

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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S.C. SUPREME COURT

Appellate Case No. 2016-001941

Memorandum Opinion No. 2018-MO-29
(Filed August 29, 2018; Rehearing denied November 8, 2018)

Hector G. Fragosa, Employee/Claimant, Petitioner,

v.

Kade Construction, LLC, Employer, and
Key Risk Management Services, Inc., Carrier, Respondents.

MOTION FOR COSTS AND ATTORNEYS FEES

Petitioner, by and through his undersigned attorney, hereby moves this Honorable Court for costs and attorney’s fees in the amount of \$16,385.25 (\$5,792.14 for Fragosa I; \$10,593.21 for Fragosa II) to be assessed against Respondents pursuant to Rules 222 and 242, SCACR, and as shown by attached itemized statement of costs. As grounds for this motion, Petitioner would show this Court **reversed** the decisions of the South Carolina Court of Appeals and the South Carolina Workers’ Compensation Commission.

Respectfully submitted,



Stephen B. Samuels
Samuels Law Firm, LLC
1320 Richland Street
Columbia, SC 29201
(803) 779-4000

Attorney for Petitioner

November 21, 2018

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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S.C. SUPREME COURT

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ITEMIZED STATEMENT OF COSTS

The Appellate Court is requested to tax the following costs against Kade Construction, LLC,
Employer, and Key Risk Management Services, Inc, Carrier, Respondents.

FRAGOSA I				
COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief		\$197.57	\$197.57	
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR		\$100.00	\$100.00	
Cost of Court Reporter's Transcript	21	\$5.00	\$115.00	
Attorney's Fee Provided By Rule 222(b), SCACR		\$2,500	\$2,500	
Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing or Copying Reply Brief				
Cost of Printing or Copying Appendix		\$279.47	\$279.47	
Filing fee paid under Rule 242(c), SCACR		\$100.00	\$100.00	
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$5,792.04	

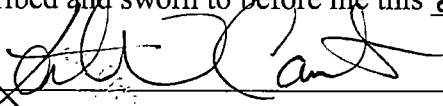
FRAGOSA II				
COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief			\$186.90	
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal			\$2,006.42	
Filing Fee Paid Under Rule 203(d), SCACR			\$100.00	
Cost of Court Reporter's Transcript				
Attorney's Fee Provided By Rule 222(b), SCACR			\$2,500.00	
Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief			\$718.11	
Cost of Printing or Copying Reply Brief			\$88.00	
Cost of Printing or Copying Appendix			\$1,425.06 \$873.57 \$95.15	
Filing fee paid under Rule 242(c), SCACR			\$100.00	
Attorney's fee provided by Rule 242(j)(2), SCACR			\$2,500.00	
		TOTAL	\$10,593.21	

I, Stephen B. Samuels, 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.



Attorney for Petitioner

Subscribed and sworn to before me this 21st day of November, 2018.



Notary Public for South Carolina

My Commission Expires: 2/17/19

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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SOUTH CAROLINA
Workers' Compensation Commission

Op. No. 2016-UP-139 (S.C.Ct.App. filed March 30, 2016)

Hector G. Fragosa, Employee/Claimant, Petitioner,

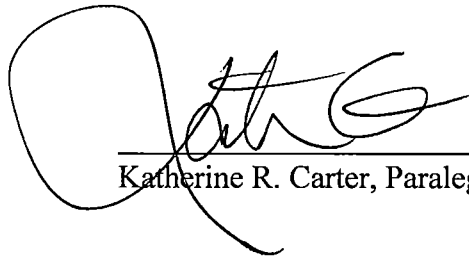
v.

Kade Construction, LLC, Employer, and
Key Risk Management Services, Inc., Carrier, Respondents.

PROOF OF SERVICE

I certify that I am paralegal to Stephen B. Samuels and I have caused a copy of the **Motion for Costs and Attorneys Fees** to be served by mailing a copy of the same in the United States mail, with sufficient postage affixed thereto and return address clearly marked on November 26, 2018, addressed as follows:

Michael W. Burkett, Esquire
J. Gabriel Coggiola, Esquire
Willson Jones Carter & Baxley, P.A.
3600 Forest Drive, Suite 204
Columbia, South Carolina 29204



Katherine R. Carter, Paralegal

November 26, 2018
Columbia, South Carolina