

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

73422

APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS

The Honorable J. C. Nicholson, Jr.

Case No.: 2013-CP-10-000893

Shannon C. McGrath, and The  
Shannon C. McGrath 2005 Trust,

Plaintiffs,

v.

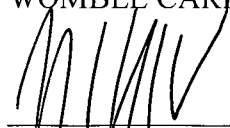
Thomas J. McGrath, TD Ameritrade, Inc.,  
E\*Trade Securities, LLC and E\*Trade  
Clearing, LLC,

Defendants.

**NOTICE OF APPEAL**

TD Ameritrade, Inc. appeals the Order of the Honorable J.C. Nicholson, Jr. dated August 14, 2014 and filed August 18, 2014. Appellant received written notice of entry of this Order on August 25, 2014. A true and accurate copy of the August 14, 2014 Order is attached hereto as Exhibit "A".

WOMBLE CARLYLE SANDRIDGE & RICE, LLP



John C. Hawk, Esquire, SC Bar: 74786

[jhawk@wcsr.com](mailto:jhawk@wcsr.com)

Robert R. Ambler, Jr.

[rambler@wcsr.com](mailto:rambler@wcsr.com)

Five Exchange Street

P.O. Box 999

Charleston, SC 29402

(843) 722-3400

*Attorneys for Appellant*

September 2, 2014

**RECEIVED**

SEP 04 2014

**SC Court of Appeals**

Other counsel of Record:

Brian C. Duffy, Esq.  
Julie L. Moore, Esq.  
Duffy & Young, LLC  
96 Broad Street  
Charleston, SC 29401  
Phone: (843) 720-2044  
*Attorneys for Respondents Shannon C. McGrath and  
The Shannon C. McGrath 2005 Trust*

Susan T. Wall, Esq.  
Amanda C. Williams, Esq.  
McNair Law Firm, P.A.  
P.O. Box 1431  
Charleston, SC 29402  
Phone: (843) 723-7831  
*Attorneys for Respondent Thomas J. McGrath*

Charles Harmon Crawford III, Esq.  
Green Traurig, LLP  
3333 Piedmont Road, N.E., Suite 2500  
Terminus 200  
Atlanta, GA 30305  
Phone: (678) 553-2100

and

Kurt A. Kappes, Esq.  
Greenberg Traurig, LLP  
1201 K Street, Suite 1100  
Sacramento, CA 95814  
Phone: (916) 442-1111  
*Attorneys for Respondents E\*Trade Clearing, LLC  
and E\*Trade Securities, LLC*

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS

The Honorable J. C. Nicholson, Jr.

---

Case No.: 2013-CP-10-000893

---

Shannon C. McGrath, and The  
Shannon C. McGrath 2005 Trust,

Plaintiffs,

v.

Thomas J. McGrath, TD Ameritrade, Inc.,  
E\*Trade Securities, LLC and E\*Trade  
Clearing, LLC,

Defendants.

---

**PROOF OF SERVICE**

---

I do hereby certify that on September 2, 2014, I served the *Notice of Appeal* on Respondents by depositing a copy of it in the United States Mail, postage prepaid, to:

Brian C. Duffy, Esq.  
Julie L. Moore, Esq.  
Duffy & Young, LLC  
96 Broad Street  
Charleston, SC 29401  
*Attorneys for Respondents Shannon C. McGrath  
and The Shannon C. McGrath 2005 Trust*

Susan T. Wall, Esq.  
Amanda C. Williams, Esq.  
McNair Law Firm, P.A.  
P.O. Box 1431  
Charleston, SC 29402  
*Attorneys for Respondent Thomas J. McGrath*

**RECEIVED**

SEP 04 2014

**SC Court of Appeals**

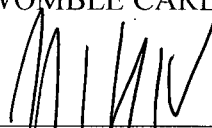
Charles Harmon Crawford III, Esq.  
Green Traurig, LLP  
3333 Piedmont Road, N.E., Suite 2500  
Terminus 200  
Atlanta, GA 30305

and

Kurt A. Kappes, Esq.  
Greenberg Traurig, LLP  
1201 K Street, Suite 1100  
Sacramento, CA 95814

*Attorneys for Respondents E\*Trade Clearing, LLC  
and E\*Trade Securities, LLC*

WOMBLE CARLYLE SANDRIDGE & RICE, LLP



---

John C. Hawk, Esquire, SC Bar: 74786

[jhawk@wcsr.com](mailto:jhawk@wcsr.com)

Robert R. Ambler, Jr.

[rambler@wcsr.com](mailto:rambler@wcsr.com)

Five Exchange Street

P.O. Box 999

Charleston, SC 29402

(843) 722-3400

*Attorneys for Appellant*

WOMBLE  
CARLYLE  
SANDRIDGE  
& RICE  
A LIMITED LIABILITY  
PARTNERSHIP



5 Exchange Street  
Charleston, SC 29401

Mailing Address:  
Post Office Box 999  
Charleston, SC 29402  
Telephone: (843) 722-3400  
Fax: (843) 723-7398  
www.wcsr.com

John C. Hawk, IV  
Attorney at Law  
Direct Dial: (843) 720-4626  
E-mail: jhawk@wcsr.com

September 2, 2014

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

**RECEIVED**

SEP 04 2014

**SC Court of Appeals**

**Re: Shannon C. McGrath and The Shannon C. McGrath 2005 Trust v. Thomas J. McGrath, TD Ameritrade, Inc., E\*Trade Securities, LLC, and E\*Trade Clearing, LLC**  
Case No. 2013-CP-10-893

Dear Ms. Kitchings:

Enclosed for filing please find the following:

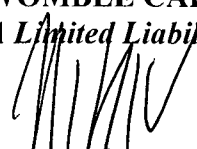
- The original and two copies of a Notice of Appeal;
- The original and two copies of the Proof of Service of Notice of Appeal;
- Three copies of the order being appealed; and
- Our firm's check in the amount of \$100.00 to cover the cost of filing the Notice of Appeal.

Kindly return one clocked copy of each document to us in the self-addressed, stamped envelope provided.

Thank you in advance for your attention to this request.

Very truly yours,

**WOMBLE CARLYLE SANDRIDGE & RICE**  
*A Limited Liability Partnership*

  
John C. Hawk, IV  
Attorneys for Appellant

JCH/cbc  
Enclosures

cc w/encl: Brian C. Duffy, Esq.  
Julie L. Moore, Esq.  
Kurt A. Kappes, Esq.

Charles Harmon Crawford, III, Esq.  
Susan Wall, Esq.  
Amanda Williams, Esq.