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Jul 08 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
FULL COMMISSION

Appellate Case No.: 2018-001526

Monica Murphy, Employee.....Appellant,
v.

Halocarbon Products Corporation, Employer, and Commerce & Industry Insurance Company c/o
AIG Claims, Inc., Carrier..... Respondents.

REPLY TO RESPONDENTS' RETURN IN OPPOSITION TO MOTION FOR COSTS

Now comes Monica Murphy, by and through her undersigned counsel, as the Appellant in this case and files this Reply to Return in Opposition to Motion for Costs in this case. Attached hereto as Exhibit A is an Amended Statement of Costs, which reflects the actual costs incurred for ordering the transcript before the Full Commission in this case, which the Respondents correctly point out is only twenty-four (24) pages. The cost for the transcript for the hearing before the Single Commissioner, which is 200 pages, was inadvertently included in the original Statement of Costs filed with the Court of Appeals. However, the Record on Appeal contains substantial portions of the hearing transcript before the single Commissioner and was used extensively by both parties to this appeal and although the allowance of additional costs is

generally not allowed except in the most extraordinary of circumstances, the Appellant respectfully submits that these are extraordinary circumstances since almost the entire basis for arguing this appeal was contained in the transcript before the single Commissioner.

Furthermore, the Respondents' opposition in this case fails to address the fact that the Appellant was required to raise all potential issues on appeal, and therefore, to argue the evidence in this case as pointing to only one conclusion, that being that the claimant did in fact sustain an on the job injury due to her chemical exposure, which was severe. Otherwise, the claimant would be deemed to have abandoned that argument had these issues not been raised. Wherefore, in addition to the transcript costs which was incurred before the Full Commission, the Appellant respectfully requests that the Court of Appeals consider and allow the recovery of the court reporter's transcript before the Single Commissioner in the amount of \$893.84.

Respectfully Submitted,

The Rick Hall Law Firm, LLC

s/Frederick I. Hall, III

Frederick I. Hall, III

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S.C. Bar No. 2591

Attorney for Appellant, Monica Murphy

Lexington, South Carolina

July 8, 2021

FORM 17. AMENDED ITEMIZED STATEMENT OF COSTS

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

Monica Murphy,)	Appellate Case No.: 2018-001526
Employee,)	
)	
Appellant)	
v.)	
)	
Halocarbon Products Corporation,)	
Employer, and)	
Commerce & Industry Insurance Company, c/o AIG Claims,)	
Inc.,)	
Carrier,)	
Respondents.)	

The Appellate Court is requested to tax the following costs against
 Halocarbon Products Corporation and Commerce Industry Company, c/o AIG Claims, Inc.

(Name of Party)

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	656	\$ 149.74	\$ 149.74	
Cost of Printing or Copying Final Reply Brief	192	\$ 85.45	\$ 85.45	
Cost of Printing or Copying Record on Appeal	10,576	\$1,008.50	\$1,008.50	
Filing Fee Paid Under Rule 203(d), SCACR		\$150.00	\$ 150.00	
Cost of Court Reporter's Transcript	25	\$ 105.00	\$ 105.00	

Attorney's Fee Provided By Rule 222(b), SCACR		\$ 2,500.00	\$2,500.00
Other (specify and explain): Appendix & Supplemental Record on Appeal	150	\$ 64.86	\$ 64.86

COSTS TAXABLE UNDER RULE 242(j), SCACR

Cost of Printing or Copying Brief

Cost of Printing or Copying Reply Brief

Cost of Printing or Copying Appendix

Filing fee paid under Rule 242(c), SCACR

Attorney's fee provided by Rule 242(j)(2), SCACR

Other (specify and explain):

TOTAL \$ 4,063.55

I, Frederick I. Hall, III, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.

Jack Hall
 (Signature)
 Attorney for Appellant, Monica Murphy

Subscribed and sworn to before me this 8 day of July, 2021.

David J. Jr.
 Notary Public for South Carolina
 My Commission Expires: January 21, 2030

(Seal)

Credits

[Amended effective June 17, 2010.]

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Halocarbon Products Corporation, Employer, and Commerce & Industry Insurance Company c/o
AIG Claims, Inc., Carrier.....Respondents.

PROOF OF SERVICE

I certify that I have served the Reply To Respondents' Return In Opposition to Motion For Costs by emailing a copy and depositing a copy in the U. S. Mail, postage prepaid, on July 8, 2021, addressed to the attorneys of record at the addresses listed below:

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McAngus, Goudelock & Courie, LLC
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Columbia, SC 29201

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SC Court of Appeals

Via S.C. Courts E-filing

The Honorable Jenny Abbott Kitchings
Clerk of Court
Court of Appeals
1220 Senate Street
Columbia, SC 29201

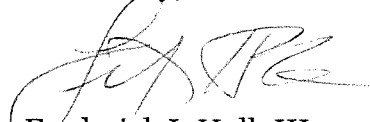
RE: Monica Murphy, Employee, Appellant, vs. Halocarbon Products Corporation,
Employer, and Commerce & Industry Insurance Company, c/o AIG Claims, Inc.,
Carrier, Respondents.
Appellate Case No.: 2018-001526

Dear Ms. Kitchings:

Enclosed for filing please find the original of Appellant's Reply to Respondents' Return in Opposition to Motion for Costs, together with a Proof of Service in the above referenced matter. We are serving counsel of record via email and U. S. Mail.

Should you have any questions regarding this matter, please feel free to contact me at my Lexington office.

Yours truly,



Frederick I. Hall, III

FIH,III/gmt
Enclosures

cc: James Lichty, Esquire
Helen F. Hiser, Esquire
Monica Murphy

The Rick Hall Law Firm, LLC and Frederick I. Hall, III, P.A.

Visit us on the web at www.sctrialattorneys.com or find us on Facebook at The Rick Hall Law Firm.