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July 24, 2023

The Hon. Jenny Abott Kitchings
 Clerk of Court
 P.O. Box 11629
 Columbia, SC 29211

RECEIVED

JUL 26 2023

SC Court of Appeals

RE: Jo Ann Blackwell v. Mary Black Health System, LLC
 Appellate Case No. 2020-001613

Dear Madame Clerk:

My law partners, Wes A. Kissinger, Thomas A. Killoren, Jr., and I are in receipt of your July 13, 2023, letter regarding the above-referenced case. By way of Order dated July 15, 2022, Wes A. Kissinger, Thomas A. Killoren, Jr., and I were relieved as counsel of record for the Plaintiffs in C.A. No. 2017CP4200219. A copy of our Motion to Withdraw and the Order granting our request is enclosed for your review.

Respectfully, we are asking to be removed from any further communications and responsibilities from the Court of Appeals about this matter. If we need to do anything additionally, please let me know, and we will be happy to comply. Thank you in advance for your assistance with this matter.

Sincerely,

Ryan F. McCarty

RFM/
 Enclosures

cc: Mr. John B. White, Jr.
 Ms. Marghretta Hagood Shisko
 Ms. Griffin Littlejohn Lynch
 Mr. John S. Simmons
 Ms. Rachel Gottlieb Peavy

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

IN THE COURT OF COMMON PLEAS
C.A. No.: 2017-CP-42-00219

Jo Ann Blackwell; Michelene Brooks; and
Samuel H. Owens, Jr., individually and on behalf
of all others similarly situated,

Plaintiffs,

vs.

Mary Black Health System, LLC d/b/a Mary
Black Memorial Hospital; CHSPSC, LLC; and
Professional Account Services, Inc.,

Defendants.

**ORDER GRANTING
MOTION OF THOMAS A. KILLOREN,
JR.; WES A. KISSINGER; AND
RYAN F. MCCARTY
TO WITHDRAW AND
BE RELIEVED AS COUNSEL FOR
PLAINTIFFS**

THIS MATTER comes before me on the Motion of John B. White, Jr.; Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty seeking an Order from this Court that allows Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty to withdraw as counsel for the Plaintiffs in the above-captioned matter and to be relieved from any further obligations or responsibilities regarding the Plaintiffs' representation in this matter henceforth.

After reviewing the Motion and seeing that no objection to this Motion has been filed, I find that good cause for withdrawal exists, and that Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty's withdrawal can be accomplished without material adverse effects on the interests of the clients. The Motion to Withdraw and Be Relieved as Counsel for the Plaintiffs is granted.

THEREFORE, it is ORDERED that:

1. Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty are relieved as counsel of record for the Plaintiffs in this matter.

2. Co-Counsel for Plaintiffs, Attorney John B. White, Jr., will continue to represent the Plaintiffs in this matter following the withdrawal of Attorneys Killoren, Kissinger, and McCarty.

3. The Clerk of Court shall remove Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty as counsel for the Plaintiffs in this action.

4. All future pleadings, notices, motions, and correspondence in this matter should be directed to Attorney John B. White, Jr. with the law firm of John B. White, Jr., P.A. located at 291 S. Pine Street (P.O. Box 2465 (29304), Spartanburg, South Carolina 29302, Telephone No. (864) 594-5988, and jwhite@johnbwhitelaw.com.

IT IS SO ORDERED.

SIGNATURE PAGE TO FOLLOW



Spartanburg Common Pleas

Case Caption: Jo Ann Blackwell , plaintiff, et al VS Mary Black Health System, Llc
, defendant, et al
Case Number: 2017CP4200219
Type: Order/Relieve Counsel

IT IS SO ORDERED

s/ J. Mark Hayes, II #2132

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

IN THE COURT OF COMMON PLEAS
C.A. No.: 2017-CP-42-00219

Jo Ann Blackwell; Michelene Brooks; and Samuel H. Owens, Jr., individually and on behalf of all others similarly situated,

Plaintiffs,

**MOTION TO WITHDRAW AND
BE RELIEVED AS COUNSEL FOR
PLAINTIFFS**

vs.

Mary Black Health System, LLC d/b/a Mary Black Memorial Hospital; CHSPSC, LLC; and Professional Account Services, Inc.,

Defendants.

COMES NOW, John B. White, Jr.; Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty, co-counsel for Plaintiffs Jo Ann Blackwell; Michelene Brooks; and Samuel H. Owens, Jr., individually and on behalf of all others similarly situated, pursuant to Rule 11(b), South Carolina Rules of Civil Procedure, and respectfully submits this Motion for Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty to Withdraw and Be Relieved as Counsel for the Plaintiffs. In furtherance of this Motion, Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty would show unto this Court the following:

1. The Plaintiffs retained Harrison White, P.C., John B. White, Jr., Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty to represent them in the above-captioned case. Attorney Killoren, Attorney Kissinger, Attorney McCarty and Attorney White have appeared in this case on all pleadings.

2. Consistent with Rule 1.16 of the South Carolina Rules of Professional Conduct, there is at least one ground which supports the permissive withdrawal of Attorney Killoren, Attorney Kissinger, and Attorney McCarty. Such grounds include the following:

- a. Subpart (b)(1): Withdrawal can be accomplished without material adverse effect on the interests of the client;
 - b. Subpart (b)(7): Other good cause for withdrawal exists.
3. John B. White, Jr. withdrew from Harrison White, P.C. His last day with the firm was April 9, 2022. The Harrison White firm, effective April 8, 2022, changed the name of the firm to Killoren, Kissinger, Dantin, Denton & Dunham, P.C. d/b/a KD Trial Lawyers and remained at 178 W. Main Street in Spartanburg, South Carolina. Attorney Killoren, Attorney Kissinger, and Attorney McCarty remain members of KD Trial Lawyers.
4. John B. White, Jr. continues to practice law as John B. White, Jr., P.A. Plaintiffs were given reasonable notice of John B. White, Jr.'s withdrawal from Harrison White, P.C., elected to continue their case with John B. White, Jr. at John B. White, Jr., P.A., and do not object to the relief sought by Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty in this Motion.
5. Counsel for the Defendants have also been provided with a copy of this Motion and do not object to the relief sought by John B. White, Jr.; Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty.

WHEREFORE, John B. White, Jr. Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty pray that this Court issue an Order that allows Thomas A. Killoren, Jr.; Wes A. Kissinger; and Ryan F. McCarty to withdraw as counsel for the Plaintiffs and be relieved from any further obligations or responsibilities regarding the Plaintiffs' representation in this matter henceforth.

[Signatures on Following Page]

WE SO MOVE.

s/ Ryan F. McCarty

Ryan F. McCarty
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s/John B. White, Jr.

John B. White, Jr., SC Bar No. 5996
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s/ Thomas A. Killoren, Jr.

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s/ Wes A. Kissinger

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July 7, 2022

Spartanburg, South Carolina

KD

TRIAL LAWYERS

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SC Court of Appeals

The Hon. Jenny Abott Kitchings
Clerk of Court
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