

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

The Honorable Steven H. John  
Fifteenth Circuit Court Judge

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Case No.: 2007-CP-26-00265

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Williams Carpet Contractors, Inc.,.....Appellant,

v.

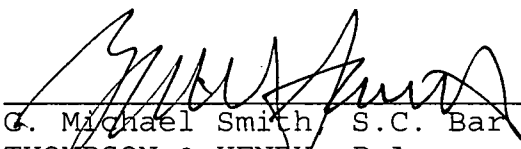
Ruonala and Company, LLC, Mark Skelly and  
M.S. Industries, Inc.,.....Defendants,

Of Whom Mark Skelly is.....Respondent.

---

Motion and Petition to be Relieved as Counsel

---

  
G. Michael Smith, S.C. Bar No. 5255  
THOMPSON & HENRY, P.A.  
1300 Second Avenue, 3<sup>rd</sup> Floor  
Post Office Box 1740  
Conway, SC 29528  
(843) 248-5741  
Attorneys for Respondent  
Mark Skelly

**RECEIVED**

NOV 13 2012

**SC Court of Appeals**

YOU WILL PLEASE TAKE NOTICE that the undersigned attorney for Mark Skelly hereby moves before this Honorable Court for an Order Relieving the undersigned as attorney for the Respondent. The grounds for the motion are as follows:

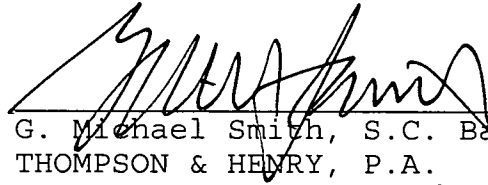
1. The undersigned and Mark Skelly entered into a Retainer Agreement for the payment of attorneys fees by agreement dated September 2009. The Retainer Agreement provides that if fees and costs are not timely paid, the undersigned may move before the court for an order relieving the undersigned as attorney of record. A copy of the Retainer Agreement is attached hereto and made a part hereof as Exhibit 1.

2. The Undersigned has regularly billed Mark Skelly for attorneys fees and costs, and after application of all payments received by Mr. Skelly, there remains due and owing the sum of \$8,654.02. Copies of the unpaid invoices are attached hereto and made a part hereof as Exhibit 2.

3. Efforts to collect payment from Mr. Skelly have been unsuccessful, and the undersigned believes he is entitled to be relieved as counsel based on the outstanding payments owed to the undersigned. A copy of the request for payments letter is attached hereto as Exhibit 3.

The Undersigned has communicated his intent to be relieved as counsel to Mr. Skelly's representative, Mr. John Martini. Therefore, based upon the foregoing, the undersigned is informed and believes that he is entitled to be relieved as counsel for the

Respondent Mark Skelly.



---

G. Michael Smith, S.C. Bar No. 5255  
THOMPSON & HENRY, P.A.  
1300 Second Avenue, 3<sup>rd</sup> Floor  
Post Office Box 1740  
Conway, SC 29528  
(843) 248-5741  
Attorneys for Respondent  
Mark Skelly

November 6, 2012



RETAINER AGREEMENT

John L. Martini, Jr. and Mark Skelly (Clients) hereby retain and employ THOMPSON & HENRY, P.A. to represent them and M.S. Industries, Inc. in the defense of the following action captioned as: Williams Carpet Contractors, Inc. v. Ruonala and Company, LLC, Mark Skelly and M.S. Industries, Inc.; Case No: 2009-CP-26-0265.

In consideration for the legal services to be rendered by said firm, clients agree to pay THOMPSON & HENRY, P.A., pursuant to this Retainer in employment the sum of Two Hundred Dollars (\$200.00) per hour for partner's time and One Hundred Fifty Dollars (\$150.00) per hour for Associate's time. The time will be billed monthly. Included in the bill will be any costs incurred as set forth below. The bills will be paid from funds held in retainer. Should the escrow retainer be exhausted, THOMPSON & HENRY, P.A. will request additional retainer as may be appropriate. Failure to fund a requested retainer will be grounds for THOMPSON & HENRY, P.A. to withdraw as counsel.

Clients hereby authorize THOMPSON & HENRY, P.A. to pay all costs that in their judgment are necessary for the successful pursuit of the claim including but not limited to expert witness fees and investigation. Clients understand that they are responsible for any and all costs paid by THOMPSON & HENRY, P.A.

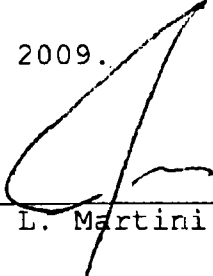
If said fees and costs are not timely paid by clients in accordance with this Agreement, clients understand that THOMPSON &

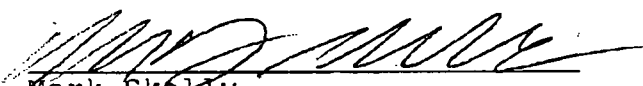
HENRY, P.A. has the option to withdraw from the representation of clients in this suit and that this withdrawal will not prejudice clients' rights in any way.

Clients understand that if an appeal is taken, a new and separate agreement for fees and services shall be entered into by the parties.

Dated this \_\_\_\_\_ day of September, 2009.

By:

  
\_\_\_\_\_  
John L. Martini, Jr.

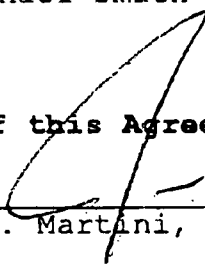
  
\_\_\_\_\_  
Mark Skelly

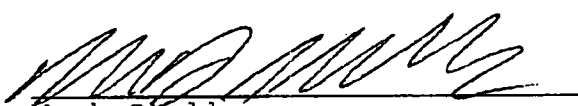
THOMPSON & HENRY, P.A.

\_\_\_\_\_  
G. Michael Smith

I acknowledge receipt of a copy of this Agreement.

By:

  
\_\_\_\_\_  
John L. Martini, Jr.

  
\_\_\_\_\_  
Mark Skelly

THOMPSON & HENRY, P.A.  
ATTORNEYS AT LAW  
1300 SECOND AVENUE, THIRD FLOOR  
Post Office Box 1740  
CONWAY, SOUTH CAROLINA 29528

JOHN P. HENRY  
LINDA WEEKS GANGI  
J. JACKSON THOMAS  
EMMA RUTH BRITAIN\*  
CLAY D. BRITAIN, III  
G. MICHAEL SMITH  
PHILIP C. THOMPSON  
CATHERINE H. DINGLE  
MATTHEW R. MAGEE  
CHARLES B. JORDAN, JR.  
E. B. DAVIS INABNIT, JR.\*\*

TELEPHONE  
(843) 248-5741

TELECOPIER  
(843) 248-5112  
(843) 248-6396

MYRTLE BEACH OFFICE  
1314 PROFESSIONAL DRIVE  
Post Office Box 1290  
MYRTLE BEACH, S.C. 29578  
TELEPHONE  
(843) 692-2628  
TELECOPIER  
(843) 692-0918  
(843) 692-0928

RETIRED

JOHN C. THOMPSON

\*CERTIFIED EMPLOYMENT &  
LABOR LAW SPECIALIST

\*\*ALSO ADMITTED IN N.C.

September 18, 2009

John L. Martini, Jr., Esquire  
1021 Sea Mountain Hwy, Ste B-2  
North Myrtle Beach, SC 29582

RE: Williams Carpet Contractors, Inc. v. Ruonala and Company, LLC,  
Mark Skelly and M.S. Industries, Inc.  
Case No: 2007-CP-26-0265  
Our File No: 15156

Dear John:

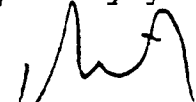
As you and I have discussed, our firm will agree to represent you in connection with the above-referenced matter. We will bill at an hourly rate of Two Hundred and No/100 (\$200.00) Dollars per partner and One Hundred Fifty and No/100 (\$150.00) Dollars an hour per associate. We will also bill for costs advanced (deposition costs, large coping costs, etc). The billing will be done on a monthly basis. Unpaid bills will result in grounds for withdrawing as counsel.

Each month, we will send you a bill and draw from the retainer. If you have any questions regarding the billing please do not hesitate to call. As I explained to you, I am used to justifying my bills with multiple insurance carriers and I have no problem in making sure that you are satisfied with the billing procedure.

John L. Martini, Jr., Esquire  
September 18, 2009  
Page 2

I look forward to working with you in this matter.

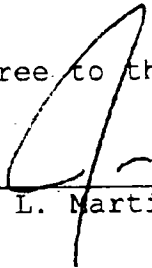
Very truly yours,



G. Michael Smith

GMS/dke

I agree to these terms.

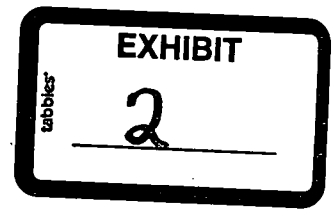


John L. Martini, Jr.



Mark Skelly

**THOMPSON & HENRY, P.A.**  
**ATTORNEYS AT LAW**  
 POST OFFICE BOX 1740  
 CONWAY, SOUTH CAROLINA 29528  
 FED ID NO.57-0686011



Page: 1  
 08/16/2012  
 CLIENT NO: 15156-00M

Mark Skelly  
 John Martini, Esquire  
 1021 Sea Mountain Highway, Suite B2  
 North Myrtle Beach SC 29582

Williams Carpet Contractors, Inc. vs. Ruonala and  
 Company, LLC, Mark Skelly and M.S. Industries, Inc

		HOURS	
06/06/2012	GMS Preparing for Oral Argument	2.00	
06/07/2012	GMS Attending Oral Argument in Columbia, South Carolina (includes trip to/from Columbia)	6.00	
	FOR CURRENT SERVICES RENDERED	8.00	<u>1,600.00</u>
06/15/2012	Costs Advanced paid to G. Michael Smith for reimbursement for roundtrip mileage to Columbia, SC for appeal on 06/07/12 - 252 miles @ .555 per mile		<u>139.86</u>
	TOTAL ADVANCES		139.86
	<b>TOTAL CURRENT WORK</b>		1,739.86
	<b>PREVIOUS BALANCE</b>		\$6,914.16
	<b>BALANCE DUE</b>		<u>\$8,654.02</u>

\*\*\*THANK YOU VERY MUCH! PLEASE RETURN COPY WITH PAYMENT\*\*\*

**OFFICE COPY**

**THOMPSON & HENRY, P.A.**  
ATTORNEYS AT LAW  
POST OFFICE BOX 1740  
CONWAY, SOUTH CAROLINA 29528  
FED ID NO.57-0686011

Mark Skelly  
John Martini, Esquire  
1021 Sea Mountain Highway, Suite B2  
North Myrtle Beach SC 29582

Page: 1  
03/22/2012  
CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
Company, LLC, Mark Skelly and M.S. Industries, Inc

<b>PREVIOUS BALANCE</b>	<b>\$6,914.16</b>
<b>BALANCE DUE</b>	<b><u>\$6,914.16</u></b>

\*\*\*THANK YOU VERY MUCH! PLEASE RETURN COPY WITH PAYMENT\*\*\*

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**THOMPSON & HENRY, P.A.**

ATTORNEYS AT LAW

POST OFFICE BOX 1740

CONWAY, SOUTH CAROLINA 29528

FED ID NO.57-0686011

Mark Skelly

Page: 2

11/21/2011

CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
Company, LLC, Mark Skelly and M.S. Industries, Inc

	04/21-22/10	180.00
10/13/2011	Costs Advanced paid to Sara Ashley Gwin for reimbursement for mileage Columbia, SC on 10/07/11 to correct caption on final brief at SC Court of Appeals	<u>139.86</u>
	TOTAL ADVANCES	319.86
	<b>TOTAL CURRENT WORK</b>	4,583.86
	<b>PREVIOUS BALANCE</b>	\$2,330.30
	<b>BALANCE DUE</b>	<u>\$6,914.16</u>

\*\*\*THANK YOU VERY MUCH! PLEASE RETURN COPY WITH PAYMENT\*\*\*

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**THOMPSON & HENRY, P.A.**  
**ATTORNEYS AT LAW**  
 POST OFFICE BOX 1740  
 CONWAY, SOUTH CAROLINA 29528  
 FED ID NO.57-0686011

Mark Skelly  
 John Martini, Esquire  
 1021 Sea Mountain Highway, Suite B2  
 North Myrtle Beach SC 29582

Page: 1  
 11/21/2011  
 CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
 Company, LLC, Mark Skelly and M.S. Industries, Inc

		HOURS	
02/01/2011	GMS	Receipt & Review of extension of time to file brief	0.10
02/10/2011	GMS	Receipt & Review of amended notice of appeal	0.10
03/15/2011	GMS	Conference with Judge re: scheduling order for appeal brief	0.25
07/09/2011	GMS	Preparing for Appeal	5.00
07/10/2011	GMS	Preparing for Appeal	6.00
07/11/2011	GMS	Preparing for initial respondent's brief and designation of matter	5.00
08/04/2011	GMS	Receipt & Review of reply brief of the Appellant	0.25
09/06/2011	GMS	Receipt & Review of Record on Appeal	0.50
09/21/2011	GMS	Draft final brief on appeal	2.50
10/07/2011	AG	Trip to Court of Appeals to correct case caption on final brief	5.40
		FOR CURRENT SERVICES RENDERED	25.10
			4,264.00
02/15/2011		Costs Advanced paid to Dixie Cox Eubank for transcript of record -	

**THOMPSON & HENRY, P.A.**  
ATTORNEYS AT LAW  
POST OFFICE BOX 1740  
CONWAY, SOUTH CAROLINA 29528  
FED ID NO.57-0686011

Mark Skelly

Page: 2  
02/21/2011  
CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
Company, LLC, Mark Skelly and M.S. Industries, Inc

TOTAL CURRENT WORK	321.65
PREVIOUS BALANCE	\$2,008.65
BALANCE DUE	<u>\$2,330.30</u>

\*\*\*THANK YOU VERY MUCH! PLEASE RETURN COPY WITH PAYMENT\*\*\*

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**ATTORNEYS AT LAW**  
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 CONWAY, SOUTH CAROLINA 29528  
 FED ID NO.57-0686011

Mark Skelly  
 John Martini, Esquire  
 1021 Sea Mountain Highway, Suite B2  
 North Myrtle Beach SC 29582

Page: 1  
 02/21/2011  
 CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
 Company, LLC, Mark Skelly and M.S. Industries, Inc

		HOURS	
08/25/2010			
	GMS Review correspondence from opposing party re: transcript	0.10	
09/21/2010			
	GMS Correspondence to court reporter re: transcript	0.20	
10/01/2010			
	GMS Draft order denying motion for reconsideration	0.40	
10/12/2010			
	GMS Correspondence to opposing party serving order denying motion for reconsideration	0.10	
11/05/2010			
	GMS Receipt & Review of notice from Court of Appeals	0.10	
11/11/2010			
	GMS Correspondence to Martini re: Notice of Appeal	0.10	
01/06/2011			
	GMS Receipt & Review of notice from court re: trial transcript	0.10	
01/28/2011			
	GMS Review correspondence from opposing party re: notification of transcript	0.10	
	FOR CURRENT SERVICES RENDERED	1.20	240.00
10/07/2010	Costs Advanced paid to Clerk of Court for filing fee for Order Denying Motion for Reconsideration		25.00
11/23/2010	Costs Advanced paid to Dixie Cox Eubank for transcript of record from 04/21-22/10		56.65
	TOTAL ADVANCES		81.65

**THOMPSON & HENRY, P.A.**  
ATTORNEYS AT LAW  
POST OFFICE BOX 1740  
CONWAY, SOUTH CAROLINA 29528  
FED ID NO.57-0686011

Mark Skelly

Page: 2  
08/25/2010  
CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
Company, LLC, Mark Skelly and M.S. Industries, Inc

	<b>PREVIOUS BALANCE</b>	\$4,749.70
08/23/2010	Payment - Thank You for fees and costs recovered from trust	-3,750.00
	<b>BALANCE DUE</b>	<u>\$2,008.65</u>

\*\*\*THANK YOU VERY MUCH! PLEASE RETURN COPY WITH PAYMENT\*\*\*

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**THOMPSON & HENRY, P.A.**

**ATTORNEYS AT LAW**

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CONWAY, SOUTH CAROLINA 29528

FED ID NO.57-0686011

Mark Skelly  
John Martini, Esquire  
1021 Sea Mountain Highway, Suite B2  
North Myrtle Beach SC 29582

Page: 1  
08/25/2010  
CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
Company, LLC, Mark Skelly and M.S. Industries, Inc

		HOURS	
05/12/2010			
GMS	Conference with client re: status of Judge John's ruling	0.20	
05/14/2010			
GMS	Draft order granting JNOV	1.00	
05/20/2010			
GMS	Correspondence to opposing party serving order	0.10	
07/15/2010			
JWF	Research and drafting memorandum in opp to plaintiff's motion for reconsideration	5.20	
07/26/2010			
JWF	Draft documents: finalize memo in opp to motion to reconsideration; Research; Meeting with Mike re: hearing; Edit brief; Send to Judge and opc	2.90	
07/27/2010			
GMS	Preparing for and attending motion for reconsideration	3.50	
	FOR CURRENT SERVICES RENDERED	12.90	960.00
05/28/2010			
	Costs Advanced paid to Business Card - Bank of America for meal expense during trial on 04/22/10		48.95
	TOTAL ADVANCES		48.95
	<b>TOTAL CURRENT WORK</b>		<b>1,008.95</b>

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**THOMPSON & HENRY, P.A.**  
ATTORNEYS AT LAW  
POST OFFICE BOX 1740  
CONWAY, SOUTH CAROLINA 29528  
FED ID NO.57-0686011

Mark Skelly

Page: 2  
05/24/2010  
CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
Company, LLC, Mark Skelly and M.S. Industries, Inc

03/22/2010	Costs Advanced paid to Clerk of Court for filing fee for Consent Order to Amend Answer	25.00
	TOTAL ADVANCES	<u>25.00</u>
	<b>TOTAL CURRENT WORK</b>	6,355.00
05/24/2010	Payment - Thank You for fees and costs recovered from trust	-1,605.30
	<b>BALANCE DUE</b>	<u>\$4,749.70</u>

\*\*\*THANK YOU VERY MUCH! PLEASE RETURN COPY WITH PAYMENT\*\*\*

**OFFICE COPY**

**THOMPSON & HENRY, P.A.**

**ATTORNEYS AT LAW**

POST OFFICE BOX 1740

CONWAY, SOUTH CAROLINA 29528

FED ID NO.57-0686011

Mark Skelly  
John Martini, Esquire  
1021 Sea Mountain Highway, Suite B2  
North Myrtle Beach SC 29582

Page: 1  
05/24/2010  
CLIENT NO: 15156-00M

Williams Carpet Contractors, Inc. vs. Ruonala and  
Company, LLC, Mark Skelly and M.S. Industries, Inc

		HOURS	
02/25/2010			
GMS	Draft proposed consent order to amend; Letter to opposing party	0.20	
03/08/2010			
GMS	Correspondence to Judge Culbertson re: consent order	0.10	
03/29/2010			
GMS	Receipt & Review of demand for jury trial	0.10	
04/21/2010			
GMS	Preparing for and attending trial	9.00	
04/22/2010			
GMS	Attending trial and post trial motions; Conference with client	11.00	
04/23/2010			
EDI	Legal Research - Westlaw - Quantum Merit.	1.50	
EDI	Legal Research - Westlaw - statutory parental liability.	0.40	
EDI	Legal Research - Westlaw.	2.80	
04/27/2010			
GMS	Legal Research on Quantum Merit Theory	2.00	
04/28/2010			
GMS	Draft memo in support of motion for JNOV	1.50	
GMS	Telephone Conference with Mark Skelly re: status	0.20	
EDI	Legal Research - Westlaw - Quantum Merit.	1.50	
04/29/2010			
GMS	Finalize Documents of memorandum after completion of research	4.00	
EDI	Legal Research - Westlaw - Quantum Merit.	0.90	
	FOR CURRENT SERVICES RENDERED	35.20	6,330.00

**OFFICE COPY**

THOMPSON  
& HENRY, P.A.

ATTORNEYS AT LAW

1300 SECOND AVENUE, THIRD FLOOR  
POST OFFICE BOX 1740

CONWAY, SOUTH CAROLINA 29528

G. MICHAEL SMITH  
MSMITH@THOMPSONLAW.COM



TELEPHONE  
(843) 248-5741  
FACSIMILE  
(843) 248-5112

March 22, 2012

John L. Martini, Jr., Esquire  
and Mr. Mark Skelley  
1021 Sea Mountain Hwy, Ste B-2  
North Myrtle Beach, SC 29582

RE: Williams Carpet Contractors, Inc. v. Ruonala and  
Company, LLC, Mark Skelley and M.S. Industries, Inc.  
Case No.: 2007-CP-26-0265  
Our File No.: 15156

Gentlemen:

I am in receipt of correspondence from the Court of Appeals that our case will likely be considered now during the June 2012 term of court. In the event the case is placed on the oral argument roster, we will be heard on June 4, 7, 19 or 21, 2012. Please hold these dates open on your calendars until we hear something definitive from the Court.

Per my previous correspondence dated December 13, 2011 and again on February 14, 2012, your account is still \$6,914.16 in arrears. I am enclosing copies of delinquent invoices which have been sent to you. Please bring your account current before the Court of Appeals argument. I would appreciate payment of the past due account before May 1, 2012.

Thank you for your anticipated cooperation.

Very truly yours,

G. Michael Smith

GMS/lwj  
Enclosures

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

6/6/12

APPEAL FROM Horry COUNTY  
Court of Common Pleas

The Honorable Steven H. John  
Fifteenth Circuit Court Judge

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Case No.: 2007-CP-26-00265

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Williams Carpet Contractors, Inc.,.....Appellant,

v.

Ruonala and Company, LLC, Mark Skelly and  
M.S. Industries, Inc.,.....Defendants,

Of Whom Mark Skelly is.....Respondent.

---

PROOF OF SERVICE

---

I, Gina Woodbury, an employee for Thompson & Henry, P.A.,  
attorneys for the Respondent Mark Skelly, in the above-captioned  
action and/or actions, certify that I have this 7 day of  
November, 2012 mailed a copy and/or copies of the following:

1. Motion and Petition to be Relieved of Counsel for Mark Skelly;
2. Proof of Service;

to the undersigned at his/her/their address(es) of record, with  
sufficient postage attached thereto, as follows:

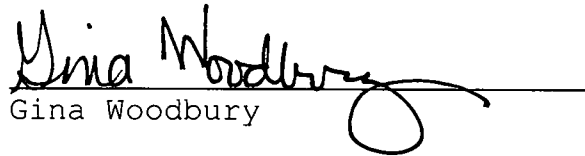
**RECEIVED**

NOV 13 2012

**SC Court of Appeals**

Henrietta U. Golding, Esquire  
James K. Gilliam, Esquire  
McNair Law Firm, P.A.  
Post Office Box 336  
Myrtle Beach, SC 29578  
*Attorneys for Williams Carpet*

Conway, South Carolina

  
Gina Woodbury

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

The Honorable Steven H. John  
Fifteenth Circuit Court Judge

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Case No.: 2007-CP-26-00265

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Williams Carpet Contractors, Inc., .....Appellant,

v.

Ruonala and Company, LLC, Mark Skelly and  
M.S. Industries, Inc., .....Defendants,

Of Whom Mark Skelly is .....Respondent.

---

PROOF OF SERVICE

---

I, Gina Woodbury, an employee for Thompson & Henry, P.A., attorneys for the Respondent Mark Skelly, in the above-captioned action and/or actions, certify that I have this 7 day of November, 2012 mailed a copy and/or copies of the following:

1. Motion and Petition to be Relieved of Counsel for Mark Skelly;
2. Proof of Service;

to the undersigned at his/her/their address(es) of record, with sufficient postage attached thereto, as follows:

**RECEIVED**

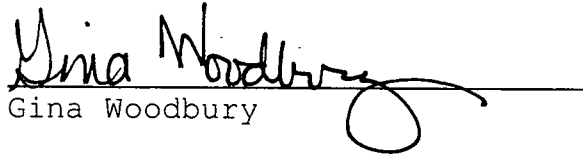
NOV 13 2012

**SC Court of Appeals**

Henrietta U. Golding, Esquire  
James K. Gilliam, Esquire  
McNair Law Firm, P.A.

Post Office Box 336  
Myrtle Beach, SC 29578  
*Attorneys for Williams Carpet*

Conway, South Carolina

  
Gina Woodbury

# THOMPSON & HENRY, P.A.

ATTORNEYS AT LAW

1300 SECOND AVENUE, THIRD FLOOR  
POST OFFICE BOX 1740

CONWAY, SOUTH CAROLINA 29528

TELEPHONE  
(843) 248-5741

FACSIMILE  
(843) 248-5112

G. MICHAEL SMITH  
MSMITH@THOMPSONLAW.COM

November 6, 2012

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Post Office Box 11629  
Columbia, SC 29211

RE: Williams Carpet Contractors, Inc. v. Ruonala and Company,  
LLC, Mark Skelly and M.S. Industries, Inc.  
Case Track No.: 2010176606  
Civil Action No.: 2007-CP-26-0265  
Our File No.: 15156

Dear Ms. Kitchings:

I am enclosing for filing with the court in connection with the above captioned matter the following:

- Original and eight copies of Motion and Petition to be Relieved as Counsel for Respondent Mark Skelly;
- Filing Fee of \$25.00,
- Proof of Service.

By copy of this letter, I am serving a copy of the aforementioned documents on other counsel of record.

Please return to me a clocked copy of the filed documents in the enclosed self-addressed envelope.

Very truly yours,

  
G. Michael Smith

GMS/gtw  
Enclosures  
cc: Henrietta U. Golding, Esquire  
James K. Gilliam, Esquire  
Mr. Mark Skelly

**RECEIVED**

NOV 13 2012

**SC Court of Appeals**