

RECEIVED

Jun 14 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable B. Alex Hyman, Circuit Court Judge

Case No. 2020-CP-26-1169

Amber Kopanski and V.K., a minor, by and through
his Guardian Amber Kopanski, Appellants,

v.

Lashauna Baker, Respondent.

MOTION TO BE RELIEVED/WITHDRAW AS COUNSEL

Pursuant to Rules 240 and 264 of the South Carolina Appellate Court Rules and Rule 1.16(b) of the Rules of Professional Conduct, the undersigned, Amy K. Raffaldt, respectfully requests the Court allow her to be relieved and/or withdraw as counsel for the Appellants, Amber Kopanski and V.K., a minor, by and through his Guardian Amber Kopanski, and in support of this motion, states as follows:

1. Counsel was the lower court counsel for the Appellants in the Court of Common Pleas for Horry County, South Carolina.
2. Appellants desire to appeal from the trial in this matter which was held on April 23, 2024.

3. Counsel has spent considerable time and resources since undertaking this matter in February of 2017. Specifically, with the assistance of the undersigned, Appellants settled the claims with the liability carrier in April of 2018. After settling with the liability carrier, the Appellants were thereafter seeking UIM coverage. The minor child continued treatment following the date of settlement; however, as reflected in the records, all the minor child's treating physicians opined that the minor child's gastrointestinal issues which were the primary subject of the trial were not caused by the automobile accident that occurred with the Respondent in March of 2014. Following the trial held on April 23, 2024, the jury returned a verdict that the Respondent was not liable for the Appellant minor child's injuries.
4. Counsel has spent a significant amount of time, resources, and expense in achieving a favorable settlement in this matter and in litigating this matter following settlement with the liability carrier. As such, the compensation counsel has received in this matter has been exhausted. Continued representation in this matter will undoubtedly result in an unreasonable financial burden to the undersigned as compensation for the undersigned is dependent on obtaining additional recovery in the matter.
5. Additionally, counsel was not retained to represent the Appellants on

appeal. In fact, the retainer, signed by the Appellants on February 27, 2017, permits counsel to withdraw from representation at counsel's discretion.

6. Undersigned counsel informed the Appellants immediately following the jury verdict on April 23, 2024, and thereafter that undersigned counsel would be seeking to withdraw as counsel if they wished to pursue an appeal. The Appellants were further advised by undersigned counsel to retain alternative counsel for the purposes of appeal.

WHEREFORE, based on the foregoing, the undersigned attorney, Amy K. Raffaldt, respectfully requests this Court allow her to be relieved and/or withdraw as counsel in this matter.

Respectfully Submitted,



Amy K. Raffaldt, Esq.
The Law Office of Amy K. Raffaldt, Esq.
1341 44th Avenue North, Suite 205
Myrtle Beach, SC 29577
(843) 839-2900 Telephone
(843) 839-2913 Facsimile
Email: Amy@raffaldtlawfirm.com
Counsel of Records for the Appellants

Dated: June 14, 2024