

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
James Mikell "Mike" Burns, Garry R. Smith)
And Dwight A. Loftis,)
Plaintiffs,)
v.)
Greenville County Council and Greenville)
County,)
Defendants.)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

C. A. No.: 2017-CP-23-01914

**PLAINTIFFS' MOTION FOR
ATTORNEY'S FEES AND COSTS**

Plaintiffs, by their undersigned attorney, moves the Court pursuant to SCRCP 54, S.C. Code Ann. § 15-77-300 and § 15-37-10 for costs and attorney's fees incurred in this case from the Defendants. This motion incorporates a memorandum of law, and an affidavit of counsel supports it.

In any civil action brought by ...any party who is contesting state action, ...the court may allow the prevailing party to recover reasonable attorney's fees to be taxed as court costs against the appropriate agency if:

- (1) The court finds that the agency acted without substantial justification in pressing its claim against the party; and
- (2) The court find that there are no special circumstances that would make the award of attorney's fees unjust.

S.C. Code Ann. § 15-77-300.

Thus, the citizen must prove three elements to claim attorney's fees: (1) the citizen must be the prevailing party; (2) the government entity must have acted without substantial justification; and (3) no special circumstances would have made the award of attorney's fees unjust. *Heath v. County of Aiken*, 302 S.C. 178, 394 S.E.2d 709 (1990); *Richland County v. Kaiser*, 351 S.C. 89, 567 S.E.2d 260 (Cl. App. 2002); *Tennis v. Dept. of Social Services*, 355 S.C. 551, 585 S.E.2d 312 (S.C. App. 2003).

Fee Dispute With Lawyer Motion Manual

John Boston, Daniel E Manville



Fee Dispute With Lawyer Motion Manual:

ABA/BNA Lawyers' Manual on Professional Conduct ,2004 **The Patent Infringement Litigation Handbook** Alan R. Thiele,Judith R. Blakeway,Charles M. Hosch,2010 This practical book provides a well considered plan for invention protection and management that can be used effectively to avoid expensive time consuming and sometimes company killing patent infringement litigation However because not all patent infringement litigation can be avoided the second part of this important book explains how to manage patent infringement litigation should it become necessary **Litigation Handbook on West Virginia Rules of Civil Procedure - Fourth Edition** Franklin D. Cleckley,Robin Jean Davis,Louis J. Palmer, Jr,2015-01-01 January 2015 Cumulative Pocket Part The Litigation Handbook On West Virginia Rules of Civil Procedure Fourth Edition provides a meaningful and thorough starting point for any practitioner seeking a fundamental understanding of the application of the West Virginia rules of civil procedure For ease and convenience the material in this new Handbook has been organized to correspond with actual rule citations For example 12 b 6 of the Handbook corresponds with Rule 12 b 6 of the rules of civil procedure Therefore if a practitioner knows the particular rule citation under consideration he or she need only find the corresponding section citation in this Handbook for a discussion of the particular rule The Fourth Edition cites per curiam opinions issued by the state Supreme Court and also provides federal case law construing the federal rules of civil procedure As the practitioner knows West Virginia s rules of civil procedure are patterned after the federal rules With this knowledge in mind the Handbook offers as persuasive authority federal decisions construing the federal rules As a practical matter the Handbook limits its use of federal case law to areas that the state Supreme Court has not issued controlling opinions upon This Handbook is an invaluable tool for both the bench and bar Order Litigation Handbook on West Virginia Rules of Civil Procedure Fourth Edition for your office today **Civil Rights Litigation and Attorney Fees Annual Handbook** ,2002 **Prisoners' Self-Help Litigation Manual** John Boston,Daniel E Manville,2010-09-27 Prisoners Self Help Litigation Manual in its much anticipated fourth edition is an indispensable guide for prisoners and prisoner advocates seeking to understand the rights guaranteed to prisoners by law and how to protect those rights Clear comprehensive practical advice provides prisoners with everything they need to know on conditions of confinement civil liberties in prison procedural due process the legal system how to litigate conducting effective legal research and writing legal documents **Labor Relations Reference Manual** ,1990 Vols 9 17 include decisions of the War Labor Board Manual of Dispute Resolution Edward A. Dauer,1994 Employment Litigation Handbook Cathy Beveridge,2010 This updated and expanded edition provides experienced solutions to the procedural and important substantive problems you will encounter in assessing settling litigating and appealing an employment case no matter your level of experience whether you represent management or employee or whether the case at hand involves harassment discrimination or wrongful discharge It includes dozens of checklists sample pleadings interrogatories letters and other useful forms These time saving materials are

also included on a CD ROM The Pro Se Litigant's Civil Litigation Handbook Kenn Goldblatt, 2016-03-17 Caught up in a civil lawsuit This book explains each step of the civil litigation process from pre litigation investigation through trial on the merits to give you the best chance of prevailing in your efforts whether you are a plaintiff or a defendant Its detailed explanations of the various requirements of the litigation process are supported with detailed checklists that insure you leave nothing to chance as you work through the process and help you avoid the costly mistakes pro se litigants commonly make as they fight their lawsuits Whether you are a plaintiff or defendant and whether you decide to employ a lawyer or represent yourself this book gives you the information you need to make sure that you have the best chance of prevailing as you proceed **California. Court of Appeal (1st Appellate District). Records and Briefs** California (State)., Research Handbook on Representative Shareholder Litigation Sean Griffith, Jessica Erickson, David H. Webber, Verity Winship, 2018 Written by leading scholars and judges in the field the Research Handbook on Representative Shareholder Litigation is a modern day survey of the state of shareholder litigation Its chapters cover securities class actions merger litigation derivative suits and appraisal litigation as well as other forms of shareholder litigation Through in depth analysis of these different forms of litigation the book explores the agency costs inherent in representative litigation the challenges of multijurisdictional litigation and disclosure only settlements and the rise of institutional investors It explores how related issues are addressed across the globe with examinations of shareholder litigation in the United States Canada the United Kingdom the European Union Israel and China This Research Handbook will be an invaluable resource on this important topic for scholars practitioners judges and legislators Attorney Fee Awards Alba Conte, 2004 **California. Court of Appeal (2nd Appellate District). Records and Briefs** California (State)., *Annotated Manual for Complex Litigation, Fourth* David F. Herr, 2006 **Clevenger's Practice Manual of New York**, 1927 Section 1983 Civil Rights Litigation and Attorneys' Fees, 1996 Government Contracts Reporter, 1958 *U.C. Davis Law Review* University of California, Davis. School of Law, 1995 **The Cambridge Handbook of Class Actions** Brian T. Fitzpatrick, Randall S. Thomas, 2021-02-03 Economic activity is more globally integrated than ever before but so is the scope of corporate misconduct As more and more people across the world are affected by such malfeasance the differences in legal redress have become increasingly visible This transparency has resulted in a growing convergence towards an American model of robust private enforcement of the law including the class action lawsuit This handbook brings together scholars from nearly two dozen countries to describe and assess the class action procedure or its equivalent in their respective countries and where possible to offer empirical data on these systems At the same time the work presents a variety of multidisciplinary perspectives on class actions from economics to philosophy making this handbook an essential resource to academics lawyers and policymakers alike **Report Section**, 1964

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