

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable J. Derham Cole

Appellate Case No. 2017-001349

Albert R. LaFleur and Eileen LaFleur, Appellants,

v.

Coral Resorts, LLC, Hilton Head Hospitality, LLC d/b/a
Hilton Head Guest Services, Sunrise Vacation Properties,
Ltd., Sherri J. Smith, Patrick Budnik, Steven Deutsch,
Katherine Swisher, and Reba Management, Inc.,
Respondents.

And

John J. Meilert, Appellant,

v.

Coral Resorts, LLC, Coral Holdings, LLC, Sunrise
Vacation Properties, Ltd., Sherri J. Smith, Port O'Call
Owners Association, Inc., Coral Reef Owners
Association, Inc., Island Links Owners Association, Inc.,
and Reba Management, Inc., Respondents.

And

Dennis and Margaret McCloskey, Appellants,

v.

Hilton Head Island Development Company, LLC d/b/a
Coral Resorts, LLC, Hilton Head Hospitality, LLC d/b/a
Hilton Head Guest Services, Sunrise Vacation Properties,
Ltd., Coral Sands Owners Association, Inc., Sherri J.
Smith, and Sydney Karp, Respondents.

And

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SC Court of Appeals

Alexander Hail and Rebecca Key, Appellants,

v.

Coral Resorts, LLC, Coral Sands Owners Association, Inc., Sunrise Vacation Properties, Ltd., Reba Management, Inc., Sherri J. Smith, Robert Lauderman, Frank McKinney, Lachell Taylor, Steve Deutsch, Phil Luchese, and Port O'Call Owners Association, Inc., Defendants,

Of which Coral Resorts, LLC, Coral Sands Owners Association, Inc., Sunrise Vacation Properties, Ltd., Reba Management, Inc., Sherri J. Smith, Robert Lauderman, Frank McKinney, Lachell Taylor Steve Deutsch, and Port O'Call Owners Association, Inc., are Respondents.

And

John King and Laura King, Appellants,

v.

Coral Resorts, LLC, Port O'Call Owners Association, Inc., Island Links Owners Association, Inc., Sunrise Vacation Properties, Ltd., Reba Management, Inc., Coral Holdings, LLC, and Sherri J. Smith, Respondents.

And

James Wilson and Deborah Wilson, Appellants,

v.

Coral Resorts, LLC, Hilton Head Island Development Company, LLC, Island Links Owners Association, Inc., Port O'Call Owners Association, Inc., Sunrise Vacation Properties, Ltd., Reba Management, Inc., K. Michael Barfield, B. Dean Pierce, Sherri J. Smith, Sheldon Stanhope, Phil Lucchesse, and John Beard, Respondents.

And

Carie Olson and Matthew Olsen, Appellants,

v.

Coral Resorts, LLC, Hilton Head Hospitality, LLC d/b/a Hilton Head Guest Services, Reba Management, Inc., Sunrise Vacation Properties, Ltd., Island Links Owners Association, Inc., Sherri J. Smith, Christopher Ryan

Byrd, Sheldon S. Stanhope, and Matthew Hunter French,
Defendants,

Of which Coral Resorts, LLC, Hilton Head Hospitality,
LLC d/b/a Hilton Head Guest Services, Reba
Management, Inc., Sunrise Vacation Properties, Ltd.,
Island Links Owners Association, Inc., Sherri J. Smith, Sheldon
S. Stanhope, and Matthew Hunter French are
Respondents.

And

Gregory Gurbacki, Appellant,

v.

Coral Resorts, LLC, Reba Management, Inc., Sherri J.
Smith, B. Dean Pierce, Sunrise Vacation Properties,
Ltd., K. Michael Barfield, Island Links Owners
Association, Inc., Steve Deutsch, and Patrick Pfuhl,
Defendants,

Of which Coral Resorts, LLC, Reba Management, Inc.,
Sherri J. Smith, B. Dean Pierce, Sunrise Vacation
Properties, Ltd., K. Michael Barfield, Island Links
Owners Association, Inc., Steve Deutsch, and Patrick
Pfuhl, Defendants,

And

Michael Adams and Shonnie Adams, Appellants,

v.

Coral Resorts, LLC, Reba Management, Inc., Patrick
Budnik, Spencer Fulkert, Sherri J. Smith, Lori Lucas,
Dean Pierce, Sunrise Vacation Properties, Ltd., Coral
Holdings, LLC, K. Michael Barfield, Hilton Head Island
Development Company, LLC, Island Links Owners
Association, Inc., and Coral Sands Owners Association,
Inc., Defendants,

Of which Coral Resorts, LLC, Reba Management, Inc.,
Spencer Fulkert, Sherri J. Smith, Lori Lucas, Dean
Pierce, Sunrise Vacation Properties, Ltd., Coral
Holdings, LLC, K. Michael Barfield, Hilton Head Island
Development Company, LLC, Island Links Owners
Association, Inc., and Coral Sands Owners Association,
Inc., are Respondents.

And

Dale Tratnack and Suzanne Tratnack, Appellants,

v.

Coral Resorts, LLC, Sunrise Vacation Properties, Ltd.,
Reba Management, Inc., Island Links Owners
Association, Inc., B. Dean Pierce, K. Michael Barfield,
Sherri J. Smith, and Spencer Fulkert, Respondents.

And

Duane Wellman and Sharifa Wellman, Appellants,

v.

Coral Resorts, LLC, Reba Management, Inc., Dustin
Finnell, Spencer Fulkert, Sherri J. Smith, Dean Pierce,
Sunrise Vacation Properties, Ltd., Coral Holdings, LLC,
K. Michael Barfield, Hilton Head Island Development
Company, LLC, and Coral Sands Owners Association,
Inc., Respondents.

And

Richard Smoose and Nancy Jo Smoose, Appellants,

v.

Coral Resorts, LLC, Reba Management, Inc., Wayne
Heath, Sheldon Stanhope, Sherri J. Smith, Dean Pierce,
Sunrise Vacation Properties, Ltd., K. Michael Barfield,
Hilton Head Island Development Company, LLC, Island
Links Owners Association, Inc., Coral Sands Owners
Association, Inc., and Timeshare Guarantee, Inc.,
Defendants,

Of which Coral Resorts, LLC, Reba Management, Inc.,
Sheldon Stanhope, Sherri J. Smith, Dean Pierce, Sunrise
Vacation Properties, Ltd., K. Michael Barfield, Hilton
Head Island Development Company, LLC, Island Links
Owners Association, Inc., Coral Sands Owners
Association, Inc., and Timeshare Guarantee, Inc. are
Respondents.

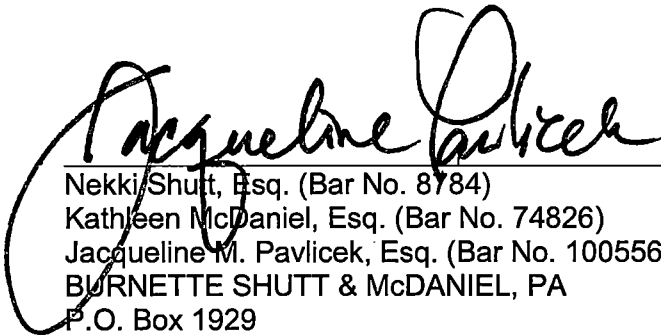
ITEMIZED STATEMENT OF COSTS

Respondents Coral Resorts, LLC, Coral Holdings, LLC, Hilton Head Hospitality, LLC d/b/a Hilton Head Guest Services, Hilton Head Island Development Company, LLC, Sun & Seas Vacations, LLC, Reba Management, Inc., Timeshare Guarantee, Inc., and B. Dean Pierce (“these Respondents”) respectfully request this Court tax the following costs against Appellants.:

Costs Taxable Under Rule 222, SCACR	No. of Pages	Rate	Requested	Allowed (Court Use Only)
Attorney's Fee Provided by Rule 222(b), SCACR	n/a		\$1,000.00 ⁴	
Total: \$1,000.00				

I, Jacqueline M. Pavlicek do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. Attached hereto as **Exhibit A** is an itemized statement of the time spent by counsel for these Respondents as a direct result of Appellants taking this appeal. A copy of this statement was served upon opposing counsel by First Class United States Mail, postage prepaid.

⁴ Although the attorney's fees incurred by these Respondents in responding to this appeal are more than \$1,000.00, counsel for these Respondents believe they are permitted to seek the amount of attorney's fees set forth in the Supreme Court's July 24, 1997 Order setting the amount of attorney's fees recoverable in an appeal at \$1,000.00. If this Court determines the facts as to this appeal warrant awarding award counsel for these Respondents the full amount of fees set forth in Exhibit A, and that it has discretion to do so, counsel for these Respondents respectfully request that this Court order Appellants to pay the amount set forth in Exhibit A, \$2,256.00, which does not include fees incurred for time spent addressing counsel for Appellants refusal to recognize the automatic stay in the underlying litigation. Upon request from this Court, counsel for these Respondents are happy to provide this Court with an itemized statement of the time spent by counsel for these Respondents directly related to such actions before the circuit court.



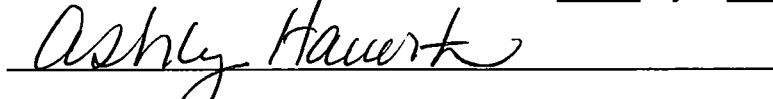
Nekki Shutt, Esq. (Bar No. 8784)
Kathleen McDaniel, Esq. (Bar No. 74826)
Jacqueline M. Pavlicek, Esq. (Bar No. 100556)
BURNETTE SHUTT & McDANIEL, PA
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KMcdaniel@BurnetteShutt.Law
JPavlicek@BurnetteShutt.Law

ATTORNEYS FOR RESPONDENTS CORAL RESORTS, LLC, CORAL HOLDINGS, LLC, HILTON HEAD HOSPITALITY, LLC D/B/A HILTON HEAD GUEST SERVICES, HILTON HEAD ISLAND DEVELOPMENT COMPANY, LLC, SUN & SEAS VACATIONS, LLC, REBA MANAGEMENT, INC., TIMESHARE GUARANTEE, INC., AND B. DEAN PIERCE

Columbia, South Carolina

December 6, 2017

Subscribed and sworn to before me this 6th day of Dec., 2017.



Notary Public For the State of South Carolina

Ashley Haworth (Print Name)

My Commission Expires: My Commission Expires March 18, 2023

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And

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v.

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Of which Coral Resorts, LLC, Reba Management, Inc.,
Sherri J. Smith, B. Dean Pierce, Sunrise Vacation
Properties, Ltd., K. Michael Barfield, Island Links
Owners Association, Inc., Steve Deutsch, and Patrick
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And

Michael Adams and Shonnie Adams, Appellants,

v.

Coral Resorts, LLC, Reba Management, Inc., Patrick
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Dean Pierce, Sunrise Vacation Properties, Ltd., Coral
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Vacation Properties, Ltd., K. Michael Barfield, Hilton
Head Island Development Company, LLC, Island Links
Owners Association, Inc., Coral Sands Owners
Association, Inc., and Timeshare Guarantee, Inc. are
Respondents.

PROOF OF SERVICE

I do hereby certify I have served a copy of the following as indicated herein below, by mailing a copy of the following documents by first class U.S. Mail postage pre-paid on the date below to the following:

**DOCUMENTS SERVED: MOTION FOR COSTS
ITEMIZED STATEMENT OF COSTS**

PARTIES SERVED:

Zachary Steven Naert, Esq.
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Post Office Box 7228
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LAFFITTE, LLC
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Columbia, SC 29211

Robert H. Hood, Jr., Esq.
Brian E. Johnson, Esq.
Jean M. Jennings, Esq.
HOOD LAW FIRM
PO Box 1508
Charleston, SC 29402

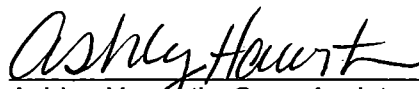
Drew A. Laughlin, Esq.
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Hilton Head Island, SC 29925

Angus H. Macaulay, Esq.
NEXSEN PRUET, LLC
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Columbia, SC 29202-2426

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Steven R. Kropski, Esq.
Robert Blain, Esq.
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Charleston, SC 29413

Kathleen C. Barnes
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PO Box 897
Hampton, SC 29924



Ashley Hawthorth, Case Assistant
BURNETTE SHUTT & McDANIEL, PA

Columbia, South Carolina

December 6, 2017



BURNETTE SHUTT MCDANIEL

Moving law forward.

Jacqueline M. Pavlicek, Esq., CIPP/US

Ph: 803-904-7914

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BURNETTE SHUTT & MCDANIEL, PA

912 Lady Street | PO Box 1929 | Columbia, SC 29202

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burnetteshutt.law

December 6, 2017

VIA HAND-DELIVERY

The Honorable Jenny Abbot Kitchings, Clerk

SOUTH CAROLINA COURT OF APPEALS

Calhoun Building

1015 Sumter Street

Columbia, South Carolina 29201

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SC Court of Appeals

Re: *LaFleur v. Coral Resorts, LLC et al.; Meilert v. Coral Resorts, LLC et al.; McCloskey v. Hilton Head Island Dev. Co. et al. Haill/Key v. Coral Resorts, LLC et al.; King v. Coral Resorts, LLC et al.; Wilson v. Coral Resorts, LLC et al.; Olsen v. Coral Resorts, LLC et al.; Gurbacki v. Coral Resorts, LLC et al.; Adams v. Coral Resorts, LLC et al.; Tratnack v. Coral Resorts, LLC et al.; Wellman v. Coral Resorts, LLC et al.; Smoose v. Coral Resorts, LLC et al.*

Circuit Court Case Nos.:

2012-CP-07-03746

2013-CP-07-02967

2014-CP-07-01198

2013-CP-07-03746

2014-CP-07-00361

2014-CP-07-02632

2013-CP-07-02835

2014-CP-07-00490

2014-CP-07-02772

2013-CP-07-02890

2014-CP-07-01197

2014-CP-07-02839

Appellate Case No.: 2017-001349

Our File No.: 5387.015

Dear Madam Clerk:

Enclosed for filing, please find an original and seven copies of the Motion for Costs and Itemized Statement of Costs in the above-referenced matter. Please file the original and the six copies, clock-in the seventh copy, and return it to me via courier delivering the same.

By copy of this letter, I am serving all counsel of record with a copy of the same.

If you have any questions or need anything further regarding this matter, please do not hesitate to contact me at my office.

With kind regards, I remain

Very truly yours,

Jacqueline M. Pavlicek, Esquire

JMP:ah

Enclosures

cc: Thornwell F. Sowell, III, Esq. (w/enclosure via U.S. Mail)
Drew A. Laughlin, Esq. (w/enclosure via U.S. Mail)
Bess Jones DuRant, Esq. (w/enclosure via U.S. Mail)
David A. Overstreet, Esq. (w/enclosure via U.S. Mail)
Steven R. Kropski, Esq. (w/enclosure via U.S. Mail)
Robert Blain, Esq. (w/enclosure via U.S. Mail)
James E. Smith, Jr., Esq. (w/enclosure via U.S. Mail)
Angus H. Macaulay, Esq. (w/enclosure via U.S. Mail)
Robert H. Hood, Jr., Esq. (w/enclosure via U.S. Mail)
Brian E. Johnson, Esq. (w/enclosure via U.S. Mail)
Jean M. Jennings, Esq. (w/enclosure via U.S. Mail)
Kathleen C. Barnes, Esq. (w/enclosure via U.S. Mail)
Joseph DuBois, Esq. (w/enclosure via U.S. Mail)
Zachary Steven Naert, Esq. (w/enclosure via U.S. Mail)