

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

C.A. No.: 2013-CP-10-1400

Robert J. BurkeRespondent,

v.

Republic Parking System, Inc.Appellant.

REPLY IN FURTHER SUPPORT OF MOTION FOR COSTS

Republic Parking System, Inc. (“Republic”) submits this brief reply to the return to the motion for costs filed by Robert J. Burke. Burke does not contest any of the items claimed in Republic’s motion. Instead, he attempts to argue that the Court only awarded a partial new trial in this case. This argument misstates the relief awarded by the Court, which “reversed and remanded” the matter for a new trial (“[a]ccordingly, because the trial court abused its discretion by excluding Shuman's testimony and that error was prejudicial, we reverse and remand for a new trial.”). The mandate was not “reversed in part and remanded for a new trial on damages only). Nothing in the Court’s opinion suggests that this is a new trial on damages only, as illustrated in Footnote 3 of the Opinion in which the Court declined to rule on Republic’s other arguments “[b]ecause our decision to grant a new trial based on the trial court’s abuse of discretion is dispositive of Republic’s

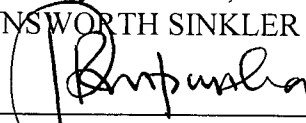
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SC Court of Appeals

remaining arguments.” Therefore, an award of the requested costs is appropriate pursuant to Rule 222, SCACR.

Respectfully submitted,
HAYNSWORTH SINKLER BOYD, P.A.



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March 19, 2018

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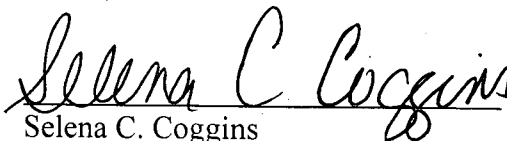
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PROOF OF SERVICE

I certify that I have served *Reply in Further Support of Motion for Costs* on Respondent on March 19, 2018, by mailing a copy of the same via United States Mail, postage prepaid, to the following:

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March 19, 2018

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

Re: *Robert J. Burke v. Republic Parking System, Inc.*
Appellate Case No. 2015-000269

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SC Court of Appeals

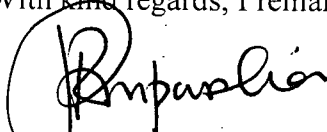
Dear Ms. Kitchings:

Enclosed for filing, please find an original and seven (7) copies of the *Reply in Further Support of Motion for Costs* in the above-referenced matter, together with our Proof of Service of same. Please return one (1) clocked copy to me via our courier.

If you have any questions, please give me a call.

Thank you for your assistance in this matter.

With kind regards, I remain



Roopal S. Ruparelia

RSR/scc
Enclosures

cc: Clayton B. McCullough
Jamie A. Khan