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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No. 2012-CP-10-8447
Appellate Case No. 2014-001273

Montclair Property Owners Association, Inc. and Montclair
Property Owners Association Board of Directors for and on
behalf of all owners of the Montclair Horizontal Property
Regime, as assignees of Montclair Associates Limited
Partnership, Cremco, LLC, and Montclair Homes, LLC,..... Respondents,

v.

Church Creek Construction, LLC, Appellant.

**Appellant's Motion to Allow Elizabeth Herlong Brogdon to
Withdraw as Counsel of Record**

Pursuant to Rule 264(b) of the South Carolina Appellate Court Rules, Appellant Church Creek Construction ("Appellant") files this Motion to allow Elizabeth Herlong Brogdon to Withdraw as Counsel of Record. The basis for this motion is that Elizabeth Herlong Brogdon no longer represents Appellant in this appeal.

Ms. Brogdon resigned from Nelson, Mullins, Riley & Scarborough, LLP ("Nelson Mullins") on March 16, 2015, to accept the position as Chief Counsel for South Carolina Judicial Selection Merits Committee. Appellant has been represented from the outset of this appeal by Mitch Brown, Brian P. Crotty and Miles E. Coleman of Nelson Mullins. Mr. Brown, Mr. Crotty and Mr. Coleman will continue

representation of Appellant. The withdrawal of Ms. Brogdon will not impact representation of Appellant, prejudice Respondent in any manner, or delay this appeal.

The change of employment by Ms. Brogdon constitutes justifiable cause to allow withdrawal as counsel for Appellant, especially in light of the fact that Mr. Brown, Mr. Crotty and Mr. Coleman continue to represent Appellant in this action. Thus, Appellant requests that Elizabeth Herlong Brogdon be allowed to withdraw from representation of it, and that he be removed from all notices, letters, and other communications in this appeal.

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By: 

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Attorneys for Appellant Church Creek Construction, LLC

Columbia, South Carolina
March 23, 2015

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No. 2012-CP-10-8447
Appellate Case No. 2014-001273

Montclair Property Owners Association, Inc. and Montclair
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Regime, as assignees of Montclair Associates Limited
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v.

Church Creek Construction, LLC, Appellant.

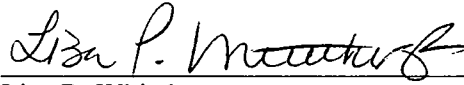
PROOF OF SERVICE

I the undersigned Administrative Assistant of the law firm of Nelson Mullins
Riley & Scarborough, LLP, attorneys for Church Creek Construction, LLC, do hereby certify
that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified
by mailing a copy of the same by United States Mail, postage prepaid, to the following
address(es):

Pleadings: Appellant's Motion to Allow Elizabeth Herlong Brogdon to
Withdraw as Counsel of Record

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Stephen L. Brown, Esquire
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Lisa P. Whitehurst
Administrative Assistant

March 24, 2015

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SC Court of Appeals

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March 24, 2015

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

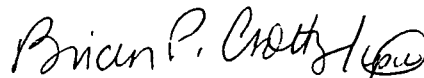
RE: Montclair Property Owners Association, Inc. et al v. Church Creek
Construction, LLC
Civil Action No. 2012-CP-10-8447
Appellate Case No. 2014-001273
Our File No. 44053/01500

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of Appellant's Motion to Allow Elizabeth Herlong Brogdon to Withdraw as Counsel of Record in regard to the above-referenced matter. We would ask that you file the original and return a clocked-in copy to us via our courier. Also enclosed is our check in the amount of \$25.00 as the required filing fee.

By copy of this letter to counsel of record, we are serving them with a copy of this motion.

Very truly yours,



Brian P. Crotty

BPC:lpw
Enclosures

cc: Joseph E. Dapore, Esquire
Edward D. Buckley, Jr., Esquire
Stephen L. Brown, Esquire
Russell G. Hines, Esquire
Thomas H. Hesse, Esquire