

BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC

100 MED TECH PARKWAY
SUITE 200
JOHNSON CITY, TENNESSEE 37604

PHONE: 423.928.0181
FAX: 423.928.5694

www.bakerdonelson.com

BRENT B. YOUNG *
Direct Fax: (423) 979-7654
E-Mail Address: byoung@bakerdonelson.com

* Admitted in Tennessee & South Carolina

August 21, 2014

V. Claire Allen, Deputy Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 2911

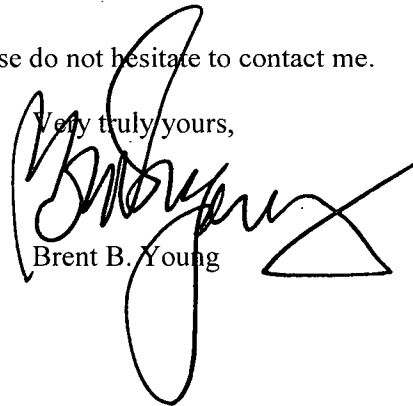
RE: DRV Fontaine LLC v. Fontaine Business Park LLC
Appellate Case No. 2014-000377

Dear Ms. Allen:

Thank you for your letter of August 19, 2014. Per your request, I am enclosing a copy of the trial court's pro hac vice admission order for Mark A. Fulks.

Should you have questions in this regard, please do not hesitate to contact me.

Very truly yours,



Brent B. Young

BBY:cjb
Enclosures

cc: Paul W. Harrill, Esq.
Tucker S. Player, Esq.
Mark A. Fulks, Esq.

JBBY 142712 v1
2925764-000001 08/21/2014

RECEIVED

AUG 25 2014

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGM. T IN A CIVIL CASE

CASE NUMBER: 2012CP4007752

DRV Fontaine LLC

Fontaine Business Park LLC

Fontaine Business Park 2 LLC

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRCP; Rule 41(a), SCRCP (Vol. Nonsuit); Rule 43(k), SCRCP (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRCP; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):** Affirmed; Reversed; Remanded; Other _____

2012 JUN 14 PM 1:11
 FILED
 RICHLAND COUNTY
 CLERK OF COURT
 J. S. W.

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order: _____

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 14 January 2013 to attorneys of record or to parties (when appearing pro se) as follows:

Paul D. Harrill

Brent B. Young

Tucker S. Player

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court _____

Jeanette W. McBride

RECEIVED

AUG 25 2014

SCANNED

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)

IN THE COURT OF COMMON PLEAS

CASE NO.: 2012-CP-40-77

RICHLAND COUNTY
FILED
JAN 14 PM 3:15
JEANETTE W. McBRIDE
C.C.P. & G.S.

DRV FONTAINE, LLC,)
)
Plaintiff,)
)
v.)
)
FONTAINE BUSINESS PARK, LLC, et al.)
)
Defendants.)
)

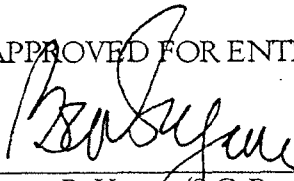
ORDER GRANTING
MOTION FOR PRO HAC VICE
ADMISSION OF MARK A. FULKS

The Court, having considered the Motion and Verified Application for Admission *Pro Hac Vice* of Mark A. Fulks, hereby GRANTS the Motion and ADMITS Mark A. Fulks as counsel for Defendant Fontaine Business Park, LLC.

DATED: 1-11-13


Judge

APPROVED FOR ENTRY:


Brent B. Young (S.C. Bar No. 74173)
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.
100 Med Tech Parkway, Suite 200
P.O. Box 3038
Johnson City, Tennessee 37602
(423) 928-0181
byoung@bakerdonelson.com

*Counsel for Defendant
Fontaine Business Park, LLC*

RECEIVED

AUG 25 2014

SC Court of Appeals

SCANNED

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF RICHLAND)

CASE NO.: 2012-CP-40-7752

DRV FONTAINE, LLC,)

Plaintiff,)

v.)

FONTAINE BUSINESS PARK, LLC, et al.)

Defendants.)

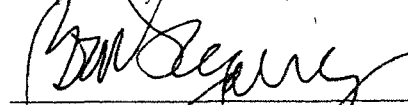
MOTION FOR ADMISSION
PRO HAC VICE

2014 JAN 14 PM 3:15
RICHLAND COUNTY
FILED
JEANETTE W. McBRIDE
JESS C.C.P. & G.S.

Comes Brent B. Young, a member in good standing of the courts of the State of South Carolina, and moves the Court to allow Mark A. Fulks to appear *pro hac vice* in this matter on behalf of Defendant Fontaine Business Park, LLC. In support of this Motion, Mark A. Fulks has filed a Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court, Office of Bar Admissions (copy attached hereto).

DATED this 10th day of January, 2013.

Respectfully submitted,



Brent B. Young (S.C. Bar No. 74173)
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.
100 Med Tech Parkway, Suite 200
P.O. Box 3038
Johnson City, Tennessee 37602
Phone: (423) 928-0181
Facsimile: (423) 928-5694

*Attorney for Defendant
Fontaine Business Park, LLC*

RECEIVED

AUG 25 2014

SC Court of Appeals

SCANNED

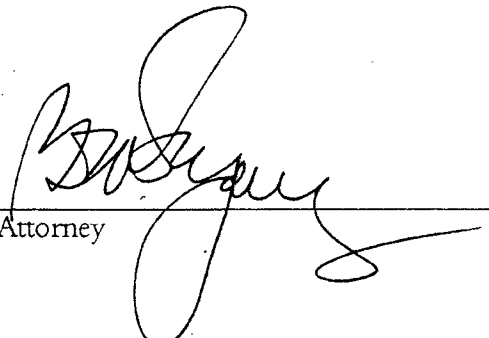
CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion has been served upon the following:

Paul D. Harrill
McNair Law Firm, P.A.
P.O. Box 11390
Columbia, SC 29211

Tucker S. Player
1415 Broad River Road
Columbia, South Carolina 29210

on this the 10th day of January, 2013.



Attorney

BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC

100 MED TECH PARKWAY
SUITE 200
JOHNSON CITY, TENNESSEE 37604
PHONE: 423.928.0181
FAX: 423.928.5694

www.bakerdonelson.com

MARK ANDREW FULKS, ASSOCIATE
Direct Dial: 423.975.7655
Direct Fax: 423.979.7655
E-Mail Address: mfulks@bakerdonelson.com

January ¹⁰ 7, 2013

**OFFICE OF BAR ADMISSIONS
SUPREME COURT OF SOUTH CAROLINA
P.O. BOX 11330
COLUMBIA, SC 29211**

Re: Application for Admission Pro Hac Vice

Dear Officer:

Enclosed please find a Verified Application for Admission Pro Hac Vice in the State of South Carolina for Mark A. Fulks. A Motion for Admission Pro Hac Vice is pending in the Richland County Court of Common Pleas in the case of DRV Fontaine, LLC v. Fontaine Business Park LLC, et al., No. 2012-CP-40-7752. A copy is included for your information.

If you have any questions regarding this Application, please do not hesitate to contact me.

Cordially,



Mark A. Fulks

MAF02:cjb

Enclosures

RECEIVED

AUG 25 2014

SC Court of Appeals

J MAF02 132200 v1
2914117-000008 01/07/2013

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 Brent Young, of the Baker Donelson law firm, which has offices at:
100 Med Tech Parkway, Suite 200

Street Address			
Johnson City	Washington	Tennessee	37604
City	County	State	Zip Code
(423) 928-0181			
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 2nd day of January, 2013

[Signature]
APPLICANT

VERIFICATION

STATE OF TENNESSEE)

COUNTY OF WASHINGTON)

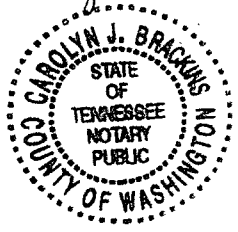
I, Mark A. Fulks, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

[Signature]
APPLICANT/AFFIANT

Subscribed and sworn to before me this 2nd day of January, 2013.

Carolyn J. Brackins
Notary Public for the State of Tennessee

My Commission Expires: October 24, 2016



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 9th day of January, 2012
[Signature]
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 7th day of

January, 2013.

[Signature]
APPLICANT/AFFIANT

BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ

100 MED TECH PARKWAY • SUITE 200 • P.O. BOX 3038 CRS • JOHNSON CITY, TN 37602

DETACH AND RETAIN THIS STATEMENT

CLIENT / MATTER	DATE	AMOUNT	ACTY NO.	
075266, 2914117-000008				
2914117 000008	12/31/2012	\$ 250.00	012425	Cost Code 70

DATA SUPPLIES INC 901.312.2450 UGS#698864

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES MICROPRINTED ENDORSEMENT LINES AND ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

LAW OFFICES
BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ
 A PROFESSIONAL CORPORATION
 BANK TENNESSEE BUILDING
 100 MED TECH PARKWAY, SUITE 200
 P.O. BOX 3038 CRS
 JOHNSON CITY, TENNESSEE 37602
 GENERAL DISBURSEMENT ACCOUNT

87-434
642

NO. 075266

DATE

12/31/2012

AMOUNT

\$250.00

FIRST TENNESSEE BANK - GREENVILLE, TN.

AMOUNT IN EXCESS OF \$500.00 REQUIRES TWO SIGNATURES

VOID AFTER 90 DAYS



PAY TO THE ORDER OF
 TWO HUNDRED FIFTY AND 00/100 DOLLARS
 Richland County Clerk of Court

⑈075266⑈ ⑆064204347⑆ ⑆47063094⑈

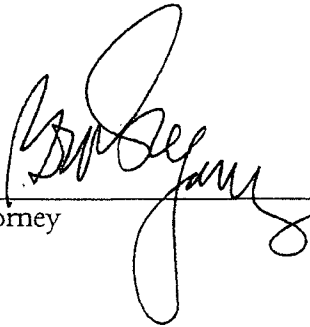
CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Order has been served upon the following:

Paul D. Harrill
McNair Law Firm, P.A.
P.O. Box 11390
Columbia, SC 29211

Tucker S. Player
1415 Broad River Road
Columbia, South Carolina 29210

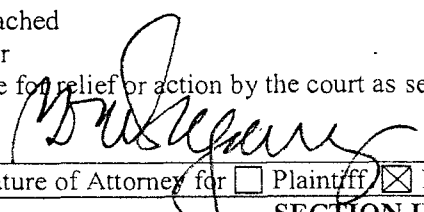
on this the 10th day of January, 2013.



Attorney

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
DRV FONTAINE, LLC)
 Plaintiff,)
 vs.)
FONTAINE BUSINESS PARK, LLC, et al.)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 FIFTH JUDICIAL CIRCUIT
 CASE NO.: 2012-CP-40-7752
**MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET**

Plaintiff's Attorney: Paul D. Harrill, Bar No. 15268 Address: P.O. Box 11390 Columbia, SC 29211 Phone: (803) 799-9800 Fax (803) 753-3278 E-mail: pharrill@mcnair.net Other: _____	Defendant's Attorney: Brent B. Young, Bar No. 74173 Address: 100 Med Tech Parkway, Ste. 200, Johnson City, Tennessee 37602 Phone: (423) 928-0181 Fax(423) 928-5694 E-mail: byound@bakerdonelson.com Other: _____
<input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input checked="" type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input checked="" type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: _____ Estimated Time Needed: _____ Court Reporter Needed: <input type="checkbox"/> YES/ <input type="checkbox"/> NO	
SECTION II: Motion/Order Type	
<input checked="" type="checkbox"/> Written motion attached <input checked="" type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
 Signature of Attorney for <input type="checkbox"/> Plaintiff/ <input checked="" type="checkbox"/> Defendant	January 10, 2013 Date submitted
SECTION III: Motion Fee	
<input checked="" type="checkbox"/> PAID - AMOUNT: \$ <u>25.00</u> <input type="checkbox"/> EXEMPT:	
(check reason) <input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCF) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____	
JUDGE'S SECTION	
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____

metts ✓ 1-14-13

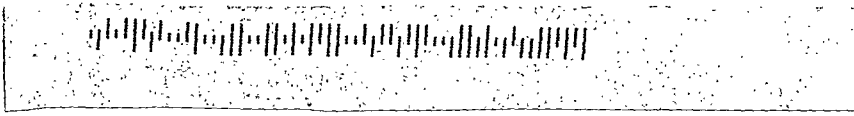
CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____

MOTION FEE COLLECTED: \$ _____

CONTESTED - AMOUNT DUE: \$ _____

SCCA 233 (11/2003)



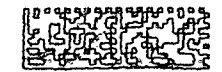
Hasler

FIRST-CLASS MAIL

08/22/2014

US POSTAGE

\$01.40⁰⁰



ZIP 37604
011D11630965

BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC
100 MED TECH PARKWAY • SUITE 200 • JOHNSON CITY, TN 37604

V. Claire Allen, Deputy Clerk
The South Carolina Court of Appeals
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SC Court of Appeals