

89299

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENWOOD COUNTY
Court of Common Pleas

Frank R. Addy, Jr., Circuit Court Judge

Case No. 2017-000847

RECEIVED
MAR 15 2019
SC Court of Appeals

Shred with Us, LLC,

Appellant,

v.

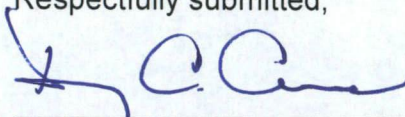
Steffanie Dorn, City of Greenwood
Business License Official,

Respondent.

MOTION FOR AWARD OF ATTORNEY'S FEES AND COSTS
ON BEHALF OF RESPONDENT

The Respondent moves the Court for an award by the Court of attorney's fees and costs in favor of the Respondent and against the Appellant Shred with Us, LLC. This motion is made pursuant to Rule 222, SCACR, and Rule 240, SCACR, is made upon the grounds as allowed and expressed therein, and is supported by the Itemized Statement of Costs filed herewith.

Respectfully submitted,



Danny C. Crowe, SC Bar #1480
CROWE LAFAVE, LLC
P.O. Box 1149
Columbia, SC 29202
Phone: (803) 724-5728
Attorney for Respondent

March 15, 2019

Crowe LaFave, LLC
P.O. Box 1149
Columbia, SC 29202
Tax ID: 46-4550174

Invoice submitted to:
City of Greenwood
 Attn: Steffanie Dorn
 P.O. Box 40
 Greenwood, SC 29648

Invoice # 13274

Invoice Date: 10/16/17 Terms: COD Services Through: 10/16/17
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Date	By	Service Summary	Hours/Qty	Amount
In Reference To: City of Greenwood v. Shred with Us ((Professional Service))				
09/01/17	DC	Voice mail from Attorney Wise and instructions to DB on follow up (no charge).		\$0.00
09/03/17	DC	Receipt by mail of letter from Court of Appeals regarding appellant's brief.	0.10	\$25.00
09/13/17	DC	Find on Westlaw and print authorities cited by Shred attorney in his initial brief and begin review.	0.80	\$200.00
09/14/17	DC	Review of letters from Court of Appeals and review Southern Liquor case cited by Shred in brief (.40); e-mail to Padgett and Dorn regarding appeal issues and my proposed schedule on our brief and Padgett response (.30).	0.70	\$175.00
09/15/17	DC	E-mail from Dorn on proposed schedule (no charge).		\$0.00
09/16/17	DC	Review record and additional research for brief.	1.80	\$450.00
09/17/17	DC	Work on brief (7.6 reduced to 6.0).	6.00	\$1,500.00
09/18/17	DC	Conclude drafts of brief and designation of matter for forwarding to Padgett and Dorn for review (7.2); comments from Padgett (no charge).	7.20	\$1,800.00
09/19/17	DC	E-mail from Dorn regarding brief (no charge).		\$0.00
09/20/17	DMB	Travel to and from South Carolina Court of Appeals to file the Initial Brief of Respondent, Designation of Matter to be Included in the Record on Appeal, and Proof of Service.	0.50	\$37.50
09/20/17	DC	Finalize suggested revisions, e-mails with Padgett and Dorn, finalize brief and DOM and arrange for service and filing.	1.40	\$350.00
09/25/17	DC	Receipt by mail of Shred attorney's letter to Court of Appeals providing motion check and corrected covers.	0.10	\$25.00
09/27/17	DC	Receipt by mail of letter from Court of Appeals on filing details (.10); re-read our brief and instructions on diarying for reply brief and filing of Record on Appeal (.30).	0.40	\$100.00
09/29/17	DC	Receipt by mail of Court of Appeals order granting Appellant's motion to file initial brief and designation of matter out of time and allowing filing.	0.10	\$25.00

Total Hours:	19.10
Total Labor:	4,687.50
Total Invoice Amount:	\$4,687.50

User Summary

User	Hrs	Rate	Amount
Danny Crowe	18.60	@ 250.00	4,650.00
Danny Crowe	0.00	@ Flat	0.00
Denise M Brockwell	0.50	@ 75.00	37.50

Crowe LaFave, LLC
P.O. Box 1149
Columbia, SC 29202
Tax ID: 46-4550174

Invoice submitted to:
City of Greenwood
Attn: Steffanie Dorn
P.O. Box 40
Greenwood, SC 29648

Invoice # 13309

Invoice Date: 11/01/17 Terms: COD Services Through: 10/31/17
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Date	By	Service Summary	Hours/Qty	Amount
In Reference To: City of Greenwood v. Shred with Us ((Professional Service))				
10/05/17	DC	Receipt by mail of Shred's Reply Brief, initial review, and forward to Padgett and Dorn.	0.50	\$125.00

Total Hours: 0.50
Total Labor: 125.00
Total Invoice Amount: \$125.00

User Summary

User	Hrs	Rate	Amount
Danny Crowe	0.50	@ 250.00	125.00

Total Hours: 9.60
Total Labor: 1,857.50
Total Expenses: 134.95
Total Invoice Amount: \$1,992.45

User Summary

User	Hrs	Rate	Amount
Danny Crowe	6.50	@ 250.00	1,625.00
Denise M Brockwell	3.10	@ 75.00	232.50

Crowe LaFave, LLC
P.O. Box 1149
Columbia, SC 29202
Tax ID: 46-4550174

Invoice submitted to:
City of Greenwood
 Attn: Steffanie Dorn
 P.O. Box 40
 Greenwood, SC 29648

Invoice # 13396

Invoice Date: 12/05/17
Terms: COD
Services Through: 11/30/17

Date	By	Service Summary	Hours/Qty	Amount
In Reference To: City of Greenwood v. Shred with Us ((Professional Service))				
11/03/17	DMB	Review Record on Appeal filed by Appellant to determine if all documents designated were included in the Record on Appeal.	0.30	\$22.50
11/03/17	DC	Receipt of Record on Appeal and instructions to DB for diarying of possible response.	0.20	\$50.00
11/07/17	DMB	Continued review of Record on Appeal filed by Appellant regarding discrepancies concerning documents in Respondent's Designation of Matter to be Included in Record on Appeal.	0.50	\$37.50
11/08/17	DMB	Begin preparation of the Final Brief of Respondent designating the documents referenced with pages in the Record on Appeal.	0.30	\$22.50
11/09/17	DMB	Assist DCC in preparing the Motion to Require Record on Appeal to Conform to Respondent's Designation of Matter, Memorandum in Support, Proof of Service, and cover letter filing same.	0.50	\$37.50
11/09/17	DMB	To and from South Carolina Court of Appeals to file Motion to Require Record on Appeal to Conform with Respondent's Designation.	0.50	\$37.50
11/09/17	DC	Preparation of Motion to Require Corrected Record on Appeal, arrange for filing, e-mail forwarding to Padgett and Dorn.	1.90	\$475.00
11/10/17	DC	E-mail with Attorney Wise regarding Record on Appeal (.10); receipt by mail of Shred's Final Brief and Final Reply Brief and initial review (.10).	0.20	\$50.00
11/11/17	DC	Work on insertions of Record cites for previous document cites in draft for our Final Brief and details for printing.	2.90	\$725.00
11/13/17	DC	Finalize draft of Final Brief (.40); proof final typed version of Brief before arranging for printing (.90).	1.30	\$325.00
11/14/17	DMB	Preparation of the Proof of Service pleading and cover letter to the S.C. Court of Appeals regarding the Final Brief of Respondent.	0.30	\$22.50
11/14/17	DMB	Telephone call to Nova Solutions to make arrangements for pickup, printing and binding of the Final Brief.	0.20	\$15.00
11/15/17	DMB	To and from South Carolina Court of Appeals to file the Final Brief.	0.50	\$37.50
In Reference To: City of Greenwood v. Shred with Us (Expenses)				
11/09/17	DMB	Fees made payable to the S.C. Court of Appeals for charges associated with filing the Motion.	1.00	\$25.00
11/28/17	DC	Fees made payable to Nova Office Strategies for charges associated with copies of final brief	1.00	\$109.95

Crowe LaFave, LLC
P.O. Box 1149
Columbia, SC 29202
Tax ID: 46-4550174

Invoice submitted to:
City of Greenwood
 Attn: Steffanie Dorn
 P.O. Box 40
 Greenwood, SC 29648

Invoice # 13509

Invoice Date: 01/25/18 Terms: COD Services Through: 12/31/17
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Date	By	Service Summary	Hours/Qty	Amount
In Reference To: City of Greenwood v. Shred with Us ((Professional Service))				
12/15/17	DC	Receipt by mail of Court of Appeals Order requiring Appellant file amended record.	0.10	\$25.00
12/20/17	DC	Receipt from Attorney Wise by e-mail of Amended Record on Appeal and directions to DB to compare to previous Record.	0.10	\$25.00
12/21/17	DC	E-mail from DB regarding results of her review of Amended Record on Appeal, e-mails with DB, receipt of her e-mails to Attorney Wise's assistant regarding shortcomings of Amended Record on Appeal.	0.10	\$25.00
12/21/17	DMB	Review of draft of Amended Appeal received from Attorney Wise's office for comparison with our Designation of Matter to ensure all documents have been included (.50); e-mails to Attorney Wise's assistant with our findings (.10).	0.60	\$45.00

Total Hours:	0.90
Total Labor:	120.00
Total Invoice Amount:	\$120.00

User Summary

User	Hrs	Rate	Amount
Danny Crowe	0.30	@ 250.00	75.00
Denise M Brockwell	0.60	@ 75.00	45.00

Crowe LaFave, LLC
P.O. Box 1149
Columbia, SC 29202
Tax ID: 46-4550174

Invoice submitted to:
City of Greenwood
 Attn: Steffanie Dorn
 P.O. Box 40
 Greenwood, SC 29648

Invoice # 13572

Invoice Date: 02/26/18 Terms: COD Services Through: 01/31/18
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Date	By	Service Summary	Hours/Qty	Amount
In Reference To: City of Greenwood v. Shred with Us ((Professional Service))				
01/05/18	DC	E-mails with Padgett regarding copy of Amended Record.	0.10	\$25.00
01/06/18	DC	Receipt of Amended Record on Appeal by mail.	0.10	\$25.00
01/07/18	DC	E-mail to Padgett regarding receipt of Amended Record on Appeal.	0.10	\$25.00
01/10/18	DMB	Review Amended Record on Appeal to ensure it includes all of the Designation of Matters of both parties (.20); begin amending Final Brief of Respondent to reflect new page numbers of references (.50).	0.70	\$52.50
01/11/18	DMB	Continued making corrections of references in Final Brief of Respondent to reflect new page numbers in Amended Record on Appeal (.80); preparation of the Amended Final Brief of Respondent for DCC review (.20).	1.00	\$75.00
01/23/18	DC	Review DB's corrections of Record references in our brief to Amended Record on Appeal for finalizing of Amended Respondents' Brief and arrange for filing and service of our Amended Brief.	1.30	\$325.00
01/24/18	DMB	Travel to and from Court of Appeals to file the court-required 15 copies of the Amended Final Brief of Respondents.	0.50	\$37.50
01/26/18	DC	Receipt by mail of Shred's amended final brief, and instructions to DB to forward (no charge).		\$0.00
In Reference To: City of Greenwood v. Shred with Us (Expenses)				
01/31/18	DC	Fees made payable to Nova Office Strategies in regards to Shred v. Stephanie Dorn for copies and binding	1.00	\$98.95

Total Hours:	3.80
Total Labor:	565.00
Total Expenses:	98.95
Total Invoice Amount:	\$663.95

User Summary

User	Hrs	Rate	Amount
Danny Crowe	1.60	@ 250.00	400.00
Danny Crowe	0.00	@ Flat	0.00
Denise M Brockwell	2.20	@ 75.00	165.00

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENWOOD COUNTY
Court of Common Pleas

Frank R. Addy, Jr., Circuit Court Judge

Case No. 2017-000847

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Appellant,

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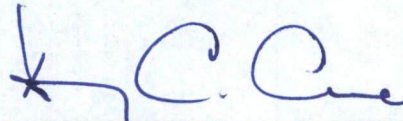
Steffanie Dorn, City of Greenwood
Business License Official,

Respondent.

PROOF OF SERVICE

I certify that I have served the Motion for Award of Attorney's Fees and Costs on Behalf of Respondent, along with the accompanying Itemized Statement of Costs, on Appellant, Shred with Us, LLC, by causing a copy of it to be deposited in the United States Mail, postage prepaid, on March 15, 2019, addressed to its attorney, C. Rauch Wise, Esquire, 305 Main Street, Greenwood, South Carolina 29646.

March 15, 2019



Danny C. Crowe
Crowe LaFave, LLC
P.O. Box 1149
500 Taylor Street, Suite 401
Columbia, South Carolina 29202
803-724-5728

Attorney for Respondent

Danny C. Crowe Esq.
danny@crowelafave.com
Direct: 803.724.5728; Fax: 803.724.5730

Matthew C. LaFave, Esq.
matt@crowelafave.com
Direct: 803.724.5727; Fax: 803.724.5726

CROWE
LAFAVE LLC
ATTORNEYS AT LAW

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robert@crowelafave.com
Direct: 803.999.1225; Fax: 803.848.8157

March 15, 2019

RECEIVED
MAR 15 2019
SC Court of Appeals

Via Hand Delivery

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

RE: Shred with Us, LLC v. Steffanie Dorn, City of Greenwood Business License Official
Case No. 2017-000847

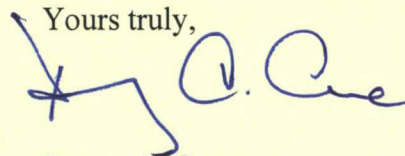
Dear Ms. Kitchings:

Please find enclosed for filing an original and seven copies of the Motion for Award of Attorney's Fees and Costs on Behalf of Respondent, along with an original and one copy of the Proof of Service, in the above-referenced matter. Also enclosed is a check in the amount of \$50.00 representing the filing fee.

Once filing is complete, please return the clocked copy to the individual presenting the documents for filing. By copy of this correspondence, I am hereby serving a copy of this Motion on Mr. Wise.

With kind regards,

Yours truly,



Danny C. Crowe

DCC/dmb
Enclosures

cc: C. Rauch Wise, Esquire
James Graham Padgett, III, Esquire (via e-mail)
Steffanie Dorn (via e-mail)