

# The South Carolina Court of Appeals

Town of Arcadia Lakes, Robert L. Jackson, Linda Z. Jackson, Robert E. Williams, Barbara S. Williams, Elizabeth M. Walker, Louis E. Spradlin, Mary Helen Spradlin, Thomas Hutto Utsey, Tony Sinclair, Aaron Small, Bette Small, Gene F. Starr, M.D., Elaine J. Starr, Sanford T. Marcus, Ruth L. Marcus, and Steven Brown, Petitioners,

Of Which Town of Arcadia Lakes is the Appellant/Respondent,

v.

South Carolina Department of Health and Environmental Control, Respondent, and Roper Pond, LLC, Respondent/Appellant.

Appellate Case No. 2017-001554

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## ORDER

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The Town of Arcadia Lakes argues that fees recoverable under section 15-77-300 do not include fees for administrative proceedings or proceedings before the Administrative Law Court and that fees are only available for the judicial review of an administrative decision. Both parties are invited to file a motion-style memorandum explaining whether they believe the ALC has the power to award any fees under section 15-77-300 and, if not, the proper remedy in this case. The memos on this question should not exceed ten pages and are requested to be filed within 30 days. If either party seeks an extension, the extended deadline shall apply to all parties. No returns or replies shall be filed.

FOR THE COURT

BY

  
CLERK

Columbia, South Carolina

cc:

Amy Elizabeth Armstrong, Esquire  
Stephen Philip Hightower, Esquire  
Joan Wash Hartley, Esquire  
W. Thomas Lavender, Jr., Esquire  
Terry E. Richardson, Jr., Esquire  
Michael Gary Corley, Esquire

**FILED**  
**Aug 19 2020**