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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Clifton B. Newman, Circuit Court Judge
Walton J. McLeod IV, Circuit Court Judge

Appellate Case No. 2020-001406
Civil Action No. 2017-CP-32-02204

ARM Quality Builders, LLC, d/b/a ARM Quality Builders, Appellant,

v.

Joseph A. Golson and Lycia B. Golson and Branch Banking Trust Company, Respondents,

AND

Joseph A. Golson and Lycia B. Golson, Third-Party Respondents,

v.

Ahmad Mazloom, Third-Party Appellant.

MOTION FOR *IN CAMERA* REVIEW OF EXHIBIT

E. Wade Mullins III
Chelsea J. Clark
Bruner, Powell, Wall & Mullins, LLC
P.O. Box 61110
Columbia, S.C. 29260

Attorneys for Respondents

MOTION

This matter is before the Court on appeal from multiple orders entered following motion hearings and a trial in the underlying case. One such order awarded attorney's fees to Respondents and Third-Party Respondents, Joseph A. Golson and Lycia B. Golson ("Respondents"). *See* R. pp. 76–77. The award was based on statutory remedies when the court determines a mechanic's lien must be dissolved. *See* R. pp. 63–75 (order dissolving lien and reviewing relevant law). The matter the of the fees has been fully briefed to this Court by the parties.

However, one matter remains outstanding. In reviewing Respondents' request for an award of fees, Judge Clifton Newman reviewed a statement of the fees incurred by Respondents *in camera* to avoid any waiver of attorney-client or work product privilege that may result from public filing, or even filing under seal, of the statement. Detailed fee statements can include privileged topics of conversation with clients, work product and strategy of counsel, as well as mental impressions of counsel. As this Court well knows, attorneys in this state must be exceedingly cautious about protecting privileged information. Because of this caution, the document was never received by Appellants and therefore is not included in the filed Record.

REQUESTED RELIEF

Therefore, Respondents`move for the Court's approval to submit the fee statement *in camera*; for the Court's approval to have the document considered as part of the Record for the Court's review; and for the Court's direction that the document not be published on C-Track.

[remainder of page intentionally blank]

CONSULTATION

Counsel for Respondents has consulted with Counsel for Appellants, who does not oppose this motion to submit the same document reviewed by Judge Newman to the Court of Appeals in the same fashion as below.

Respectfully submitted,

BRUNER, POWELL, WALL & MULLINS, LLC

s/ Chelsea J. Clark

E. Wade Mullins III, Bar No. 3525

Chelsea J. Clark, Bar No. 102211

Post Office Box 61110 (29260)

1735 St. Julian Place, Suite 200 (29204)

Columbia, South Carolina

(803) 252-7693

wmullins@brunerpowell.com

cclark@brunerpowell.com

Attorneys for Respondents

Columbia, South Carolina
September 15, 2021

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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

The Honorable Clifton Newman, The Honorable Walton J. McLeod, IV
Lexington County

Appellate Case No. 2020-001406
Circuit Court case No. 2017-CP-32-02204

ARM Quality Builders, LLC, d/b/a ARM Quality Builders,Appellant,

v.

Joseph A. Golson and Lycia B. Golson and Branch Banking and Trust Company, ...Respondents

AND

Joseph A. Golson and Lycia B. Golson,Third-Party Respondents

v.

Ahmad Mazloom,.....Third-Party Appellant

PROOF OF SERVICE

I, the undersigned employee of Bruner, Powell, Wall & Mullins, LLC, do hereby certify that I have served the Appellants/Third-Party Appellants with the **Motion for In Camera Review of Exhibit** to be included in the by electronic mail and by depositing copies of same in the United States Mail, with sufficient postage affixed thereto, on the 15th day of September 2021, addressed as follows:

James Randall Davis, Esq.,
S.C. Bar No.: 1580
Davis Frawley, LLC
P.O. Box 489
Lexington, SC 29071
(803) 359-2512
*Attorneys for Appellant/Third-Party
Appellant*

s/Lacey E. Segars
Lacey E. Segars, Paralegal
Bruner, Powell, Wall & Mullins, LLC

September 15, 2021

BRUNER, POWELL, WALL & MULLINS, LLC

ATTORNEYS AND COUNSELORS AT LAW
1735 ST. JULIAN PLACE, SUITE 200
POST OFFICE BOX 61110
COLUMBIA, SOUTH CAROLINA 29260-1110
TELEPHONE 803-252-7693
FAX 803-254-5719
WWW.BRUNERPOWELL.COM

JAMES L. BRUNER (RETIRED)

CHELSEA J. CLARK
J. COLE HANCOCK

WARREN C. POWELL, JR., P.A. **
HENRY P. WALL
E. WADE MULLINS III, P.A.
WESLEY D. PEEL, P.A.
JOEY R. FLOYD, P.A.
BENJAMIN C. BRUNER, P.A.

** Also Admitted in District of Columbia

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

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SC Court of Appeals

VIA U.S. MAIL & ELECTRONIC MAIL

South Carolina Court of Appeals
Attn: The Honorable Jenny Abbott Kitchings
Clerk of Court
1220 Senate Street (29201)
P.O. Box 11629
Columbia, South Carolina 29211

Re: *ARM Quality Builders, LLC, d/b/a ARM Quality Builders v. Joseph A. Golson and
Lycia B. Golson, et al*
Appellate Case No. 2020-002406
BPWM File: 7-2873.100

Dear Ms. Kitchings:

Enclosed please find the *Motion for In Camera Review of Exhibit* regarding the above referenced matter. I am mailing a hard copy of the same and enclosing a check for \$50.00 to cover the filing fee. I am serving all other parties in this matter by copy of this letter and email. Please let me know if the Court requires anything further.

Thanking you, and with kind regards, I am

Very truly yours,

Lacey Segars
Lacey E. Segars
Paralegal

cc: James Randall Davis, Esq.

BRUNER, POWELL, WALL & MULLINS, LLC

A Professional Limited Liability Company

ATTORNEYS AND COUNSELORS AT LAW

1735 ST. JULIAN PLACE, SUITE 200

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Attn: The Honorable Jenny Abbott Kitchings

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