

WOMBLE  
CARLYLE  
SANDRIDGE  
& RICE  
A LIMITED LIABILITY  
PARTNERSHIP



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

September 15, 2014

VIA FACSIMILE NO. 803-734-1496

AND VIA REGULAR MAIL

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

**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***  
Appellate Case No. 2014-001890

Dear Ms. Kitchings:

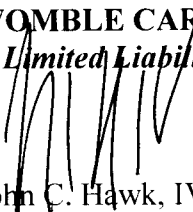
I am writing in response to your letter dated September 12, 2014 regarding the pro hac vice admission of Robert R. Ambler, Jr.

Mr. Ambler is a member in good standing of the Bar of Georgia. He was granted admission pro hac vice in the above-listed matter by Order dated March 4, 2014. Please find enclosed the filed Order, as well as the filed Motion for Admission Pro Hac Vice of Robert R. Ambler, Jr.

Please advise if you need anything further in regards to Mr. Ambler's pro hac vice status.

Sincerely,

**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.

**RECEIVED**

SEP 16 2014

**SC Court of Appeals**

3

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SEP 16 2014

IN THE STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON )

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. )

COURT OF COMMON PLEAS **SC Court of Appeals**

CIVIL ACTION NO. 2013-CP-10-893

**MOTION FOR ADMISSION  
PRO HAC VICE OF  
ROBERT R. AMBLER, JR.**

BY *[Signature]*  
JUSTICE J. STRONG  
CLERK OF COURT  
2014 MAR -3 AM 11:09

**FILED**

Defendant TD AMERITRADE, INC. ("TD Ameritrade") hereby moves for the admission *pro hac vice* of Robert R. Ambler, Jr., an attorney with the law firm of Womble Carlyle Sandridge & Rice, LLP. In support of this motion, TD Ameritrade shows the following:

1. Mr. Ambler is a member in good standing of the State Bar of Georgia and is admitted to practice before that state's court of last resort, including the United States District Court for the Northern, Southern, and Middle Districts of Georgia; Georgia Court of Appeals/Georgia Supreme Court; the United State Court of Appeals for the 11<sup>th</sup> Circuit; the U.S. Court of Appeals for the District of Columbia Circuit; and the U.S. Supreme Court.

2. Mr. Ambler's appearance in this matter will be in association with the undersigned, a member in good standing of the bar of this State;

3. The undersigned represents that she has consulted with counsel for Plaintiff, and that she has no objection to this motion;

4. In further support of this motion, TD Ameritrade submits the Verified Application for Admission *Pro Hac Vice* of Mr. Ambler as Exhibit A.

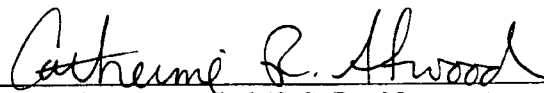
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SEP 16 2014

**SC Court of Appeals**

WHEREFORE, TD Ameritrade requests that the Court admit Mr. Ambler *pro hac vice* in this matter for purposes of this lawsuit only.

Respectfully submitted,



Catherine R. Atwood (S.C. Bar No. 77367)

Email: [catwood@wcsr.com](mailto:catwood@wcsr.com)

WOMBLE CARLYLE SANDRIDGE & RICE, LLP

Post Office Box 10208

Greenville, SC 29603-0208

Telephone: (864) 255-5421

Fax: (864) 239-5852

*Attorneys for Defendant TD Ameritrade, Inc.*

February 24, 2014  
Greenville, SC

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA**

SHANNON C. MCGRATH and THE  
SHANNON C. MCGRATH 2005 TRUST

Plaintiff

2013-CP-10-893

Case No.

Court of Common Pleas, County  
of Charleston

Court

vs.

Mailing Address of Court: 100 Broad St, Charleston, SC 29401

THOMAS J. MCGRATH, TD  
AMERITRADE, INC., E\*TRADE  
SECURITIES, LLC, and E\*TRADE  
CLEARING, LLC

Defendant

Comes now Robert R. Ambler, Jr., applicant herein, and respectfully represents the following:

1. Applicant resides at:

2899 Springview Court

Street Address

Atlanta

City

(404) 879-2424

Telephone

USA

County

Georgia

State

30339

Zip Code

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Womble

Carlyle Sandridge & Rice, LLP, with offices at, at

271 17<sup>th</sup> Street NW, Suite 2400

Street Address

Atlanta

City

(404) 872-7000

Telephone

USA

County

Georgia

State

(404) 879-2924

Fax Number

30363

Zip Code

3. Applicant has been retained personally or as a member of the above named law firm by TD Ameritrade, Inc. to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since May 31 of 1989, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of Georgia where applicant regularly practices law. Attached is a certificate of good standing.

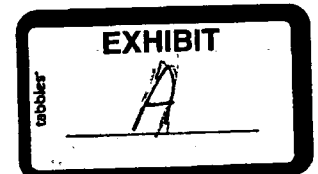
5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

Georgia Court of Appeals/Georgia Supreme Court

January 17, 1991/January 24, 1991



U.S. District Court for the Northern District of Georgia	September 17, 1990
U.S. District Court for the Middle District of Georgia	March 8, 2007
U.S. District Court for the Southern District of Georgia	March 11, 1991
U.S. Court of Appeals for the 11th Circuit	March 24, 1992
U.S. Court of Appeals for the District of Columbia Circuit	September 20, 1995
U.S. Supreme Court	1998

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.)

N/A

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):

N/A

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):

N/A

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):

N/A

9. Local counsel of record associated with applicant in this case is Catherine R. Atwood, of the Womble Carlyle Sandridge & Rice, LLP law firm, which has offices at:

550 S. Main Street, Suite 400

Street Address

Greenville

Greenville

SC

29603

County

City

State

Zip Code

(864) 255-5400

Telephone

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

N/A

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).

Reyner v. J.J.B. Hilliard, W.L. Lyons, Inc., Greenville County Court of Common Pleas, Case No. 2003-CP-23-120; transferred to arbitration; application filed November 20, 2003; local counsel Sarah Day Hurley of Womble Carlyle Sandridge & Rice, LLP; application granted

Burdette et al. v. J.J.B. Hilliard WL Lyons, Inc., U.S. District Court for the District of South Carolina, Case No. 6:03-cv-02240-HFF; dismissed; application filed February 13, 2004; local counsel Sarah Day Hurley of of Womble Carlyle Sandridge & Rice, LLP; application granted

Meyer v. J.J.B. Hilliard WL Lyons, Inc. et al., U.S. District Court for the District of South Carolina, Case No. 6:06-cv-00419-HFF-WMC; summary judgment awarded; application filed July 17, 2006; local counsel Brent O.E. Clinkscale, Jeffrey Pascoe and Sarah Day Hurley of Womble Carlyle Sandridge and Rice, LLP; application granted

Hediger Enterprises, Inc. v. Gary R. Hediger, Greenville County Court of Common Pleas, Case No. 2011-CP-23-7899; dismissed; application filed December 8, 2011; local counsel Brent O. E. Clinkscale and Shunta H. Grant of Womble Carlyle Sandridge & Rice, LLP; application granted

McGrath et al. v. McGrath et al., U.S. District Court for the District of South Carolina, Case No. 2:13-cv-00797-CWH; on remand to the County of Charleston Court of Common Pleas (the present case); application filed April 16, 2013; local counsel Catherine R. Atwood of Womble Carlyle Sandridge & Rice, LLP; application granted

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 20th day of February, 2014.

[Signature]  
APPLICANT

**VERIFICATION**

STATE OF GEORGIA)

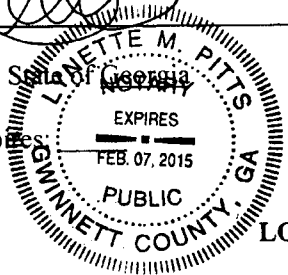
COUNTY OF FULTON)

I, Robert R. Ambler, Jr., 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 20th day of February, 2014.~~

[Signature]  
Notary Public for the State of Georgia  
My Commission Expires: [Signature]



**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 24<sup>th</sup> day of Feb., 2014.

Catherine R. Arnold  
LOCAL COUNSEL OF RECORD

FILED  
2014 MAR -3 AM 11:09  
JULIE J. ARMSTRONG  
CLERK OF COURT  
BY \_\_\_\_\_

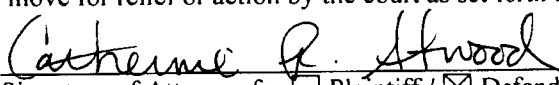
**CERTIFICATE OF SERVICE**

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 24<sup>th</sup> day of February, 2014.

[Signature]  
APPLICANT/AFFIANT

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF CHARLESTON )  
 )  
 Shannon C. McGrath and The Shannon C. )  
 McGrath 2005 Trust )  
 Plaintiff, )  
 vs. )  
 )  
 Thomas J. McGrath, TD Ameritrade, Inc., )  
 E\*Trade Securities, LLC and E\*Trade Clearing, )  
 LLC )  
 Defendant. )

IN THE COURT OF COMMON PLEAS  
 CASE NO.: 2013-CP-10-893  
**MOTION AND ORDER INFORMATION**  
**FORM AND COVERSHEET**

Plaintiff's Attorney: Elizabeth Ann Zeck Address: P. O. Box 8416, Columbia, SC 29202 Email: Ezeck@Willoughbyhoefer.com	Defendant's Attorneys: Catherine R. Atwood, Bar No. 77367 Address: P. O. Box 10208, Greenville, SC 29603 Phone: 864/255-5400 Email: catwood@wcsr.com
<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 type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
<b>SECTION I: Hearing Information</b>	
Nature of Motion: _____ Estimated Time Needed: _____ Court Reporter Needed: <input type="checkbox"/> YES/ <input type="checkbox"/> NO	
<b>SECTION II: Motion/Order Type</b>	
<input 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	Feb. 24, 2014 Date submitted
<b>SECTION III: Motion Fee</b>	
<input checked="" type="checkbox"/> PAID - AMOUNT: \$25.00 <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, SCRPC) <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: _____	
<b>JUDGE'S SECTION</b> <input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE <u>2163</u> Date: _____
<b>CLERK'S VERIFICATION</b>	
Collected by: _____ Date Filed: _____ <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____	

IN THE STATE OF SOUTH CAROLINA )

COURT OF COMMON PLEAS )

COUNTY OF CHARLESTON )

CIVIL ACTION NO. 2013-CP-10-893 )

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. )

ORDER

FILED  
2014 MAR -6 PM 3:35  
JULIE J. ARMSTRONG  
CLERK OF COURT

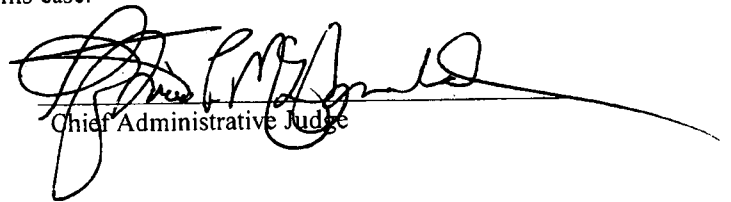
A Motion and Application/Affidavit for Admission *Pro Hac Vice* has been filed in this case and considered by the undersigned.

IT IS ORDERED THAT:

Applicant: Robert R. Ambler, Jr., who represents Defendant TD Ameritrade, Inc.

- Be **granted** admission *pro hac vice* in this case.
- Be **denied** admission *pro hac vice* in this case.

March 4, 2014  
Date

  
Chief Administrative Judge

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SEP 16 2014

SC Court of Appeals

# STATE BAR OF GEORGIA



Lawyers Serving the Public and the Justice System

Mr. Robert Riles Ambler, Jr.  
Womble Carlyle Sandridge & Rice, LLP  
271 17th Street, NW, Suite 2400  
Atlanta, GA 30363-1017

**CURRENT STATUS:** Active Member-Good Standing  
**DATE OF ADMISSION:** 05/31/1989  
**BAR NUMBER:** 014462  
**TODAY'S DATE:** 02/20/2014

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition	Date
N/A	N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- Certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, highest court required to practice law in Georgia.
- Enrolled with the State Bar of Georgia, arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by State Bar Rule 1-204. The member is current in license fees and is not suspended or disbarred as of the date of this letter.



## STATE BAR OF GEORGIA

*Robert Riles Ambler, Jr.*

Official Representative of the State Bar of Georgia

**HEADQUARTERS**  
104 Marietta Street, Suite 100  
Atlanta, Georgia 30303  
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FAX (404) 527-8717  
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244 E. Second Street (Zip 31794)  
P.O. Box 1390  
Tifton, Georgia 31793-1390  
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FAX (229) 382-7435

**COASTAL GEORGIA OFFICE**  
18 E. Bay Street  
Savannah, Georgia 31401-1225  
(912) 239-9910 ■ (877) 239-9910  
FAX (912) 239-9970