

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Mark J. Hayes, II, Circuit Court Judge

RECEIVED

APR 12 2022

SC Court of Appeals

Circuit Court Case No. 2015-CP-07-02047

Appellate Case No. 2019-000200

James R. Brady,

Respondent,

v.

Hilton Head Homes at Allenwood,
LLC; Village Square Development
Company, LLC; Lancaster
Redevelopment Corp.; and Gary L.
Grossman,

Appellants.

RESPONDENT'S MOTION FOR COSTS

Respondent, by and through his undersigned counsel, submits this pursuant to Rule 222(b), SCACR requests that costs be assessed under Rule 222 SCACR. The Respondent's motion is based upon the fact that the Plaintiff/Respondent James R. Brady was granted summary judgment on Appellants' counterclaims in this matter and that this Court of Appeals did affirm that judgment by its March 9, 2022 opinion in this matter. This Motion is accompanied by a sworn affidavit which establishes the attorney's fees incurred by the Respondent are in excess of the \$2,500.00 fee allowed by the court. Further the Respondents seek costs for printing of their Briefs and Motions in this matter which is set forth in the form and manner

prescribed in the Appendix to the Appellate Court Rules in the amount of \$2,602.36.

Wherefore, Respondent seeks an Order of this court for an award of costs on appeal of \$2,602.36 be awarded to them as costs on appeal.

Respectfully submitted,

CAPELL THOMSON, LLC



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Charleston, SC 29401

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Attorneys for Respondent James

R. Brady

April 6, 2022
Charleston, South Carolina

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PROOF OF SERVICE

I certify that I have served the **Respondent's Motion for Costs, Itemized Statement of Costs, and Affidavit of Attorney's Fees** on the above-named Appellants by depositing a copy of it in the United States Mail, postage prepaid, on April 6, 2022, addressed to their attorney of record, G. Hamlin O'Kelley, III, 652 Coleman Blvd., Suite 200, Mt. Pleasant, SC 29464.

April 6, 2022



Charles W. Thomson, Esq.
CAPELL THOMSON, LLC

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321 East Bay St.
Charleston, SC 29401
(843) 501-0423

**Attorneys for Respondent James
R. Brady**

Charles W. Thomson | Charleston
CThomson@CapellThomson.com

April 6, 2022

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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Re: **Brady v. Hilton Head Homes at Allenwood, LLC, et al.**
Appellate Case No. 2019-000200

Dear Ms. Kitchings:

Enclosed for filing in the above case are as follows:

- 1) An original and seven copies of the Respondent's Motion for Costs;
- 2) An original and seven copies of the Itemized Statement of Costs;
- 3) An original and seven copies of the undersigned's Affidavit of Attorney's Fees;
- 4) An original and seven copies of the Proof of Service of the above.

Please file the originals and return clocked copies of each to me in the self-addressed, stamped return envelope also enclosed. Thank you for your attention to this matter.

Sincerely yours,

Capell Thomson, LLC

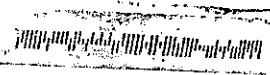


Charles W. Thomson

Enclosures

CWT/cgb

cc: G. Hamlin O'Kelley, Counsel for Appellants



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