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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable Alexander S. Macaulay, Circuit Court Judge

Case Nos. 2010-CP-04-1845 and 2012-CP-04-1433

JAMES ROBERT MALLOY.....RESPONDENT

v.

SWAIN N. THOMPSON, JR.DEFENDANT.

JAMES ROBERT MALLOY.....RESPONDENT

v.

SWAIN N. THOMPSON, JR.,
MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.
JOSEPH T. ARGO, AND GREENE AND COMPANY, L.L.PDEFENDANTS,

OF WHOM MERRILL LYNCH, PIERCE, FENNER & SMITH, INC. IS APPELLANT.

**MOTION FOR WITHDRAWAL OF CHARLES B. GOODWIN AS COUNSEL
FOR APPELLANT MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.**

Charles B. Goodwin
CROWE & DUNLEVY, P.C.
20 North Broadway, Suite 180
Oklahoma City, OK 73102
Telephone: (405) 235-7700
Admitted Pro Hac Vice

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SEP 02 2013

SC Court of Appeals

Charles B. Goodwin, of the firm Crowe & Dunlevy, P.C., moves the Court for permission to withdraw as counsel of record in this case. In support of this Motion, Mr. Goodwin states as follows:

1. Upon being admitted *pro hac vice*, I have served as counsel of record for Defendant-Appellant Merrill Lynch, Pierce, Fenner & Smith Inc. (“Appellant” or “Merrill Lynch”) in this proceeding. Appellant is also represented by Rodney J. Heggy and Tara A. LaClair of Crowe & Dunlevy, P.C., as well as Christopher A. Ogiba and E. Brandon Gaskins of Moore & Van Allen PLLC.

2. I have been appointed, and on September 3, 2013 will begin service as, a United States Magistrate Judge for the Western District of Oklahoma.

3. Upon my withdrawal, Appellant will continue to be represented by Mr. Heggy, Ms. LaClair, Mr. Ogiba, and Mr. Gaskins.

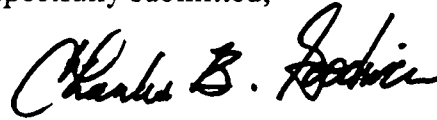
4. Appellant has been notified of my request to withdraw and does not have any objection to same.

5. My withdrawal will not affect any deadlines in this proceeding or cause any delay or prejudice to any other party.

For the foregoing reasons, I request permission to withdraw as counsel for Defendant-Appellant Merrill Lynch, Pierce, Fenner & Smith Inc..

Dated: August 28, 2013

Respectfully submitted,

A handwritten signature in black ink that reads "Charles B. Goodwin". The signature is written in a cursive style with a large initial "C".

Charles B. Goodwin
CROWE & DUNLEVY, P.C.
20 North Broadway, Suite 1800
Oklahoma City, OK 73102
Telephone: (405) 235-7700
Email: charles.goodwin@crowedunlevy.com

CERTIFICATE OF SERVICE

This certifies that on this ^{29th} 28th day of August, 2013, a true and correct copy of the above and foregoing was mailed with postage fully prepaid, to:

James R. Gilreath, Esquire
William M. Hogan, Esquire
110 Lavinia Avenue
PO Box 2147
Greenville, SC 29602
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Columbia, SC 29205
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Attorneys for Defendant Swain N. Thompson, Jr.

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Attorney for Defendant Swain N. Thompson, Jr.

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P.O. Box 259
Anderson, SC 29622
Attorney for Defendants Joseph T. Argo and Green and Company, L.L.P.



Charles B. Goodwin

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SC Court of Appeals

Moore&VanAllen

August 29, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter St.
Columbia, SC 29201

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Paralegal

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**Re: James Robert Malloy v. Swain N. Thompson, Jr., Merrill
Lynch, Pierce, Fenner & Smith, Inc., Joseph T. Argo, and
Greene and Company, L.L.P.
Appellate Case No. 2012-213385**

Dear Ms. Kitchings:

With regard to the above referenced action, enclosed for filing please find the original and six (6) copies of the Motion for Withdrawal of Charles B. Goodwin as Counsel for Appellant Merrill Lynch, Pierce, Fenner & Smith, Inc. Please file the originals and return a date-stamped copy of each to me in the enclosed self-addressed, stamped envelope.

Additionally, I have enclosed our firm's check in the amount of \$25.00 for the filing fee.

Thanks for your assistance in this matter.

Sincerely,

MOORE & VAN ALLEN, PLLC



Lynn Shaarda
Paralegal

Enclosures

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