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S.C. SUPREME COURT

IN THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Bentley Price, Circuit Court Judge
The Honorable Robert J. Bonds, Circuit Court Judge

Appellate Case Nos. 2021-000837, 2021-001337

IN THE MATTER OF: Estate of Paul Brandon Barringer II

Hampton B. Luzak,Appellant,

v.

Merrill B. Light, Merrill U. Barringer as Personal Representative of the Estate of Paul Brandon Barringer II, J. Randolph Light, Jr., Merrill B. Light as putative trustee of the Paul B. Barringer II Revocable Trust dated December 4, 1998, and Merrill B. Light as Trustee of the Merrill Barringer Light Revocable Trust, Respondents

—and—

Hampton B. Luzak, Appellant,

v.

Merrill U. Barringer, Respondent,

—and—

Coastal Forest Resources Company ("CFRC") Intervenor/Respondent.

AND

IN THE MATTER OF: Estate of Paul Brandon Barringer II

Hampton B. Luzak,Appellant,

v.

Merrill U. Barringer,Respondent.

**THOMAS W. TRAXLER'S MOTION FOR PROTECTION FROM COURT
APPEARANCES AND TO CONTINUE ORAL ARGUMENT**

Thomas W. Traxler, counsel for the Appellant, Hampton B. Luzak (Ms. Luzak), does hereby move before the Supreme Court of South Carolina for an Order for Secure Leave and protection in these matters from appearances before this Court and for an Order continuing oral arguments in these matters to a term after September 30, 2023.

This Motion is made on the grounds that the Movant, Mr. Traxler, counsel for Ms. Luzak, is scheduled to have open heart surgery at the Cleveland Clinic on March 28, 2023, followed by extensive recuperation and convalescence.

Further the Movant moves for postponement of any oral arguments in these cases until after September 30, 2023 since Mr. Traxler will be attorney for Ms. Luzak to orally argue these matters before the Court. The attached affidavit of Mr. Traxler is submitted in support of this Motion.

In 2021, Mr. Traxler was hired by Ms. Luzak to be lead trial and, as needed, appellate counsel in the issues presently before the Court in these cases because of Mr. Gilreath's health issues, and he has acted in that capacity and continues to act in that capacity in these matters. He has been the counsel primarily involved in the hearings and appeals on these issues. (Co-counsel Desa Ballard was brought into these cases to assist with appellate procedures because of her appellate experience, but she has not been significantly involved in the substantive matters at issue in this appeal).

Mr. Traxler was notified of the scheduling of his heart surgery on February 9, 2023 which was prior to this Court's Order dated and filed February 10, 2023 and prior to the notice

from the Court inquiring about scheduling oral arguments in Appellate Case No. 2021-001337 for the May 2023 term.

In full disclosure to the Court, Mr. Traxler has Secure Leave from the Supreme Court for the last two weeks of October, 2023 for vacation since his wife had booked a beach house for this prior to the Cleveland Clinic scheduling the surgery.

Therefore, Mr. Traxler moves for an Order for Secure Leave protecting him from any Court appearances before this Court through September 30, 2023 and postponing any oral argument in these matters until after September 30, 2023, and protecting his current Secure Leave of October 16-27, 2023.

Respectfully submitted,

s/ Thomas W. Traxler

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