

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Kristi Lea Harrington, Judge

Appellate Case No.: 2013-000184
(Circuit Court Case No. 11-CP-08-2200)

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APR 14 2014

SC Court of Appeals

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Jason A. Schall, Pyxis Financial Group, LLC; d/b/a Carina Wealth
Management, LLC, and Carina Wealth Management, LLC,

Appellants

v.

Meridian Capital Advisors, LLC,

Respondent.

MOTION TO WITHDRAWAL AS COUNSEL FOR APPELLANTS

Pursuant to SCRAP, Rule 264 (b) and 240, comes now the law firm of Wills Massalon & Allen, LLC and two of its attorneys, John A. Massalon and Christy Ford Allen, requesting that they be allowed to withdraw as attorneys of record in the above-captioned matter and to be relieved of any further obligation to represent Appellants in this case. Withdrawing counsel have attempted to communicate this request for withdrawal by telephone and in writing to Mr. Jason Schall individually and as owner of Pyxis Financial Group, LLC; d/b/a Carina Wealth Management, LLC, and Carina Wealth Management, LLC. The basis for this Motion is that Appellants have

ceased communicating with the undersigned and have not complied with the financial obligations of the representation agreement previously entered. See Attached Affidavit.

Therefore, for justifiable cause shown, the undersigned requests that the court order that the law firm of Wills Massalon & Allen, LLC and its attorneys are permitted to withdraw as counsel and be relieved of any further obligation to appear in this case. The undersigned has consulted with counsel of record for the Respondent, and she does not object to this motion.



John A. Massalon
Christy Ford Allen
WILLS MASSALON & ALLEN LLC
Post Office Box 859
Charleston, South Carolina 29402
(843) 727-1144
ATTORNEY FOR APPELLANTS

April 9, 2014

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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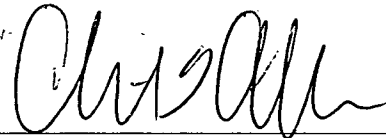
Respondent.

AFFIDAVIT IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL

Christy Ford Allen, being duly sworn, gives the following Affidavit:


1. I am a lawyer in Charleston, South Carolina with the firm of Wills Massalon & Allen, LLC.
2. Wills Massalon, & Allen, LLC was retained to represent the Appellants related to the underlying state court and arbitration matter on July 13, 2012.
3. The undersigned perfected this appeal by serving said Notice of Appeal on January 18, 2013 appealing an Order from Berkeley County Court of Common Pleas which was dated December 17, 2012.

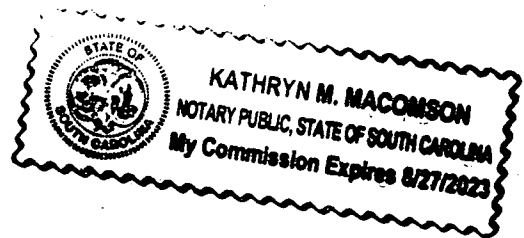
4. On April 17, 2013, Appellant Jason Schall filed for Chapter 7 Bankruptcy protection, and this case was stayed.
5. The undersigned is neither counsel nor a participant in the bankruptcy proceeding, but instead Wills Massalon & Allen LLC was listed as an unsecured creditor.
6. Neither Mr. Schall nor the affiliated companies listed as Appellants have met their financial obligations to this firm.
7. The undersigned has made the following attempts to notify Mr. Schall of this request: Telephone call on April 3, 2014; Email on April 3, 2014; Telephone call and email to Mr. Schall's prior bankruptcy counsel on April 9, 2014. The undersigned has received no response from Mr. Schall to said efforts, and the Mr. Schall's prior bankruptcy counsel provided the undersigned with the same contact information.
8. The undersigned believes that the above information constitutes justifiable cause.



Christy Ford Allen

SWORN TO before me this
10~~th~~ day of April, 2014

 (seal)
Notary Public for South Carolina
My Commission Expires: 08/27/2023



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v.

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Respondent.

PROOF OF SERVICE

I certify that I have served the Motion to Withdraw as Counsel for Appellants (SCRAP 264(b) and 240) on the Respondent of record by depositing a copy of it in the United States Mail, postage prepaid, on April 10, 2014, addressed to Respondent's attorneys of record Kathy Carlsten, Esq., Carlock, Copeland Semler & Stair, LLP, 40 Calhoun Street, Suite 400, Charleston, South Carolina 29401 and to Mr. Jason Schall, individual and on behalf of, Pyxis Financial Group, LLC; d/b/a Carina Wealth Management, LLC, and Carina Wealth Management, LLC at his last known mailing address of Post Office Box 21450, Charleston, SC 29413.



John A. Massalon
Christy Ford Allen
WILLS MASSALON & ALLEN LLC
Post Office Box 859
Charleston, South Carolina 29402
(843) 727-1144
ATTORNEY FOR APPELLANTS

WMA

WILLS MASSALON & ALLEN LLC

97 Broad Street • Charleston, SC 29401 • Post Office Box 859 • Charleston, SC 29402
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April 10, 2014

Direct Telephone: (843) 793-6040

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1015 Sumter Street
P.O. Box 11629 (29211)
Columbia, SC 29201

RE: Meridian Capital Advisors, LLC v. Jason A. Schall,
Pyxis Financial Group, LLC d/b/a Carina Wealth Management, LLC, and
Carina Wealth Management, LLC
Case No.: 2011-CP-08-2200
Appellate Case No.: 2013-000184
Our File No.: 831-1

Dear Ms. Kitchings:

In regards to the above-referenced matter, enclosed please find the original and seven (7) copies of the Motion to Withdrawal as Counsel for Appellants. Please file the original and return a file stamped copy to me in the enclosed self-addressed, stamped envelope. In addition, enclosed please find a check for filing fees in the amount of \$25.00.

By copy of this correspondence I am serving the same upon, Kathy Carlsten, attorney for Respondent. If you have any questions, please do not hesitate to contact me.

With kind regards, I am

Sincerely,

WILLS MASSALON & ALLEN LLC



Christy F. Allen, Esquire
callen@wmalawfirm.net

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SC Court of Appeals

Enclosures

cc:
Kathy Carlsten
Mr. Jason A. Schall

ED

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appeals

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1015 Sumter Street
P.O. Box 11629 (29211)
Columbia, SC 29201