

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
George M. McFaddin, Jr., Circuit Court Judge

Appellate Case No. 2019-002081
Case No. 2018-CP-18-1960

RECEIVED
Jul 02 2020
SC Court of Appeals

Carl Michael Funny, Respondent,

v.

Waffle House, Inc. and Christopher Heithaus, Appellants.

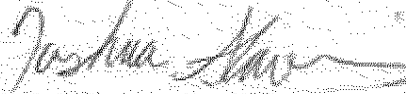
RESPONDENT'S MOTION FOR ATTORNEY FEES PURSUANT TO SCACR 222

On January 6, 2020, this Court dismissed an appeal by Appellants Waffle House, Inc. and Christopher Heithaus as an interlocutory appeal of a discovery order. Appellants then filed a petition for rehearing on January 21, 2020 making new arguments. Respondent filed a return as instructed by this Court, and Appellant filed a Reply. On July 1, 2020, this Court dismissed Appellants' petition for rehearing. Appellants ultimately extended this basic discovery dispute to over a year-and-a-half from the date Respondent/Plaintiff's first discovery requests were served.

Respondent now moves, pursuant to SCACR 222 and Supreme Court of South Carolina Order 2018-01-17-02, for an Order assessing attorney's fees in the amount of \$2,500.00 for each dismissal of Appellants' appeals.

Respectfully,

THE LAW OFFICES OF JOSHUA E. SLAVIN, LLC



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SC Bar ID: 102912

Attorney for the Respondent Carl Michael Funny

July 2, 2020

Mount Pleasant, SC

CERTIFICATE OF SERVICE

The undersigned, Joshua E. Slavin, counsel for the Respondents, hereby certifies that service of Respondent's Motion for Costs was made upon all counsel of record by placing a copy in the United States Mail, first class postage prepaid, at the below listed address on July 2, 2020:

Andrew Lindemann
Lindemann Davis & Hughes
PO Box 6923
Columbia, South Carolina 29260

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Joshua E. Slavin

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July 2, 2020

Via Fax only: 803-734-1839
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals

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Jul 02 2020

Re: Carl M. Funny v. Waffle House, Inc.
Appellate Case No. 2019-002081

SC Court of Appeals

Dear Ms. Kitchings:

Please find enclosed for filing **Respondent's Motion for SCACR 222 Costs** in the above-referenced matter. The Court issued an order dismissing Appellant's petition for rehearing on July 1, 2020, making this motion timely. Pursuant to the Supreme Court's Covid-19 Order, Respondent will not mail a paper copy unless instructed otherwise.

Appellants' counsel is served with this filing by mail.

Respectfully,

THE LAW OFFICES OF JOSHUA E. SLAVIN, LLC


Joshua Slavin

Enclosures

cc: Andrew Lindemann, Esq.