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Feb 08 2021

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2020-000318

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Feb 10 2021

SC Court of Appeals

John Doe,.....Respondent,

v.

The Diocese of Charleston, a Corporation Sole, and
the Bishop of the Diocese of Charleston, in his official capacity,.....Defendants,

Of whom the Bishop of the Diocese of Charleston,
in his official capacity is the.....Petitioner.

and

Richard Roe,.....Respondent,

v.

The Diocese of Charleston, a Corporation Sole, and
the Bishop of the Diocese of Charleston, in his official capacity,.....Defendants,

Of whom the Bishop of the Diocese of Charleston,
in his official capacity is the.....Petitioner.

Respondents' Motion for Fees and Costs

On the 24th day of July, 2019 the Court of Common Pleas for the County of Charleston, South Carolina issued an Order by the Honorable Bentley Price granting Respondents' Motion to Compel discovery compliance by the Petitioners. Thereafter, counsel for the Petitioners moved for reconsideration by the trial court as to these Orders and such reconsideration was denied.

Thereafter the Petitioners herein appealed to the Court of Appeals, which on the 2nd day of December, 2019 dismissed the appeals as being interlocutory, relating to a discovery matter. Petitioners again moved for reconsideration, this time in the Court of Appeals, and such reconsideration was denied.

Thereafter, the Petitioners petitioned the South Carolina Supreme Court for a writ of certiorari, which petition was likewise denied and the case was sent back to the trial court in Charleston, This latter action was dated January 22, 2021.

Therefore, the involved matters did not advance on the trial docket at all, but were rather delayed during the pendency of Petitioners' improper appellate process for several months.

The matter having been now resolved adversely to the parties seeking appellate relief, and a substantial impediment to the litigation having been endured by the Respondents, such Plaintiffs below now seek the award of attorneys fees in the maximum allowable amount (Doe case \$2,500.00, Roe case \$2,500.00, total of \$5,000.00) together with costs in the amount of \$330.02 in either one of the appealed cases or, if appropriate, an award of attorneys fees for each of the said two cases.

Respondents herein verily believes the appellate relief sought was for dilatory, delay, and not legitimate and allowable purpose.

We so move.

THE RICHTER FIRM, LLC

A handwritten signature in blue ink, appearing to read "Lawrence E. Richter, Jr.", is written over a horizontal line. The signature is stylized and cursive.

Lawrence E. Richter, Jr. (SC Bar No. 4724)

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ATTORNEYS FOR RESPONDENTS

Mt. Pleasant, South Carolina
February 8, 2021