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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Steven H. John, Circuit Court Judge

Case No. 2004-CP-26-0084

RECEIVED
JUL 15 2013

SC COURT OF APPEALS

Crossmann Communities of North Carolina, Inc.
and Beazer Homes Investment Corp., Appellant,

v.

Harleysville Mutual Insurance Company and
Cincinnati Insurance Company, Respondent

Motion to Admit Martin M. McNerney

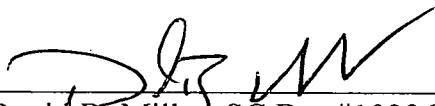
Pursuant to Rules 224 and 404 of the South Carolina Appellate Court Rules,
Appellants Crossmann Communities of North Carolina, Inc. and Beazer Homes
Investment Corp. hereby moves this Court for an Order Admitting Martin M. McNerney
to appear as counsel of record in this proceeding. The Verified Application and
certificate of good standing has been filed with this Court and the Supreme Court of
South Carolina.

Pursuant to Rule 238(b) of the South Carolina Appellate Court Rules, I hereby
certify that I have read Martin M. McNerney's Verified Application for Admission Pro

Hac Vice; and to the best of my knowledge, information and belief, there if good ground to support it; and that it is not interposed for delay.

Respectfully submitted,

BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.
P.O. Box 357
Myrtle Beach, SC 29578
(843)448-2400



David B. Miller, SC Bar #10296

Myrtle Beach, South Carolina

July 12, 2013

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Steven H. John, Circuit Court Judge

Case No. 2004-CP-26-0084
Appellate Case No. 2012-213245

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SC Court of Appeals

Crossmann Communities of North Carolina, Inc.
and Beazer Homes Investment Corp., Appellants,

v.

Harleysville Mutual Insurance Company and
Cincinnati Insurance Company,

Of Whom Cincinnati Insurance Company is Respondent.

CERTIFICATE OF SERVICE

I certify that I have served a copy of Martin M. McNerney's Verified Application for Admission Pro Hac Vice on all parties to this matter by depositing a copy in the United States Mail, postage prepaid, on this date addressed to:

Robert C. Calamari, Esq.
Nelson Mullins Riley & Scarborough
3751 Robert M. Grissom Pkwy, Ste. 300
Myrtle Beach, SC 29577

Francis Marion Mack, Esq.
Richardson Plowden Carpenter &
Robinson
1900 Barnwell Street
Columbia, SC 29202

David L. Brown, Esq.
Nelson Levine De Luca & Hamilton
800 Green Valley Rd., Ste. 302
Greensboro, NC 27408

C. Mitchell Brown, Esq.
Nelson, Mullins, Riley & Scarborough,
Meridan, 17th Floor
1320 Main Street
Columbia, SC 29201



Patricia T. Moore, Paralegal
BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.
P.O. Box 357
Myrtle Beach, SC 29578
(843)448-2400

Myrtle Beach, South Carolina

July 12, 2013

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SC Court of Appeals

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

Crossmann Communities of North
Carolina, Inc. and Beazer Homes
Investment Corp.

2004-CP-26-0084
Appellate Case No. 2012-213245

South Carolina Court of
Appeals

Plaintiff

Case No.

Court

vs.

Harleysville Mutual Insurance Company
and Cincinnati Insurance Company

Defendant

Mailing Address of Court: 1015 Sumter Street
Columbia, South Carolina 29201

Comes now Martin M. McNERNEY, applicant herein, and respectfully represents the following:

1. Applicant resides at:

1349 Woodside Drive

Street Address

McLean

Fairfax

VA

22102

City

County

State

Zip Code

703-298-4531

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) King &

Spalding, LLP, with offices at,

1700 Pennsylvania Ave., NW, Suite 200

Street Address

Washington

DC

DC

20006-4707

City

County

State

Zip Code

202-737-0500

Telephone

202-626-3737

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by Beazer Homes Corp. & Crossmann Communities to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since December of 1980, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of DC where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

US Court of Appeals for 4th Circuit	5/19/1986
US Court of Appeals for 5th Circuit	3/19/1987
US Court of Appeals for 6th Circuit	5/30/1985
US Court of Appeals for DC Circuit	3/12/1985
US Court of Appeals for Federal Circuit	3/12/1993
US Court of International Trade	2/17/1987
US District Court of DC District	6/1/1981

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:
(List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

9. Local counsel of record associated with applicant in this case is David Miller, of the Bellamy law firm, which has offices at:

1000 29th Street Avenue North

Street Address

Horry

Myrtle Beach

SC

29577

County

City

State

Zip Code

843-448-2400

Telephone

If applicable list all other firms/attorneys you are associated with in this matter

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

Crossmann Communities of North Carolina et al. v. Harleysville Mut. Ins. Co. et al. (Ct. Comm. Pleas 15th Judicial Cir.). Concluded. David Miller was local counsel of record. Application granted. Application made on June 22, 2004; admitted on August 17, 2004.

Crossmann Communities of North Carolina et al. v. Harleysville Mut. Ins. Co. et al. (S.C. Sup. Ct.). Concluded. David Miller was local counsel of record. Application granted. Application made on June 10, 2008; admitted July 11, 2008.

Harleysville Mut. Ins. Co. v. State of S.C. et al. (S.C. Sup. Ct.). Concluded. David Miller was local counsel of record. Application granted. Application made on July 7, 2011; admitted on July 8, 2011.

Cincinnati Ins. Co. v. Crossmann Communities of N.C. et al. v. Harleysville Mut. Ins. Co. (D.S.C.). Pending. L. Franklin Elmore is local counsel of record. Application granted. Application made on December 8, 2009; admitted December 11, 2009.

Cincinnati Ins. Co. v. Crossmann Communities of N.C. et al. (D.S.C.). Concluded. L. Franklin Elmore was local counsel of record. Application granted. Application made on December 8, 2009; admitted December 11, 2009.

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 3rd day of July, 2013.

Martin M. McNerney
APPLICANT

VERIFICATION

STATE OF ~~Washington, DC~~

COUNTY OF ~~)~~ DISTRICT OF COLUMBIA: SS

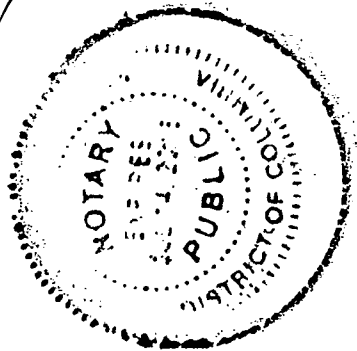
I, Martin M. McNerney, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

Martin M. McNerney
APPLICANT/AFFIANT

Subscribed and sworn to before me this 3rd day of July, 2013.

JENNIFER A. P. CILINS
Notary Public for the State of DC

My Commission Expires: July 14, 2016



LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 17 day of July, 2013.

[Signature]
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 12 day of July, 2013.

Martin M. McNerney
APPLICANT/AFFIANT

RECEIVED

JUL 15 2013

SC Court of Appeals



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that

MARTIN M. MCNERNEY

was on DECEMBER 19, 1980 duly qualified and admitted as an attorney and counselor entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

*In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C. on **JULY 2, 2013***

JULIO A. CASTILLO
Clerk of the Court

By: _____

[Signature]
Deputy Clerk