

RECEIVED

Apr 26 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

H. Steven DeBerry, IV, Circuit Court Judge
and
R. Ferrell Cothran, Jr., Circuit Court Judge

Case No. 2019-CP-26-01211
Appellate Case No. 2022-000152

Gregory Cutlip, individually and as a member
of the Legends Property Owners Association, Inc.
and Parkland Property Owners Association, Inc.,

Respondent,

v.

LDY Properties, LLC, Estate and/or Trust of Larry
D. Young, Legends Property Owners Association, Inc.,
Parkland Property Owners Association, Inc., Legends
Properties, LLC, New Town Management, LLC,
Michael R. Latta, Marianne Johnson, Carl A. Rubano,
Camden C. McCarl, Robert L. Schechter, Richard Apolenis,
John K. Manley, Michael Marino, Legends Golf Holding,
LLC, Jigger Holding, LLC, and Daniel Larry Young, Jr.,

Defendants,

Of which LDY Properties, LLC; Larry D. Young; Legends Properties, LLC; and Legends Golf
Holding, LLC are the Appellants.


RESPONDENT'S MOTION FOR COSTS

Respondent respectfully moves this Honorable Court to award attorney's fees and costs on the basis that Appellants filed a Notice of Appeal which has been dismissed. Rule 222, SCACR, provides that, "Unless otherwise ordered by the appellate court or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed" (emphasis added).

Rule 222(b) further provides that "the party [seeking award of costs] shall be entitled to recover an attorney's fee in an amount which shall be set by order of the Supreme Court." In footnote 1 to the rule, it is noted that "By order dated January 17, 2018, the amount of attorney's fee was set at \$2,500."

Respondent has incurred \$150.00 in filing fees for his Motion to Dismiss, Motion to Lift Automatic Stay, and Motion for Sanctions/Costs. Therefore, Respondent respectfully requests that the Court award him \$2,650.00 which is composed of \$150.00 in filing fee costs and \$2,500.00 which is the attorney's fee set by Court Order dated January 17, 2018.

April 26, 2022



Christopher M. Ramsey
SC Bar No. 75323
Bostic Law Group, P.A.
2236 Ashley Crossing Drive
(843) 571-2525
Fax: (843) 571-7050
cramsey@bosticlaw.com
Attorneys for Plaintiff

Other Counsel of Record:

Everett A. Kendall, II, Esq.
P.O. Box 6648
Columbia, SC 29260
Attorneys for Appellants

J.D. Elliott, Esq.
P.O. Box 6648
Columbia, SC 29260
Attorneys for Appellants

Christina Bisset, Esq.
2411 North Oak Street, Suite 401
Myrtle Beach, SC 29577-3173
Attorneys for Michael Marino

Douglas M. Zayicek, Esq.
1000 29th Ave. N
Myrtle Beach, SC 29577
Attorneys for Jigger Holdings, LLC

G. Michael Smith, Sr., Esq.
1300 2nd Ave., Unit 3
Conway, SC 29526
*Attorneys for Legends POA, Carl Rubano,
Richard Apolenis, John K. Manley,
Michael Marino, Daniel Larry Young, Jr.,
and Estate of Larry D. Young*

Hannah Stetson, Esq.
P.O. Box 1473
Columbia, SC 29202
*Attorneys for Michael R. Latta, New Town
Management, LLC, Parkland POA, Larry D. Young,
Robert L. Schechter, Camden C. McCarl, Carl A.
Rubano, and Marienne Johnson*

Reginald W. Belcher, Esq.
P.O. Box 1473
Columbia, SC 29202
*Attorneys for Michael R. Latta, New Town
Management, LLC, Parkland POA, Larry D. Young,
Robert L. Schechter, Camden C. McCarl, Carl A.
Rubano, and Marienne Johnson*

RECEIVED

Apr 26 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

H. Steven Deberry, IV, Circuit Court Judge
and
R. Ferrell Cothran, Jr., Circuit Court Judge

Case No. 2019-CP-26-01211
Appellate Case No. 2022-000152

Gregory Cutlip, individually and as a member
of the Legends Property Owners Association, Inc.
and Parkland Property Owners Association, Inc.,

Respondent,

v.

LDY Properties, LLC, Estate and/or Trust of Larry
D. Young, Legends Property Owners Association, Inc.,
Parkland Property Owners Association, Inc., Legends
Properties, LLC, New Town Management, LLC,
Michael R. Latta, Marianne Johnson, Carl A. Rubano,
Camden C. McCarl, Robert L. Schechter, Richard Apolenis,
John K. Manley, Michael Marino, Legends Golf Holding,
LLC, Jigger Holding, LLC, and Daniel Larry Young, Jr.,

Defendants,

Of which LDY Properties, LLC; Larry D. Young; Legends Properties, LLC; and Legends Golf
Holding, LLC are the Appellants.

PROOF OF SERVICE

Counsel for Respondent hereby certifies that he has served all counsel of record with the foregoing Motion for Costs and Certified Statement of Costs by e-mail and by causing a true and correct copy to be placed in an envelope, proper postage attached, and addressed as follows:

Everett A. Kendall, II, Esq.
P.O. Box 6648
Columbia, SC 29260
Attorneys for Appellants

J.D. Elliott, Esq.
P.O. Box 6648
Columbia, SC 29260
Attorneys for Appellants

Christina Bisset, Esq.
2411 North Oak Street, Suite 401
Myrtle Beach, SC 29577-3173
Attorneys for Michael Marino

Douglas M. Zayicek, Esq.
1000 29th Ave. N
Myrtle Beach, SC 29577
Attorneys for Jigger Holdings, LLC

G. Michael Smith, Sr., Esq.
1300 2nd Ave., Unit 3
Conway, SC 29526
*Attorneys for Legends POA, Carl Rubano,
Richard Apolenis, John K. Manley,
Michael Marino, Daniel Larry Young, Jr.,
and Estate of Larry D. Young*

Hannah Stetson, Esq.
P.O. Box 1473
Columbia, SC 29202
*Attorneys for Michael R. Latta, New Town
Management, LLC, Parkland POA, Larry D. Young,
Robert L. Schechter, Camden C. McCarl, Carl A.
Rubano, and Marianne Johnson*

Reginald W. Belcher, Esq.
P.O. Box 1473
Columbia, SC 29202
*Attorneys for Michael R. Latta, New Town
Management, LLC, Parkland POA, Larry D. Young,
Robert L. Schechter, Camden C. McCarl, Carl A.
Rubano, and Marianne Johnson*

April 26, 2022



Christopher M. Ramsey
SC Bar No. 75323
Bostic Law Group, P.A.
2236 Ashley Crossing Drive
(843) 571-2525
Fax: (843) 571-7050
cramsey@bosticlaw.com
Attorneys for Respondent