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APR 17 2017
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION
COMMISSION
T. Scott Beck, Commissioner

Appellate Case No. 2012-211870
W.C.C. 0922546

Richard A. Hartzell, Employee.....Respondent,

v.

Palmetto Collision, LLC, Employer.....Appellant,

and

S.C. Worker's Compensation Uninsured Employer's Fund.....Respondent.

MOTION FOR COSTS AND FEES

Palmetto Collision, LLC, Appellant in the above-named matter, hereby moves for an award of costs and attorney's fees pursuant to Rule 222, SCACR. This Motion is based upon the South Carolina Court of Appeals's twice reversal of the single Commissioner's Order and the Appellate Panel's Order (*Hartzell v. Palmetto Collision, LLC*, 406 S.C. 233, 750 S.E.2d 97 (Ct. App. 2013); S.C. Ct. App. Op. No. 5457, filed November 23, 2016). The Clerk of the Court of Appeals is requested to tax costs and fees in the amount of \$\$4,811.33 representing the filing fee paid under Rule 203(d), the cost of the court reporter's transcript, the cost of printing the Record on Appeal under Rule 209, the cost of printing the final brief under Rule 210, and attorney's fees from the initial appeal to the Court

of Appeals, appeal to the Supreme Court, and subsequent remand back to the Court of Appeals as provided by Rule 222(b), SCACR; against the Respondents, Richard A. Hartzell and the S.C. Worker's Compensation Uninsured Employers Fund. The aforementioned costs and fees are stated more particularly in the attached Itemized Statement of Costs.

The Appellant, Palmetto Collision, LLC, further requests such other relief against the Respondents as this honorable Court may deem just and proper.

Respectfully Submitted,

Kirsten Leslie Barr

Kirsten Leslie Barr
SC Bar #15525
Trask & Howell, L.L.C.
P.O. Box 2167
Mt. Pleasant, SC 29465
(843) 881-4228
Attorney for Appellant

April 13, 2017

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PROOF OF SERVICE

The undersigned hereby certifies that the above-named Respondents, Richard A. Hartzell and the S.C. Workers's Compensation Uninsured Employer's Fund, were each served with a copy of the Motion for Costs and Itemized Statement of Costs of the Appellant this 12th day of April 2017, by depositing a copy of the same in the United States Mail, first class postage prepaid, addressed to the attorneys of record, as follows:

Kerry W. Koon, Esq.
147 Wappoo Creek Drive, Suite 203
Charleston, SC 29412

Lisa Glover, Esq.
S.C. Uninsured Employers Fund
P.O. Box 210039
Columbia, SC 29921-0039

April 13, 2017

Kirsten Leslie Barr

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TRASK
HOWELL
WORKERS' COMPENSATION DEFENSE

Reply to
Kirsten L. Barr
(843) 881-1027
kbarr@trask-howell.com

April 13, 2017

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

SC Court of Appeals

APR 17 2017

Re: Richard A. Hartzell v. Palmetto Collision, LLC
W.C.C. File No.: 0922546
COA Case No.: 2012-211870
Date of Accident: February 25, 2009

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Dear Ms. Kitchings:

Enclosed herewith for filing, please find the original and six (6) copies of our Motion for Costs and Fees and Itemized Statement of Costs, along with our original Proof of Service of the same in the above-referenced case. By a copy of this correspondence, I am serving the other counsel of record with a copy of our Motion and Itemized Statement. Also enclosed, please find our check in the amount of \$25.00 for the filing of this Motion.

Yours very truly,

Kirsten L. Barr

Kirsten L. Barr

KLB/cnc/les

Enc.

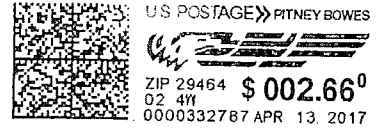
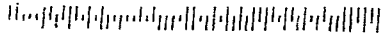
cc: Mike Stallings, Palmetto Collision, LLC (w/enc.)
Kerry W. Koon, Esq. (w/enc.)
Lisa Glover, Esq. (w/enc.)

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SC Court of Appeals





TRASK & HOWELL, LLC
P.O. BOX 2167
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129-11
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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