

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

69375

Marvin H. Dukes, III, Master in Equity and Circuit Court Judge

Appellate Case No. 2012-213579

Cashman Properties, LLC, ..... Respondent-Appellant,

v.

WNL Properties, LLC; E. Oswald Lightsey Trust  
f/b/o Louise Lightsey Baughman: the Trust Under Will of  
E. Oswald Lightsey dated August 8, 1958, and Codicil dated  
March 23, 1976, for the Benefit of Lillian Lightsey Drawdy; and  
the Trust Under Will of E. Oswald Lightsey for the Benefit of  
Claudia Lightsey Ware, ..... Appellants-Respondents.

**RECEIVED**  
AUG 09 2013  
SC Court of Appeals

PETITION TO WITHDRAW AS COUNSEL

On July 25, 2013, undersigned counsel filed a Notice of Appearance as lead appellate counsel for the Respondent-Appellant, Cashman Properties, LLC, in the above-captioned appeal. Pursuant to Rule 264(b), SCACR, undersigned counsel and McNair Law Firm, P.A., hereby move to withdraw as counsel for Respondent-Appellant.

After filing the Notice of Appearance, undersigned counsel received a phone call from counsel for Appellants-Respondents (Mr. Twombly) stating that he had discussed this case with undersigned counsel in a phone call several months ago. Undersigned counsel does not recall that phone conversation. Based on the representations of Mr. Twombly about the content of that conversation, which undersigned counsel cannot deny because he does not recall the conversation, undersigned counsel has no choice but to withdraw from this appeal as demanded by the

Appellants-Respondents and consistent with Rule 1.18 of Rule 407, SCACR, regarding "Duties to Prospective Client."

Due to this circumstance, undersigned counsel anticipates that Respondent-Appellant will need additional time to retain new appellate counsel before serving and filing its initial brief and designation.

Accordingly, for the foregoing reasons, undersigned counsel and the McNair Law Firm, P.A. respectfully petition this Court for leave to withdraw from the representation of Respondent-Appellant in the above-captioned matter.

Respectfully submitted,

*Robert L. Widener by  
Janet Smith, with permission*  
Robert L. Widener  
McNAIR LAW FIRM, P.A.  
Post Office Box 11390  
Columbia, South Carolina 29211  
(803) 799-9800

Attorneys for Respondent-Appellant

Columbia, South Carolina  
August 6, 2013

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

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Claudia Lightsey Ware, ..... Appellants-Respondents.

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CERTIFICATE OF SERVICE

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I, Ann Shuler, an employee of McNair Law Firm, certify that I served the **Petition to Withdraw as Counsel**, by placing a true and correct copy in the U.S. Mail, sufficient postage pre-paid to counsel at the addresses shown below, on August 6, 2013:

J. Ashley Twombly, Esquire  
Twenge + Twombly Law Firm  
311 Carteret Street  
Beaufort, SC 29902

Roberts Vaux, Esquire  
Vaux & Marscher, P.A.  
Post Office Box 769  
Bluffton, SC 29910

James P. Scheider, Jr., Esquire  
Vaux & Marscher, P.A.  
Post Office Box 769  
Bluffton, SC 29910

Mark S. Berglind, Esquire  
Vaux & Marscher, P.A.  
Post Office Box 769  
Bluffton, SC 29910

  
\_\_\_\_\_  
Ann Shuler

MCNAIR  
ATTORNEYS

August 6, 2013

Robert L. Widener

rwidener@mcnair.net  
T 803.799.9800  
F 803.753.3278

Honorable Jenny Abbott Kitchings  
Clerk of Court  
S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: Cashman Properties, LLC -v- WNL Properties, LLC, et al.  
Appellate Case No. 2012-213579

Dear Ms. Kitchings:

Enclosed for filing in the above referenced appeal, please find the original and seven copies of Petition to Withdraw as Counsel and Certificate of Service of same. Please file the original in your office and return the file stamped extra copy to me in the return envelope provided. Our check in the amount of \$25.00 is enclosed.

By copy of this letter, we are serving counsel for the Appellants-Respondents with a copy of the Notice.

Thank you for your assistance in this matter.

Respectfully yours,

McNAIR LAW FIRM, P.A.



Robert L. Widener  
SC Bar No. 6089

RLW/as  
Enclosures

cc: J. Ashley Twombly, Esquire  
Roberts Vaux, Esquire  
James P. Scheider, Jr., Esquire  
Mark S. Berglind, Esquire

McNair Law Firm, P. A.  
1221 Main Street  
Suite 1800  
Columbia, SC 29201

Mailing Address  
Post Office Box 11390  
Columbia, SC 29211

mcnair.net

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