

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity and Circuit Court Judge for Beaufort County
Case No.: 2009-CP-07-02573

Appellate Case No.: 2012-213579

CASHMAN PROPERTIES, LLC.....Respondent-Appellant

-vs.-

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 THE WILL OF E. OSWALD LIGHTSEY
FOR THE BENEFIT OF CLAUDIA LIGHTSEY WARE.....Appellants-Respondents

**APPELLANTS-RESPONDENTS' RETURN TO PETITION TO
WITHDRAW AS COUNSEL**

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SC Court of Appeals

Appellants-Respondents hereby make the following Return to the Petition to Withdraw as Counsel for Respondent-Appellant Cashman Properties, LLC, filed by Robert L. Widener, Esq., and the McNair Law Firm, P.A.

During the post-trial motions phase of litigation, the undersigned contacted Mr. Widener. At the time the undersigned counsel contacted Mr. Widener, he knew the case would be appealed to the Court of Appeals, and he contacted Mr. Widener to seek his opinions and guidance regarding how to best position the case for the appeal and appellate strategy on behalf of

Appellants-Respondents. During the call, the undersigned counsel and Mr. Widener discussed (1) the undersigned counsel's mental thoughts and impressions about the case generally, (2) the undersigned counsel's mental thoughts and impressions about the specific issues that would end up on appeal, (3) the undersigned counsel's strategic analysis of the trial, (4) the possibility of Mr. Widener representing Appellants-Respondents, and (5) how the remaining post-trial motions might be positioned to influence an inevitable appeal. These discussions necessarily included a recitation of what the undersigned counsel considered to be the most damaging facts in the case, as well as an analysis of the arguments in response to those facts. These discussions were private, confidential, and privileged. The conversation lasted 54.6 minutes.

After receiving Mr. Widener's Notice of Appearance on behalf of Respondent-Appellant, the undersigned contacted Mr. Widener about the referenced conversation. Mr. Widener had not recalled the conversation with the undersigned when he agreed to represent Respondent-Appellant. After Mr. Widener and the undersigned spoke, Mr. Widener and the undersigned counsel agreed that Mr. Widener should and would withdraw as counsel for Respondent-Appellant.

Accordingly, Appellants-Respondents believe and agree that Mr. Widener and the McNair Law Firm, P.A., should withdraw as counsel for Respondent-Appellant Cashman Properties, LLC, and ask this Court to grant the Petition to Withdraw as Counsel in the above-captioned matter.

[SIGNATURE BLOCK ON NEXT PAGE]

Respectfully submitted,

TWENGE + TWOMBLEY LAW FIRM

BY:

A handwritten signature in black ink, appearing to read "Ashley Twombley", written over a horizontal line.

J. ASHLEY TWOMBLEY

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Beaufort, South Carolina

September 5, 2013

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CERTIFICATE OF SERVICE

The undersigned, Andrea Smith, hereby avers that she is a Paralegal with TWENGE + TWOMBLEY LAW FIRM, Attorneys for Appellants-Respondents, and that on the 5th day of September 2013 a true and accurate copy of the attached of Appellants-Respondents' Return to Petition to Withdraw as Counsel was placed in an envelope with first class postage thereon prepaid through the United States Postal Service and mailed to the following:

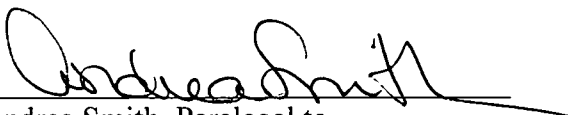
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SC Court of Appeals

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BY: 
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