association,
Eddy McCoy, Stuart Reeves, Brian Swan, Rich Cone, and Ed
Miskotten, individually, are.....Respondents.

RESPONDENTS' MOTION FOR COSTS

The above-named Respondents hereby move this Honorable Court for an Order taxing the fees and costs set forth herein pursuant to Rule 222, SCACR, against the above listed Appellant. In support of this motion, the Respondent states as follows:

1. The above captioned case was called to trial before the Mikell Scarborough, Master-In-Equity, in the Ninth Judicial Circuit.
2. On appeal, this Court affirmed the trial court without Oral Argument pursuant to Rule 215, SCACR, on July 6, 2016, in an unpublished opinion.
3. This Court issued the Remittitur in this matter on July 22, 2016.

4. Upon Respondents' success on the merits at trial, and in contemplation of a pending appeal, the trial Court issued an Order ruling that Respondents had demonstrated entitlement to attorney fees and that upon successfully defending the anticipated appeal (or in the case that no appeal was taken), Respondents could move before the trial court for attorney fees and costs. In seeking fees and costs in this Court pursuant to Rule 222, SCACR, Respondents do not waive any right to claim and collect any attorney fees or costs pursuant to the Order of the trial court to the extent such fees and costs are not duplicative of those that may be recovered by this motion. *See Austin v. Stokes-Craven*, 406 S.C. 187, 750 S.E.2d 78 (2013).

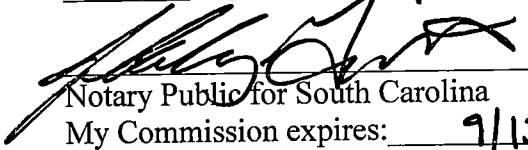
5. The Respondents seek fees and cost in accordance the South Carolina Appellate Court Rules and as set forth below:

COSTS TAXABLE UNDER RULE 222, SACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	390	N/A	\$133.56	
Cost of Printing or Copying Final Reply Brief		N/A		
Cost of Printing or Copying Record on Appeal		N/A		
Filing Fee Paid Under Rule 203(d) SCACR		N/A		
Cost of Court Reporter's Transcript		\$29.45	\$29.45	
Attorney's Fee Provided By Rule 222(b), SCACR		Limited to \$1,000.00 by Rule	\$1,000.00	
Other (specify and explain): Filing fee - Motion to Dismiss		N/A		
		TOTAL	\$1,163.01	

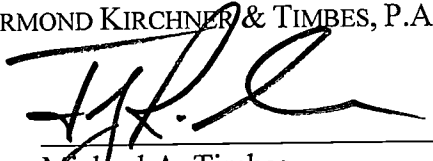
I, Michael A. Timbes, do swear or affirm that the foregoing costs are correct and were actually incurred in this action. A copy of this Statement of Costs was served upon opposing counsel in the manner set forth in the Affidavit of Service attached hereto and filed simultaneously herewith.

By: 
MICHAEL A. TIMBES

SUBSCRIBED and SWORN to before me this
29 day of July, 2016.

 (SEAL)
Notary Public for South Carolina
My Commission expires: 9/13/21

Respectfully submitted,

THURMOND KIRCHNER & TIMBES, P.A.
By: 
Michael A. Timbes
Thomas J. Rode
15 Middle Atlantic Wharf, Suite 101
Charleston, South Carolina 29401
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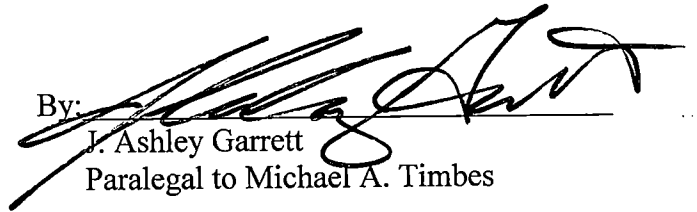
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CERTIFICATE OF SERVICE

I, J. Ashley Garrett, an employee of Thurmond Kirchner & Timbes, P.A., attorneys for the Respondents, do hereby certify that I have on this date served via U.S. Mail and Facsimile, a true and correct copy of the Respondent's Motion for Costs to the following counsel of record:

FOR THE APPELLANTS:
Edward K. Pritchard, III
Pritchard Law Group
129 Broad Street
Charleston, South Carolina 29402
(843) 722.3300 (o)
epritchard@pritchardlawgroup.com

By: 
J. Ashley Garrett
Paralegal to Michael A. Timbes

This 29 day of July, 2016
Charleston, South Carolina

THURMOND KIRCHNER & TIMBES, P.A.
ATTORNEYS & COUNSELORS AT LAW

15 MIDDLE ATLANTIC WHARF
CHARLESTON, SOUTH CAROLINA 29401

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SC Court of Appeals

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Christopher P. Deters
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Christopher C. Romeo **
Matthew S. Byzet

* Also admitted in Georgia
** Also admitted in North Carolina

July 29, 2016

VIA U.S. MAIL

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

Re: **Case Tracking No. 2014-002742**
AMI-Ashley Marina v. The Harborage at Ashley Marina
Case No. 2011-CP-10-9513

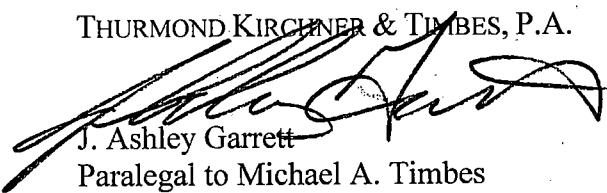
Dear Ms. Kitchings:

The firm represents the Respondents in connection with the above appeal. Please find enclosed and original and seven (7) copies of Respondents' Motion for Costs as well as this firm's check in the amount of \$25.00 in satisfaction of the filing fee. I would appreciate it very much if you would please file the original with the Court and return any extra file-stamped copies to me using the enclosed self-addressed, stamped envelope provided for your convenience. Should you have any questions or concerns, please do not hesitate to contact us. Your assistance with this matter is greatly appreciated.

With kind regards, I remain

Very truly yours,

THURMOND KIRCHNER & TIMBES, P.A.


J. Ashley Garrett
Paralegal to Michael A. Timbes

cc: Edward K. Pritchard, Esquire

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