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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

APPELLATE CASE NO.: 2016-001773

RECEIVED
AUG 13 2019
SC Court of Appeals

West/Hobby, LLC Respondent,

v.

County of Newberry Appellant.

MOTION FOR ATTORNEY'S FEES AND COSTS

The Respondent, West/Hobby, LLC, hereby moves the Court for attorney's fees and costs pursuant to Rules 222 and 240, SCACR; the Supreme Court's Order dated January 17, 2018; and the Court's having affirmed the Order of the trial court and having issued the Remittitur on August 2, 2019. Pursuant to Rule 222, and based upon the attached Affidavit of Counsel, the Respondent seeks an award of attorney's fees in the amount of \$2,500 and costs of \$110.40 for the costs of printing its final brief, for a total award of \$2,610.40.



Benjamin C. Bruner
BBruner@brunerpowell.com
Bruner, Powell, Wall & Mullins, LLC
P.O. Box 61110
Columbia, South Carolina 29260
803-252-7693
Attorneys for Respondent West/Hobby, LLC

August 12, 2019

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IN THE COURT OF APPEALS

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Donald B. Hocker, Circuit Court Judge

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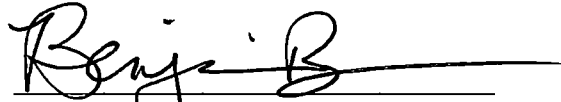
AFFIDAVIT OF COUNSEL

I, Benjamin Bruner, having been duly sworn, do hereby attest:

1. I am over 18 years old.
2. I am a partner at Bruner, Powell, Wall & Mullins, LLC.
3. Bruner, Powell, Wall & Mullins, LLC represents the Respondent, West/Hobby, LLC (“West/Hobby”), in this appeal.
4. During this appeal, West/Hobby incurred attorney’s fees in excess of \$2,500 for the preparation and filing of its initial brief, designation of matter, final brief, and for counsel’s preparation and appearance at oral argument.
5. In addition, West/Hobby incurred copying costs of \$110.40 for printing its final brief.

6. These fees and costs have been actually incurred by West/Hobby during this appeal.

FURTHER AFFIANT SAYETH NOT.



Benjamin C. Bruner

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Bruner, Powell, Wall & Mullins, LLC

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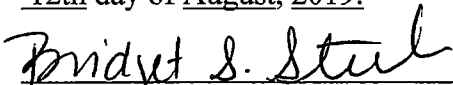
Columbia, South Carolina 29260

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Attorneys for Respondent West/Hobby, LLC

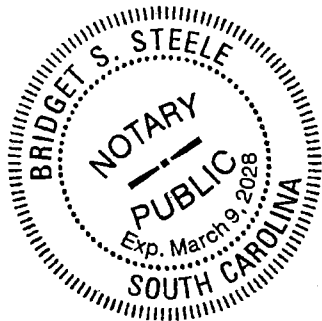
SWORN BEFORE ME THIS

12th day of August, 2019.



Notary Public for South Carolina

My Commission Expires: 3/9/2028



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PROOF OF SERVICE

I, Bridget Steele, an employee of Bruner, Powell, Wall & Mullins, LLC, attorneys for Respondent West/Hobby, LLC, certify that I served a copy of the attached *Motion for Attorney Fees and Costs* by depositing a copy of it in the U.S. Mail, postage prepaid, on August 13, 2019, addressed to Patrick J. Frawley, Esquire, Davis Frawley, LLC, Post Office Box 489, Lexington, South Carolina 29071.



Bridget Steele

BRUNER, POWELL, WALL & MULLINS, LLC

ATTORNEYS AND COUNSELORS AT LAW

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JAMES L. BRUNER (RETIRED)

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* ALSO ADMITTED IN DISTRICT OF COLUMBIA

** OF COUNSEL

AUTHOR'S E-MAIL: BBRUNER@BRUNERPOWELL.COM

August 13, 2019

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings

Clerk of Court, S.C. Court of Appeals

1220 Senate Street

Columbia, SC 29201

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SC Court of Appeals

Re: *West/Hobby, LLC v. County of Newberry*
Appellate Case No.: 2016-001773
BPWM File No.: 1-2247.100

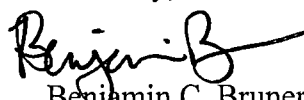
Dear Ms. Kitchings:

Enclosed please find an original and six (6) copies of the Motion for Attorney Fees and Costs in the above referenced action. Please file the original, clock-in the copy and return it to my courier.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

With my kindest regards, I am,

Sincerely,


Benjamin C. Bruner

BCB/bs

Enclosure

cc: Patrick J. Frawley, Esq.