

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Gordon G. Cooper, Master-in-Equity Judge

RECEIVED

AUG 17 2018

Case No.: 2012-CP-42-3549
2012-CP-42-2874

SC Court of Appeals

U.S. Bank, NA, as Trustee relating to the Chevy Chase
Funding, LLC Mortgage Backed Certificates, Series 2004-B,..... Plaintiff,

v.

Alyce F. Otto, Individually; Alyce F. Otto Trustee Under Declaration
of Trust of Alyce F. Otto dated the 17th of November 2009;
TD Bank, NA; The United States of America, acting by and through
its agency, the Internal Revenue service; Laura Kerhulas Giese, as
Co-Trustee of the Theodore Ernest Kerhulas Trust Under Declaration
of Trust dated May 25, 2004; Mark Warner Kerhulas, as Co-Trustee of the
Theodore Ernest Kerhulas Trust Under Declaration of Trust dated May 25, 2004;
Jackson L. Munsey, Jr.; Citibank, NA..... Defendants,

Of whom Jackson L. Munsey, Jr., is the.....Appellant.

and

U.S. Bank, NA and Alyce F. Otto are the..... Respondents.

Alyce F. Otto, Trustee Plaintiff,

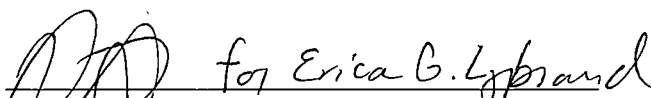
v.

Jackson L. Munsey, Jr.,.....Defendant.

MOTION FOR COSTS

Respondents hereby move this Court to award its recoverable costs and attorney's fees pursuant to Rule 222, SCACR. Respondents were the prevailing party in the above-captioned appeal, which was affirmed in its entirety. A sworn, itemized statement of costs incurred is attached hereto. Because the Respondents filed a joint brief, they ask that the Court award \$1,250 in attorney's fees to each of U.S. Bank, NA and Alyce F. Otto.

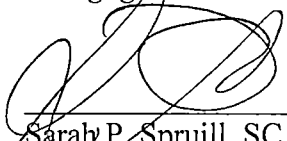
Respectfully submitted,


Erica Greer Lybrand, SC Bar No. 79052

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Birmingham, AL 35203
Telephone: 205.251.3000
Email: rkeller@burr.com

*Attorneys for Respondent U.S. Bank, NA as Trustee
relating to the Chevy Chase Funding, LLC
Mortgage Backed Certificates, Series 2004-B*


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August 15, 2018

Attorneys for Respondent Alyce F. Otto

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Gordon G. Cooper, Master-in-Equity Judge

Case No.: 2016-000099
2012-CP-42-03549

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SC Court of Appeals

U.S. Bank, NA, as Trustee relating to the Chevy Chase
Funding, LLC Mortgage Backed Certificates, Series 2004-B, Plaintiff,

v.

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of Trust of Alyce F. Otto dated the 17th of November 2009;
TD Bank, NA; The United States of America, acting by and through
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of Trust dated May 25, 2004; Mark Warner Kerhulas, as Co-Trustee of the
Theodore Ernest Kerhulas Trust Under Declaration of Trust dated May 25, 2004;
Jackson L. Munsy, Jr.; Citibank, NA. Defendants,

Of whom Jackson L. Munsey, Jr., is the Appellant.

and

U.S. Bank, NA and Alyce F. Otto are the Respondents.

Alyce F. Otto, Trustee Plaintiff,

v.

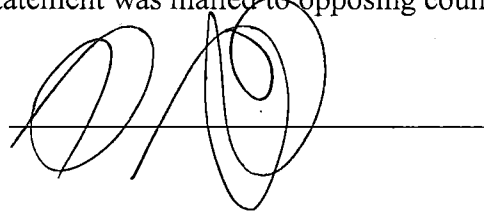
Jackson L. Munsey, Jr., Defendant.

ITEMIZED STATEMENT OF COSTS

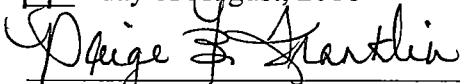
The Appellate Court is requested to tax the following costs against the Respondent in this appeal.

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED (\$)	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief				
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR				
Cost of Court Reporter's Transcript				
Attorney's Fee Provided By Rule 222(b), SCACR			\$2,500.00	
	TOTAL		\$2,500.00	

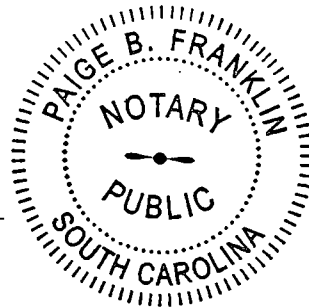
I, Sarah P. Spruill, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was mailed to opposing counsel.



SWORN to before me this
14th day of August, 2018


Notary Public for South Carolina

MY COMMISSION EXPIRES: 11/28/2021



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SC Court of Appeals

Case No.: 2012-CP-42-3549
2012-CP-42-2874

U.S. Bank, NA, as trustee relating to the Chevy Chase
Funding, LLC Mortgage Backed Certificates, Series 2004-B, Plaintiff,

Of whom U.S. Bank, NA is the Respondent.

v.

Alyce F. Otto, Individually; Alyce F. Otto Trustee Under Declaration
of Trust of Alyce F. Otto dated the 17th of November 2009;
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of Trust dated May 25, 2004; Mark Warner Kerhulas, as Co-Trustee of the
Theodore Ernest Kerhulas Trust Under Declaration of Trust dated May 25, 2004;
Jackson L. Munsy, Jr.; Citibank, NA..... Defendants,

Of whom Jackson L. Munsey, Jr.; is the Appellant.

AND

Alyce F. Otto, Individually and as Trustee under Declaration of
Trust of Allyce F. Otto, dated 11/17/09 Plaintiff,

Of whom Alyce F. Otto is the Respondent,

v.

Jackson L. Munsey, Jr., Defendant,

Of whom Jackson L. Munsey, Jr., is the Appellant.

PROOF OF SERVICE

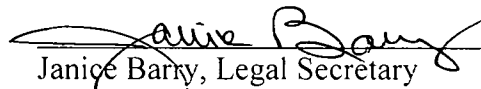
I, the undersigned employee of Haynsworth Sinkler Boyd, P.A., do hereby certify that I have this 15th day of August, 2018, caused the foregoing *Respondents' Motion for Costs* to be served via U.S. mail, postage prepaid on counsel of record at the addresses shown below:

Richard C. Keller
Burr & Forman LLP
Suite 3400
420 North 20th Street
Birmingham, AL 35203

Andrew S. Radeker
Harrison, Radeker & Smith, P.A.
P.O. Box 50143
Columbia, SC 29250

Kenneth C. Anthony, Jr.
The Anthony Law Firm, PA
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Janice Barry, Legal Secretary
Haynsworth Sinkler Boyd, P.A.
P.O. Box 2048
Greenville, SC 29602
864.240.3223

Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

August 15, 2018

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: U.S. Bank v. Alyce Otto
Case Nos.: 2012-CP-42-3549 and 2012-CP-42-2874
Appellate Case No. 2016-000099

Dear Ms. Kitchings:

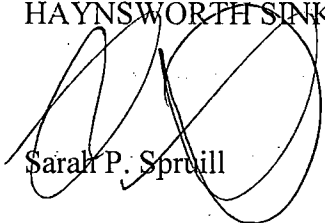
Enclosed for filing, please find an original and seven (7) copies of *Respondents' Motion for Costs* in the above-referenced matter, together with our Proof of Service of same. Please return clocked copies to me in the enclosed self-addressed stamped envelope.

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

Thank you for your assistance in this matter.

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.


Sarah P. Spruill

SPS/jmb
Enclosures

cc: Andrew S. Radeker
Kenneth C. Anthony, Jr.
Erica Greer Lybrand
Richard C. Keller

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SARAH P. SPRUILL
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sspruill@hsblawfirm.com

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SC Court of Appeals



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SC Court of Appeals

Haynsworth
Sinkler Boyd, P.A. | ATTORNEYS AND COUNSELORS AT LAW

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CHARLESTON, SOUTH CAROLINA 29402-0340

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

