

BYBEE & TIBBALS

1100 Queensborough Blvd., Suite 202
Mount Pleasant, SC 29464

843.881.1623

bybeetibbals.com

RECEIVED

Sep 04 2026

SC Court of Appeals

Jeffrey S. Tibbals
jst@bybeetibbals.com
843.513.1032

September 4, 2026

VIA EMAIL ONLY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

**Re: *Exchange Club Fair of Charleston, Inc. vs. Charleston Area Regional
Transportation Authority*
Appellate Case No. 2026-001589
Notice Under Rule 1.12 Regarding Former Judicial Law Clerk**

Dear Ms. Kitchings:

As counsel for Appellant Exchange Club Fair of Charleston, Inc. in this appeal, this letter is being sent to provide notice to the Court, pursuant to Rule 1.12(c) of the South Carolina Rules of Professional Conduct, that Victoria Nagel (S.C. Bar No. 107720) has recently joined Bybee & Tibbals, LLC as an attorney. Prior to joining the firm, Ms. Nagel served as a law clerk for Judge Thomas J. Rode, Circuit Court Judge, during the period in which he was assigned to preside over the case while it was pending in the Court of Common Pleas. Ms. Nagel did not apply, and did not interview, for potential employment with our firm until a few months after Judge Rode recused himself from the Circuit Court proceedings in this matter.

In compliance with Rule 1.12, RPC, Rule 407, SCACR, since starting her employment with our firm on September 1, 2026, Ms. Nagel has been screened from any participation in this matter, and she has not been apportioned any part of the fee from the matter.

Separate notice was given to Charleston Area Regional Transportation Authority ("CARTA") today, September 4, 2026, via letter sent to their attorneys of record. Each of CARTA's attorneys is receiving a copy of this communication by copy on the email transmitting the same. We requested the other parties' consent, under Rule 1.12(a), RPC, Rule 407, SCACR, for Ms. Nagel to participate in this matter to assist our firm in representing Appellant.

The Honorable Jenny Abbott Kitchings

September 4, 2026

Page 2

To continue compliance with Rule 1.12, unless and until the other parties provide the requested consent, our firm will ensure that Ms. Nagel remains screened from any involvement in this matter and that she will not be apportioned any part of the fee from the matter.

Yours Sincerely,

BYBEE & TIBBALS, LLC



Jeffrey S. Tibbals

cc (via email only): T. Jarrett Bouchette, Esq.
R. Stewart Miller, Jr., Esq.
Andrew F. Lindemann, Esq.