

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

13886

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

G. Thomas Cooper, Circuit Court Judge

RECEIVED

OCT 17 2014

SC Court of Appeals

Case No. 2012-CP-40-07790

Appellate Case No. 2014-001412

South Carolina Public Interest Foundation and William B. DePass, Jr., individually, and on behalf of all others similarly situated, Appellants,

vs.

Senator John E. Courson, Senator Darrell Jackson, Senator Joel Lourie, Senator John L. Scott, Jr. and The State of South Carolina, Respondents.

RESPONDENTS' MOTION TO WITHDRAW AND SUBSTITUTE COUNSEL

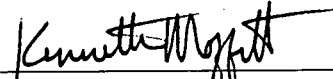
Pursuant to Rule 264(b) of the South Carolina Appellate Court Rules, Respondents Senator John E. Courson, Senator Darrell Jackson, Senator Joel Lourie, Senator John L. Scott, Jr., and the State of South Carolina respectfully come before this Court and file this Motion to Withdraw and Substitute Counsel. The former attorney of record, Mike Hitchcock, has requested to withdraw, and offers his departure from employment with the South Carolina Senate as justifiable cause. Edward Bender, South Carolina Bar Number 75110, is currently employed by the Senate and has agreed to be substituted in his place. The substitution is made with the approval of Respondents and the withdrawal is not sought for delay. Notice of this Motion to Withdraw and Substitute Counsel has been provided to opposing counsel by placing a copy in an

envelope, postage prepaid, and mailing it via first class mail to their respective addresses of record, this 17 day of October, 2014.

WHEREFORE, Respondents respectfully request that this Court grant its Motion to Withdraw and Substitute Counsel.

Respectfully submitted,

By and through counsel:



Kenneth M. Morrill
South Carolina Senate
Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6300

Attorney for Respondents Senators
Courson, Jackson, Lourie, and Scott,
in their official capacities as members
of the South Carolina Senate.

Columbia, South Carolina

October 17, 2014

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

G. Thomas Cooper, Circuit Court Judge

Case No. 2012-CP-40-07790

Appellate Case No. 2014-001412

RECEIVED
OCT 17 2014
SC Court of Appeals

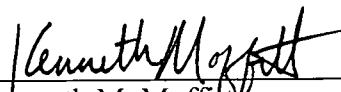
South Carolina Public Interest Foundation and William B. DePass, Jr., individually, and on behalf of all others similarly situated, Appellants,

vs.

Senator John E. Courson, Senator Darrell Jackson, Senator Joel Lourie, Senator John L. Scott, Jr. and The State of South Carolina, Respondents.

PROOF OF SERVICE

The undersigned attorney hereby certifies that a true copy of Respondents' Motion to Withdraw and Substitute Counsel in the above captioned case has been served upon opposing counsel by placing a copy in an envelope, postage prepaid, and mailing it via first class mail to their respective addresses of record, this 17 day of October, 2014.



Kenneth M. Moffitt
South Carolina Senate
Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6300

Attorney for Respondents

Columbia, South Carolina

October 17, 2014



STATE OF SOUTH CAROLINA
THE SENATE
P. O. BOX 142
GRESSETTE SENATE OFFICE BUILDING
COLUMBIA, SC 29202

October 17, 2014

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street, 5th Floor
Columbia, South Carolina 29201

RE: South Carolina Public Interest Foundation and William B. DePass, Jr, individually, and on behalf of all others similarly situated, Appellants v. Senator John E. Courson, Senator Darrell Jackson, Senator Joel Lourie, Senator John L. Scott, Jr., and the State of South Carolina, Respondents.
Civil Action No. 2012CP400007790
Appellate Case No. 2014-001412

Dear Ms. Kitchings:

Enclosed, please find an original and seven copies of a Motion to Withdraw and Substitute Counsel in the above referenced matter. Please file the original and return a clocked-in copy to me. Should you have any questions, please do not hesitate to contact me.

By copy of this letter, I am hereby serving opposing parties.

Sincerely,

A handwritten signature in black ink that reads "Kenneth M. Moffitt". The signature is written in a cursive style and is followed by a long horizontal line.

Kenneth M. Moffitt

Enclosures

cc: James G. Carpenter
J. Emory Smith