

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
G. Thomas Cooper, Jr., Circuit Court Judge

72838

Appellate Case Number: 2012-213531

CACH, LLC,Respondent,

vs.

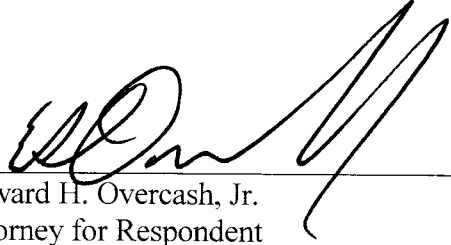
Toby Hoffman, Jr. a/k/a Carl W. Hoffman, Jr.,Appellant.

MOTION FOR ADMISSION OF MANUEL NEWBURGER PRO HAC VICE

Respondent moves for admission of Manuel Newburger pro hac vice in order that he may participate in the oral arguments for this case.

The basis for this Motion is that Manuel Newburger is an attorney retained by Respondent who is admitted to practice law in the state of Texas and whom Respondent desires to participate in the oral arguments for this case. The application specified by Rule 404(d), SCACR is attached hereto.

July 10, 2014



Edward H. Overcash, Jr.
Attorney for Respondent

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SC Court of Appeals

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 Ed Overcash, of the Law Offices of Ed Overcash, LLC law firm, which has offices at:

37 Villa Road, Suite 507

Street Address

Greenville

City

Greenville

County

South Carolina

State

29615

Zip Code

864-298-1110

Telephone

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

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).

None

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 30th day of June, 2014.


APPLICANT

List of Admissions:

Court	Adm. Date	Reg. No.	Court Address
Texas Supreme Court	11/4/83	14946500	Supreme Court of Texas Supreme Court Building 201 W. 14 th Austin, TX 78701
Colorado Supreme Court	10/26/09	41635	Supreme Court of Colorado Office of Attorney Registration 1560 Broadway, Suite 1810 Denver, CO 80202
U.S. Supreme Court	1/9/95	None	Supreme Court of the United States, Washington, DC 20543
5th Circuit Ct. of Appeals	11/18/98	None	600 S. Maestri Place New Orleans, LA 70130-3408
7th Circuit Ct. of Appeals	6/24/99	None	219 S. Dearborn Street Chicago, IL 60604
2nd Circuit Ct of Appeals	4/18/05	None	Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street New York, NY 10007
9th Circuit Ct. of Appeals	9/7/05	None	95 Seventh Street San Francisco, CA 94103
8 TH Circuit Ct of Appeals	7/20/11	None	Thomas F. Eagleton Courthouse Room 24.329 111 South 10th Street St. Louis, MO 63102
USDC W.D. Texas	12/14/87	None	727 E. Durango Blvd. San Antonio, Texas 78206
USDC S.D. Texas	3/9/99	23234	515 Rusk Avenue Houston, TX 77002
USDC E.D. Texas	3/28/96	None	211 West Ferguson Street Tyler, Texas 75702
USDC N.D. Texas	3/22/93	None	1100 Commerce St. Dallas, Texas 75242
USDC E.D. Wisconsin	5/14/03	None	517 East Wisconsin Avenue, Milwaukee, WI 53202
USDC W.D. Wisconsin	12/2/05	None	120 North Henry Street Madison, WI 53701
USDC N.D. Indiana	4/27/05	None	5400 Federal Plaza Hammond, IN 46320
USDC S.D. Indiana	8/1/06	None	46 East Ohio Street Indianapolis, IN 46204
USDC W.D. Tennessee	9/11/08	None	167 N. Main Street Memphis, TN 38103

USDC D. Colorado	10/3/08	None	Alfred A. Arraj United States Courthouse Room A-105 901 19th Street Denver, Colorado 80294-3589
USDC N.D. Ill.	4/11/09	None	Everett McKinley Dirksen United States Courthouse 219 South Dearborn Street Chicago, IL 60604
USDC E.D. Mi.	April, 2014 (Still awaiting official cert.)	None	U.S. District Court 231 W. Lafayette Blvd. Detroit, MI 48226

VERIFICATION

STATE OF TEXAS)

COUNTY OF TRAVIS)

I, MANUEL H. NEWBURGER, 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.

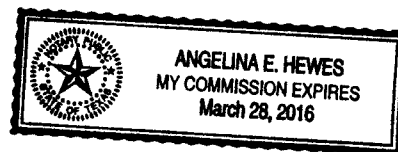
Manuel H. Newburger
APPLICANT/AFFIANT

Subscribed and sworn to before me this 3rd day of July, 2014.

Angelina E. Hewes

Notary Public for the State of TEXAS

My Commission Expires: 3-28-16



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 30th day of JUNE, 2014.

Edmund H. Overman, Jr.
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 3rd day of July, 2014.

Manuel H. Newburger
APPLICANT/AFFIANT

The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Manuel Harry Newburger

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 4th day of November, 1983.

I further certify that the records of this office show that, as of this date

Manuel Harry Newburger

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand

and the seal of the Supreme Court of
Texas at the City of Austin, this, the
23rd day of June, 2014.

BLAKE HAWTHORNE, Clerk

by *Blanca E. Valdez*

Blanca E. Valdez, Deputy Clerk

No. 062314TT

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
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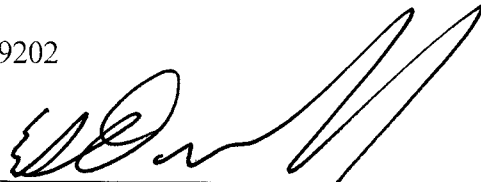
vs.

Toby Hoffman, Jr. a/k/a Carl W. Hoffman, Jr.,.....Appellant.

PROOF OF SERVICE

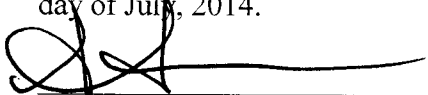
This is to certify that on the 10th day of July, 2014, the undersigned served a copy of Respondent's MOTION FOR ADMISSION OF MANUEL NEWBURGER PRO HAC VICE by depositing a copy of the same into the United States Mail, postage pre-paid and in the correct amount to the following:

JOHN D. ELLIOTT, ESQUIRE
P.O. BOX 607
COLUMBIA, SC 29202



Edward H. Overcash, Jr.
Attorney for Respondent

SWORN to before me this 10th
day of July, 2014.

 (SEAL)
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: 10/4/20

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SC Court of Appeals



**LAW OFFICES OF
ED OVERCASH, LLC**

37 Villa Road, Suite 507, Greenville, SC 29615

Telephone: (864) 298-1110

Fax: (864) 233-5588

July 10, 2014

V. CLAIRE ALLEN, DEPUTY CLERK
THE SOUTH CAROLINA COURT OF APPEALS
P.O. BOX 11629
COLUMBIA, SC 29211

Re: CACH, LLC v. Toby Hoffman, Jr., a/k/a Carl W. Hoffman, Jr.
Appellate Case Number: 2012-213531

Dear Ms. Allen:

Please find enclosed herewith the original and six copies of a Motion for the Admission of Manuel Newburger Pro Hac Vice. I have enclosed a check for the \$25.00 motion fee, together with Proof of Service on opposing counsel.

Thank you for your consideration in this matter.

Sincerely,

Edward H. Overcash, Jr.
Attorney for Respondent

cc: John D. Elliott, Esquire
P.O. Box 607
Columbia, SC 29202
Attorney for Appellant

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Ed Overcash, LLC
Road, Suite 507
ille, SC 29615

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