



IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

DEC 19 2014

James C. Williams, Jr., Special Referee

SC Court of Appeals

14540

Appellate Case No.: 2013-001839
C/A No.: 2010-CP-40-8621

C.R. Meyer and Sons Company,.....Plaintiff,

v.

Custom Mechanical CSRA, L.L.C.,Defendant.

And

Custom Mechanical CSRA, L.L.C. is theRespondent,

v.

Plumbers & Steam Fitters Local #150 and Welfare Fund;
Plumbers & Steam Fitters Local # 150 Pension Fund;
Plumbers & Steam Fitters Local # 150 Annuity Fund, and
Jackie K. Nordeen, Jr., and Patrick H.F. Smith, IV, as Trustees of these Funds;
Plumbers & Steam Fitters Local # 150 Vacation Fund and
Patrick H. F. Smith, IV and Joseph L. Dozier, as Trustees of this Fund;
Augusta Joint Apprenticeship and Journeyman Training Committee,
and Patrick H.F. Smith, IV and Charles I. Hardigree, as Trustees of this Fund;
Trustees of Southern Iron Workers Healthcare Plan;
Trustees of Southern Iron Workers # 709, International Association of Bridge,
Structural, Ornamental and Reinforcing Iron Workers; Southeastern
Carpenters and Millwrights Health Trust, Southeastern Carpenters
and Millwrights Pension Trust, Larry Phillips and
J. Kirk Malone, as Trustees of these Funds; Ferguson Enterprises, Inc.;
Presidential Financial Corporation; Norton Welding Supply, Inc.;
United Rentals (North America), Inc.; Daniel R. Friedmann;
Tony Hall; Timothy R. Hall, Jr.; Ralph D. Black; Thomas Brittingham;
Arthur C. Carlson; Leonard Wade Cliett; Christopher Cullipher;
David W. Cullipher; Joseph A. Doyle, Jr.; Charles R. Ellzey;
Brian Field; Clayton W. Googe, Jr.; Martin Granger;

William R. Giffin, Jr.; Jack E. Hegler; George G. Lever;
Matt Lever; Ernest Lewis, III; the Estate of
William R. McFerrin by and through its duly-appointed
Executrix, Nancy McFerrin; Daniel Nichols;
Kinda Phommachanh; Raleigh B. Roye; Nicholas Stewart;
Timothy P. Stock; James Waltermath; Al Tiska;
Al Carpenter; Bruce Pollock, Jr.;
and, Security Federal Bank,Third – Party Defendants,

Of Whom

Daniel R. Friedmann; Tony Hall; Timothy R. Hall, Jr.;
Ralph D. Black; Thomas Brittingham; Arthur C. Carlson;
Leonard Wade Cliett; Christopher Cullipher;
David W. Cullipher; Joseph A. Doyle, Jr.; Charlest R. Ellzey;
Brian Field; Clayton W. Googe, Jr.; Martin Granger;
William R. Giffin, Jr.; Jack E. Hegler; George G. Lever;
Matt Lever; Ernest Lewis, III; the Estate of William R. McFerrin
by and through its duly-appointed Executrix, Nancy McFerrin;
Daniel Nichols; Kinda Phommachanh; Raleigh B. Roye;
Nicholas Stewart; Timothy P. Stock; James Waltermath;
Al Tiska; Al Carpenter; and Bruce Pollock, Jr. areAppellants,

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And Presidential Financial and
Federal Bank,are also Respondents

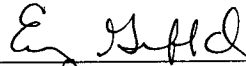
**RESPONDENT¹ CUSTOM MECHANICAL CSRA, L.L.C.'S
MOTION TO SUBSTITUTE COUNSEL**

Pursuant to Rule 240, SCACR, Respondent Custom Mechanical CSRA, L.L.C. (“Custom Mechanical”) moves to substitute its counsel. The Attorney of Record for Custom Mechanical, Francis M. Mack, recently retired from Richardson Plowden & Robinson, P.A., and is therefore, unable to continue his representation of Custom Mechanical in the above-referenced matter.

¹ Although captioned as a Respondent in this matter, this designation is not entirely accurate. At issue in this appeal is the priority of creditors to a sum of money awarded to Custom Mechanical CSRA, L.L.C. in an arbitration arising from issues related to a construction project. Custom Mechanical is holding the arbitration proceeds in escrow for distribution to the various creditors pending a resolution of the creditors’ respective priorities. Accordingly, Custom Mechanical has not participated in the briefing aspect of this appeal, as its interest is limited to disbursement of the arbitration proceeds per the court’s determination of the creditors’ respective priorities.

However, because the representation of Custom Mechanical will remain with Richardson Plowden & Robinson, P.A., the undersigned counsel, Emily R. Gifford, Esquire will handle this matter going forward. Accordingly, Custom Mechanical moves to have Emily R. Gifford, Esquire substituted as the Attorney of Record on its behalf.

Respectfully submitted,



Emily R. Gifford, Esquire
S.C. Bar # 72785
Richardson Plowden & Robinson, P.A.
1900 Barnwell Street
Columbia, South Carolina 29201
(803) – 771 – 4400
**ATTORNEYS FOR RESPONDENT CUSTOM
MECHANICAL CSRA, L.L.C.**

December 19, 2014
Columbia, South Carolina

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and, Security Federal Bank,Third – Party Defendants,

Of Whom

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Ralph D. Black; Thomas Brittingham; Arthur C. Carlson;
Leonard Wade Cliett; Christopher Cullipher;
David W. Cullipher; Joseph A. Doyle, Jr.; Charlest R. Ellzey;
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Nicholas Stewart; Timothy P. Stock; James Waltermath;
Al Tiska; Al Carpenter; and Bruce Pollock, Jr. areAppellants,

And Presidential Financial and
Federal Bank,are also Respondents

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below she served all counsel with a copy of the *Respondent Custom Mechanical's Motion to Substitute Counsel* by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

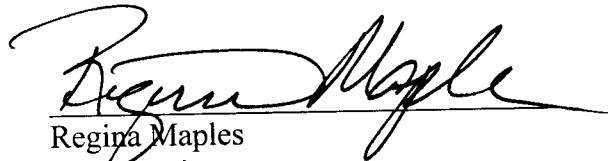
John S. Nichols, Esquire
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Columbia, SC 29201


Regina Maples
Legal Assistant
RICHARDSON PLOWDEN & ROBINSON, P.A.

December 19, 2014
Columbia, South Carolina

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VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Edgar Brown Building
1205 Pendleton Street
Columbia, SC 29201

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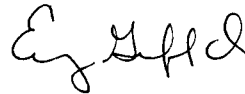
Re: Daniel R. Friedmann, et. al. v. Customa Mechanical, CSRA, L.L.C., et. al
Civil Action No.: 2010-CP-40-8621
Appellate Case No. 2013-001839

Dear Ms. Kitchings:

Enclosed please find the original plus six copies of the Motion to Substitute Counsel on behalf of Respondent Custom Mechanical CSRA, L.L.C., our original Certificate of Service, and our \$25.00 filing fee. I have also enclosed an additional copy of our Motion and Certificate of Service and would request that these be filed-stamped and returned to our courier.

Thank you for your assistance.

Sincerely,



Emily R. Gifford
SC Bar #72785

ERG\smb
Enclosures

cc: All Counsel (w/enc.)