

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM AMERICAN ARBITRATION ASSOCIATION  
Commercial Tribunal, Atlanta, Georgia

John Sherrill, Arbitrator

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AAA Case No. 01-17-0005-1287  
Appellate Case No. 2018-001038

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**RECEIVED**  
JAN 02 2019  
SC Court of Appeals

Madison Cone, individually and  
on behalf of Tower Street Capital Management, Inc. ....Respondent,

v.

Curtis C. Stewart, Atlantic Intermediaries, LLC, Allstar  
Financial Group, Inc., and Tower Street Capital Management, Inc.

Of whom Atlantic Intermediaries, LLC and  
Allstar Financial Group, Inc. are..... Appellants.

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**MOTION FOR COSTS**

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Respondent Madison Cone, individually and on behalf of Tower Street Capital Management, Inc., gives notice and moves the South Carolina Court of Appeals pursuant to Rule 222, SCACR, for an order taxing all costs permitted under Rule 222(b), SCACR, including the set attorney's fees as provided. *See* Rule 222 (a), SCACR ("[C]osts shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed.") The Supreme Court denied Appellants' Petition for Writ of Certiorari, after this Court dismissed Appellants' appeal.

This Motion is accompanied by a sworn, itemized statement of costs, as required by Rule 222(d), SCACR, and a request for attorney's fees in the amount of \$2,500.00 pursuant to the South

Carolina Supreme Court's Administrative Order dated January 17, 2018. These fees and costs were incurred by Cone in addressing Appellants' appeal.

Accordingly, counsel for this Respondent respectfully requests that this Court issue an order taxing costs, to include attorney's fees, against Appellants pursuant to Rule 222, SCACR.



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*Attorneys for Respondent*

Columbia, South Carolina  
January 2, 2019

Other Counsel of Record:

APPELLANTS' COUNSEL:

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**PROOF OF SERVICE**

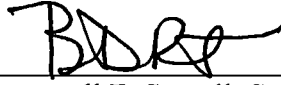
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I certify that I have caused service of the Respondent's Motion for Costs and Itemized Statement of Costs by depositing a copy of it in the United States Mail, postage prepaid, on January 2, 2019, addressed as follows:

**APPELLANTS' COUNSEL:**

Eric S. Bland, Esquire  
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Ronald L. Richter, Jr., Esquire  
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SOWELL & DuRANT, LLC  
**Attorneys for Respondent**

# S O W E L L + D U R A N T

January 2, 2019

VIA HAND DELIVERY

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

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JAN 02 2019

SC Court of Appeals

Re: Madison Cone, individually and on behalf of Tower Street Capital Management, Inc.  
v. Curtis C. Stewart, Atlantic Intermediaries, LLC, Allstar Financial Group, Inc. and  
Tower Street Capital Management, Inc.  
Appellate C/A No.: 2018-001038  
C/A No.: 2016-CP-40-7402  
Our File No.: 6820/1500

Dear Ms. Kitchings:

Enclosed for filing please find the Respondent's Motion for Costs and Itemized Statement.  
In this case.

Thank you for your assistance, and should you have any questions, please do not hesitate  
to contact me.

Very truly yours,



Bess J. DuRant

BJD:aak

Enclosures

cc: Eric S. Bland, Esquire  
Ronald L. Richter, Jr., Esquire  
Scott M. Mongillo, Esquire

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