



M. Dawes Cooke, Jr.  
mdc@barnwell-whaley.com

October 15, 2013

RECEIVED  
OCT 17 2013  
SC Court of Appeals

South Carolina Supreme Court  
Office of Bar Admissions  
P.O. Box 11330  
Columbia, SC 29211

RE: Jacquelin S. Bennett v. T. Heyward Carter, Jr., et al.  
Appellate Case No.: 2013-001893  
Our File No.: 3466.001

Dear Sir or Madam:

In accordance with SCACR Rule 404, I am enclosing a copy of the Verified Application for Admission *Pro Hac Vice* of Frederick K. Sharpless for Respondents in the above matter. I also enclose Sharpless & Stavola's check in the amount of \$250.00 to cover the filing fee.

Should you have any questions or need any additional information, please feel free to call me.

Sincerely,

*M. Dawes Cooke*  
M. Dawes Cooke, Jr.

MDCjr (klj)  
Enclosures

c: ✓ Honorable Jenny Abbott Kitchings  
A. Camden Lewis, Esquire  
Keith M. Babcock, Esquire  
Ariail E. King, Esquire  
James M. Griffin, Esquire  
Frederick K. Sharpless, Esquire

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OCT 18 2013

S.C. SUPREME COURT

M. Dawes Cooke, Jr.  
B.C. Killough\*  
Randell C. Stoney, Jr.  
Phillip S. Ferderigos  
K. Michael Barfield

William C. Helms, III\*  
\* Registered patent attorney  
\* Retired

Ernest B. Lipscomb, III\*  
J. Gail Rahn  
Todd M. Musheff  
John A. Jones  
Lucinda D. Gardner  
John W. Fletcher

Alissa D. Fleming  
Barbara J. Wagner, Ph.D.  
Jeremy E. Bowers  
D. Summers Clarke, II  
Jeffrey M. Bogdan

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

170093

APPEAL FROM CHARLESTON COUNTY  
Roger M. Young, Circuit Court Judge

Case No. 2011-CP-10-400

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Appellate Case No. 2013-001893

SC Court of Appeals  
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S.C. Supreme Court

Jacquelin S. Bennett, Genevieve S. Felder and Kathleen S. Turner, individually as Co-Trustees and beneficiaries of the Marital Trust and the Qualified Terminable Interest Trust created by the Thomas Stevenson Will, and Jacquelin S. Bennett, and Kathleen S. Turner, as Co-Personal Representatives on behalf of the Estate of Jacquelin K. Stevenson,

Appellants,

v.

T. Heyward Carter, Jr.; Evans, Carter, Kunes & Bennett, P.A.; Douglas Capital Management, Inc.; Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., P.A.; and Lynne L. Kerrison,

Defendants,

Of Whom

Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., P.A.; and  
Lynne L. Kerrison are

Respondents.

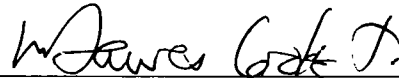
**RESPONDENTS' MOTION FOR *PRO HAC VICE*  
ADMISSION OF FREDERICK K. SHARPLESS**

YOU WILL PLEASE TAKE NOTICE that Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., P.A. and Lynne L. Kerrison ("Respondents") by and through their undersigned attorney of record, M. Dawes Cooke, Jr., a member of the Bar of this Court, hereby moves for the admission of Frederick K. Sharpless, *pro hac vice*, to practice

before this court in association with the undersigned in the above-referenced legal proceedings. Attached hereto in support of this motion is the Verified Application for Admission *Pro Hac Vice* of Frederick K. Sharpless.

The undersigned certifies that he has consulted with opposing counsel, who have no objection to this admission.

Respectfully Submitted By:



M. Dawes Cooke, Jr. (SC Bar No. 01376)  
Barnwell Whaley Patterson & Helms, LLC  
288 Meeting Street, Suite 200  
Charleston, SC 29401  
P: (843) 577-7700  
F: (843) 577-7708  
mdc@barnwell-whaley.com

COUNSEL FOR RESPONDENTS

Dated: October 15, 2013  
Charleston, South Carolina

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

Jacquelin S. Bennett, Genevieve S. Felder  
and Kathleen S. Turner, individually, as  
Co-Trustees and beneficiaries of the  
Marital Trust and the Qualified Terminable  
Interest Trust created by the Thomas  
Stevenson Will, and Jacquelin S. Bennett,  
and Kathleen S. Turner, as Co-Personal  
Representatives on behalf of the Estate of  
Jacquelin K. Stevenson

2013-001893

South Carolina Court of  
Appeals

Plaintiff

Case No.

Court

vs.

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

T. Heyward Carter, Jr.; Evans, Carter;  
Kunes & Bennett, P.A.; Dixon-Hughes  
f/k/a Pratt-Thomas Gumb & Co., P.A.; and  
Lynne L. Kerrison

Defendant

Comes now Frederick K. Sharpless, applicant herein, and respectfully represents the following:

1. Applicant resides at:

3078 Benny Lineberry Road

Street Address

Climax

City

336-685-9968

Telephone

Randolph

County

NC

State

27233

Zip Code

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

& Stavola, PA, with offices at, at

200 S. Elm Street, Suite 400

Street Address

Greensboro

City

336-333-6400

Telephone

Guilford

County

NC

State

27401

Zip Code

336-333-6399

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by Dixon Hughes Goodman LLP and Lynne L. Kerrison 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 August 18 of 1984, 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 North Carolina 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:

State of North Carolina	August 18, 1984
United States District Court for the Middle District of NC	September 14, 1984
United States District Court for the Eastern District of NC	November 18, 1991
United States District Court for the Western District of NC	February 20, 2001
United States Court of Appeals for the Fourth Circuit	December 1, 1986

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.)

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):

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):

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):

9. Local counsel of record associated with applicant in this case is M. Dawes Cooke, Jr., of the Barnwell Whaley Patterson & Helms, LLC, law firm, which has offices at:  
288 Meeting Street, Suite 200

Street Address

Charleston

Charleston

SC

29401

County

City

State

Zip Code

(843) 577-7700

Telephone

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

N/A

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).

See attached Addendum

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 25 day of Sept, 2013.



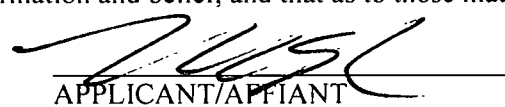
APPLICANT

**VERIFICATION**

STATE OF NORTH CAROLINA)

COUNTY OF GUILFORD)

I, Frederick K. Sharpless, 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.



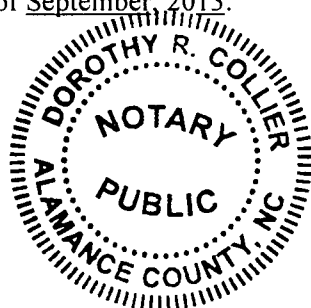
APPLICANT/AFFIANT

Subscribed and sworn to before me this 25 day of September, 2013.

Dorothy R. Collier  
Dorothy R. Collier

Notary Public for the State of North Carolina

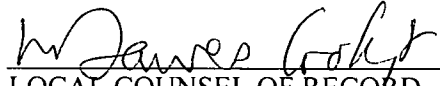
My Commission Expires: 3/31/2017



**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 15<sup>th</sup> day of Oct, 20 13.

  
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 15<sup>th</sup> day of Oct, 2013.

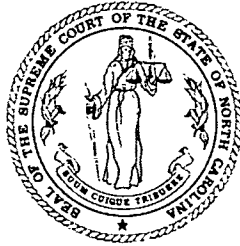
  
APPLICANT/AFFIANT

Addendum to  
Application for *Pro Hac Vice* Admission for Frederick K. Sharpless

10. Previous *Pro Hac Vice* applications in South Carolina.

Date of Application	Court	Docket No. & Case Name	Status of Litigation	Local Counsel	Application Pending/Granted
1/22/2008	Court of Common Pleas of Berkeley County, South Carolina	<b>Restored No. 2010-CP-08-0776</b> <b>Previous No. 2007-CP-08-2271</b> T. Alexander Beard v Christa Dunn and Dixon Hughes, PLLC	Ended with Judgment	H. Brewton Hagood, Rosen Rosen & Hagood, LLC	Granted
7/14/2008	Court of Common Pleas of Berkeley County, South Carolina	<b>2008-CP-08-1498</b> Richard Hagerty and Barbara Hagerty v Dixon Hughes, PLLC, William Moody, Jr.	Consent Order of Dismissal Pursuant to SCRCP 40(j)	H. Brewton Hagood, Rosen Rosen & Hagood, LLC	Granted
11/2/2009	Court of Common Pleas of Charleston County, South Carolina	<b>2011-CP-10-400</b> Jacquelin S. Bennett, Genevieve S. Felder and Kathleen S. Turner, individually, as Co-Trustees and beneficiaries of the Marital Trust and the Qualified Terminable Interest Trust created by the Thomas Stevenson Will, and Jacquelin S. Bennett, and Kathleen S. Turner, as Co-Personal Representatives on behalf of the Estate of Jacquelin K. Stevenson v. T. Heyward Carter, Jr.; Evans, Carter; Kunes & Bennett, P.A.; Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., P.A.; and Lynne L. Kerrison.	Order Granting Motion for Summary Judgment (Currently on Appeal to SC Court of Appeals)	M. Dawes Cooke, Jr., Barnwell Whaley Patterson & Helms, LLC	Granted
3/26/2010	US District Court, District of SC	<b>2:10-cv-00714-DCN</b> Robert Shealy, Joe Ann Brandt and Charlotte Beers, individually and on behalf of all others similarly situated v. Dixon Hughes, PLLC, Jan Waring-Woods, Christa M. Dunn and Benjamin Newton	Consent Judgment and Dismissal	H. Brewton Hagood, Rosen Rosen & Hagood, LLC	Granted
6/30/2010	Court of Common Pleas of Charleston County, South Carolina	<b>10-CP-10-2773</b> Michael Riedmayer and Susan Riedmayer v Dixon Hughes, PLLC, Jan Waring-Woods, Christa M. Dunn and Benjamin Newton	Voluntary Dismissal	H. Brewton Hagood, Rosen Rosen & Hagood, LLC	Granted

# Supreme Court OF THE STATE OF NORTH CAROLINA



I, Christie S. Cameron Roeder, Clerk of the Supreme Court of North Carolina, do hereby certify that on August 18, 1984, license to practice as an Attorney and Counselor at Law in all the Courts of this State was issued by the North Carolina Board of Law Examiners to

**FREDERICK KINGSLEY SHARPLESS**

according to the certified list of licentiates reported by the Secretary of said Board and filed in my office as required by statute.

To the date of this certificate, no order revoking said license has been filed with this Court and no order suspending same is in effect.

WITNESS my hand and the Seal of the Supreme Court of North Carolina at office in Raleigh, this September 23, 2013.



*Christie S. Cameron Roeder*

Christie S. Cameron Roeder  
Clerk of the Supreme Court  
of the State of North Carolina

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
Roger M. Young, Circuit Court Judge

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Case No. 2011-CP-10-400

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Appellate Case No. 2013-001893

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SC Court of Appeals

Jacquelin S. Bennett, Genevieve S. Felder and Kathleen S. Turner, individually  
as Co-Trustees and beneficiaries of the Marital Trust and the Qualified  
Terminable Interest Trust created by the Thomas Stevenson Will, and  
Jacquelin S. Bennett, and Kathleen S. Turner, as Co-Personal Representatives  
on behalf of the Estate of Jacquelin K. Stevenson, Appellants,

v.

T. Heyward Carter, Jr.; Evans, Carter, Kunes & Bennett, P.A.; Douglas Capital  
Management, Inc.; Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., P.A.;  
and Lynne L. Kerrison, Defendants,

Of Whom

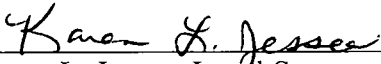
Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., P.A.; and  
Lynne L. Kerrison are Respondents.

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PROOF OF SERVICE

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I, Karen L. Jessee, secretary for the firm of Barnwell Whaley Patterson & Helms,  
hereby certify that I have served the Respondents' Motion for *Pro Hac Vice* Admission of  
Frederick K. Sharpless by depositing a copy of it in the United States Mail, postage prepaid,  
on October 15, 2013, addressed to Appellants' attorneys of record, A. Camden Lewis;  
Keith M. Babcock; Ariail E. King; and James M. Griffin at Lewis, Babcock & Griffin,  
P.O. Box 11208, Columbia, SC 29211.

  
\_\_\_\_\_  
Karen L. Jessee, Legal Secretary



M. Dawes Cooke, Jr.  
mdc@barnwell-whaley.com

October 15, 2013

Honorable Jenny Abbott Kitchings  
The South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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S.C. Supreme Court

RE: Jacquelin S. Bennett v. T. Heyward Carter, Jr., et al.  
Appellate Case No.: 2013-001893  
Our File No.: 3466.001

Dear Ms. Kitchings:

Enclosed for filing are the original and seven copies of the Respondents' Motion for *Pro Hac Vice* Admission of Frederick K. Sharpless in the above matter. Please return the clocked copy in the enclosed envelope. I am also enclosing our firm check in the amount of \$25.00 to cover the filing fee.

Should you have any questions, please feel free to call me.

Sincerely,

*M. Dawes Cooke*  
M. Dawes Cooke, Jr.

MDCjr/kf  
Enclosures

- c: A. Camden Lewis, Esquire
- Keith M. Babcock, Esquire
- Ariail E. King, Esquire
- James M. Griffin, Esquire
- Frederick K. Sharpless, Esquire

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