



SMITH MOORE LEATHERWOOD

September 3, 2013

The Honorable Jenny Abbott Kitchings
The South Carolina Court of Appeals Clerk of Court
PO Box 11629
Columbia, SC 29211

Re: Harleysville Group Insurance, a Pennsylvania Corporation v. Heritage
Communities; et al. (Magnolia North)
Appellate Case No. 2013-001281
SML No. 00027254.2354

Dear Ms. Kitchings:

Pursuant to my telephone conference with your office last week, please find enclosed the fully signed original of Karin McCarthy's Verified Application for Admission Pro Hac Vice in the above-referenced matter. Our motion was sent to you on July 31, 2013, along with our \$25.00 check for the filing fee.

With kindest regards, I am

Sincerely yours,
SMITH MOORE LEATHERWOOD LLP

Christina B. Nestor
Paralegal to Laura J. Evans

CBN

Enclosures

cc: John P. Henry, Esquire
Robert Curt Calamari, Esquire
South Carolina Supreme Court

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SEP 05 2013

SC Court of Appeals

CHARLESTON 31303

Direct 843.300.6641 | Fax 843.300.6741 | tina.nestor@smithmoorelaw.com
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25 Calhoun Street Suite 250 Charleston, SC 29401 • 843.300.6600

Atlanta, GA • Charleston, SC • Charlotte, NC • Greensboro, NC • Greenville, SC • Raleigh, NC • Wilmington, NC



SMITH MOORE LEATHERWOOD

September 3, 2013

South Carolina Supreme Court
Office of Bar Admissions
1231 Gervais Street
Columbia, SC 29201

Re: Harleysville Group Ins. v. Heritage Communities (Magnolia)
Appellate Case No. 2013-001281
SML No. 00027254.2354

Dear Sir/Madam:

Please find enclosed two (2) copies of the Verified Application for Admission *Pro Hac Vice* of Karin McCarthy in connection with the above-referenced matter. Also enclosed is our check number 1688 in the amount of \$250.00 for the required filing fee. Please file the application and return a file-stamped copy in the self-addressed stamped envelope provided.

With kindest regards, I am

Sincerely yours,
SMITH MOORE LEATHERWOOD LLP

Christina B. Nestor
Paralegal to Laura J. Evans

CBN

Enclosures

cc: John P. Henry, Esquire
Robert Curt Calamari, Esquire
SC Court of Appeals

CHARLESTON 31310

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

Harleysville Group Insurance, a
Pennsylvania Corporation

Plaintiff

2013-001281

Case No.

South Carolina Court of
Appeals

Court

vs.

Heritage Communities, Inc., et al.

Defendant

Mailing Address of Court: PO Box 11629
Columbia, SC 29211

Comes now Karin McCarthy, applicant herein, and respectfully represents the following:

1. Applicant resides at:

17 Sunnywoods Drive

Street Address

South Huntington

City

Suffolk

County

New York

State

11746

Zip Code

631-425-0403

Telephone

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

Radler LLP, with offices at, at

926 RXR Plaza

Street Address

Uniondale

City

Nassau

County

New York

State

11596

Zip Code

516-357-3000

Telephone

516-357-3333

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by National Surety Corp. 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 1993 of August, 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 New York 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:

United States District Court for the Southern District	May 1996
US District Court for the Eastern Districts of New York	May 1996
United States District Court for the District of Colorado	June 1998

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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.)

None

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):

None

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):

None

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):

None

9. Local counsel of record associated with applicant in this case is Laura J. Evans, of the Smith Moore Leatherwood LLP law firm, which has offices at:

25 Calhoun Street, Suite 250

Street Address

Charleston

County

843-300-6634

Telephone

Charleston

City

South Carolina

State

29401

Zip Code

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

None

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).

Harleysville Group Insurance, a Pennsylvania Corporation v. Heritage Communities (Riverwalk) - Horry County Court of Common Pleas

Harleysville Group Insurance, a Pennsylvania Corporation v. Heritage Communities (Magnolia North) - Horry County Court of Common Pleas

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 8 day of Aug, 2013.

CHARLESTON 29254.1

Karin McCarthy
APPLICANT

VERIFICATION

STATE OF NEW YORK)

COUNTY OF NASSAU)

I, KARIN MCCARTHY, 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.

Karin McCarthy
APPLICANT/AFFIANT

Subscribed and sworn to before me this 8 day of Aug, 2013.

[Signature]

Notary Public for the State of NY

My Commission Expires: June 20, 2015

ANDREA M. SAWYERS
Notary Public, State of New York
NO. 01SA6023562
Qualified in Nassau County
Commission Expires June 20, 2015

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 3 day of Sept, 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 3 day of Sept, 2013.

Christina B. Mc
APPLICANT/AFFIANT