

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas
R. Keith Kelly, Circuit Court Judge

Case No. 2020-000523

Carla Denise Garrison and Clint Garrison,.....Petitioners/Respondents,

v.

Target Corporation,.....Respondent/Petitioner.

PETITIONER’S/RESPONDENTS’ MOTION FOR COSTS

Denise Garrison and Clint Garrison move pursuant to South Carolina Appellate court Rules 242(j), 222 and all other applicable rules, for the taxation of costs on appeal against Target Corporation. The Itemization Statement of Costs is attached hereto.

On September 8, 2016, the Garrisons obtained a jury verdict against Target Corporation in the total amount of \$4,618,500.00. Upon information and belief, Target has not paid any money into the lower court. Both parties filed appeals with the South Carolina Court of Appeals, which upheld the jury’s verdict and ruled in favor of the Garrisons on most other issues.

Thereafter, both parties filed petitions for writs of certiorari, both of which were granted. Following oral argument, this Court issued its Opinion (No. 28080) affirming the jury’s verdict, awarding offer-of-judgment interest on the entire damages award (including punitive damages),

and remanding to the trial court for application of the appropriate punitive damages cap and consideration of potential harm.

Under Rule 242(j), the Garrisons are entitled to recover the costs specified in Rule 222(b), to include the attorney's fees provided by that Rule. The Garrisons can also recover other incurred costs, including the filing fees paid under Rule 242(c), the cost of printing the Appendix under Rule 242(e) and (i), and the cost of printing briefs under Rule 242(i). The Garrisons are also able to recover an additional attorneys' fee under Rule 242(j).

The Garrisons submit this motion is timely and respectfully request an Order directing that the total amount set forth on the itemization attached hereto, Sixteen Thousand Five-Hundred and Seven and 06/100 (\$16,507.06), be added to the judgment.

s/ Joshua T. Hawkins

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ITEMIZED STATEMENT OF COSTS

The Appellate Court is requested to tax the following costs against Respondent, Target Corporation:

COSTS TAXABLE UNDER RULE 222, SCAR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (FOR COURT USE ONLY)
Cost of Printing or Copying Final Brief and Final Reply Brief			\$535.39	
Cost of Printing or Copying Record on Appeal			\$3,113.12	
Filing Fee Paid Under Rule 203(d), SCACR			\$100.00	
Cost of Court Reporter's Transcript	87	\$4.25/page	\$369.75	
Attorney's Fee Provided by Rule 222(b), SCACR			\$2,500.00	

Costs of Printing or Copying Brief			\$877.65	
Cost of Printing or Copying Reply Brief			\$209.20	
Cost of Printing or Copying Appendix			\$1,274.35	
Filing Fee paid under Rule 242(j), SCACR			\$250.00	
Attorney's fee provided by Rule 242(j)(2), SCACR			\$2,500.00	
Additional Appellate Costs ¹			\$4,777.60	
		TOTAL:	\$16, 507.06	

¹ The majority of additional appellate costs are travel expenses for oral arguments. The Garrisons respectfully submit that costs in this case were of the “most extraordinary circumstances.” Target unnecessarily prolonged litigation and caused the Garrisons to incur significant costs. See SCACR 222(b) and 242(j)(2). The Garrisons are happy to submit documentation of these costs and any other costs should the Court require them.