



LAW OFFICES OF  
ED OVERCASH, LLC

37 Villa Road, Suite 507, Greenville, SC 29615

Telephone: (864) 298-1110

Fax: (864) 233-5588

July 10, 2014

V. CLAIRE ALLEN, DEPUTY CLERK  
THE SOUTH CAROLINA COURT OF APPEALS  
P.O. BOX 11629  
COLUMBIA, SC 29211

Re: CACH, LLC v. Toby Hoffman, Jr., a/k/a Carl W. Hoffman, Jr.  
Appellate Case Number: 2012-213531

Dear Ms. Allen:

Please find enclosed herewith the original and six copies of a Motion for the Admission of Manuel Newburger Pro Hac Vice. I have enclosed a check for the \$25.00 motion fee, together with Proof of Service on opposing counsel.

Thank you for your consideration in this matter.

Sincerely,

Edward H. Overcash, Jr.  
Attorney for Respondent

cc: John D. Elliott, Esquire  
P.O. Box 607  
Columbia, SC 29202  
Attorney for Appellant

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
G. Thomas Cooper, Jr., Circuit Court Judge

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Appellate Case Number: 2012-213531

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CACH, LLC, .....Respondent,

vs.

Toby Hoffman, Jr. a/k/a Carl W. Hoffman, Jr., .....Appellant.

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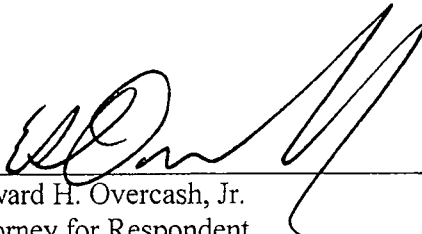
MOTION FOR ADMISSION OF MANUEL NEWBURGER PRO HAC VICE

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Respondent moves for admission of Manuel Newburger pro hac vice in order that he may participate in the oral arguments for this case.

The basis for this Motion is that Manuel Newburger is an attorney retained by Respondent who is admitted to practice law in the state of Texas and whom Respondent desires to participate in the oral arguments for this case. The application specified by Rule 404(d), SCACR is attached hereto.

July 10, 2014

  
\_\_\_\_\_  
Edward H. Overcash, Jr.  
Attorney for Respondent

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

CACH, LLC Plaintiff 2012-213531 Case No. S.C. Court of Appeals Court

vs.

Toby Hoffman Defendant Mailing Address of Court: Post Office Box 11629  
Columbia, SC 29211

Comes now Manuel H. Newburger, applicant herein, and respectfully represents the following:

1. Applicant resides at:

4708 Sinclair Avenue  
Street Address  
Austin Travis Texas 78756  
City County State Zip Code  
(512) 797-3328  
Telephone

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

Barron & Newburger, P.C., with offices at, at  
1212 Guadalupe, Suite 104  
Street Address  
Austin Travis Texas 78701  
City County State Zip Code  
(512) 476-9103, Ext. 216 (612) 279-0310  
Telephone Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by CACH, LLC 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 4th of November, 1983, 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 Yexas 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:
Please see the attached list.	

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.)

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):

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):

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):

9. Local counsel of record associated with applicant in this case is Ed Overcash, of the Law Offices of Ed Overcash, LLC law firm, which has offices at:

37 Villa Road, Suite 507

Street Address

Greenville

Greenville

South Carolina

29615

City

County

State

Zip Code

864-298-1110

Telephone

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

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).

None

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 30th day of June, 2014.

  
APPLICANT

List of Admissions:

<b>Court</b>	<b>Adm. Date</b>	<b>Reg. No.</b>	<b>Court Address</b>
Texas Supreme Court	11/4/83	14946500	Supreme Court of Texas Supreme Court Building 201 W. 14 <sup>th</sup> Austin, TX 78701
Colorado Supreme Court	10/26/09	41635	Supreme Court of Colorado Office of Attorney Registration 1560 Broadway, Suite 1810 Denver, CO 80202
U.S. Supreme Court	1/9/95	None	Supreme Court of the United States, Washington, DC 20543
5th Circuit Ct. of Appeals	11/18/98	None	600 S. Maestri Place New Orleans, LA 70130-3408
7th Circuit Ct. of Appeals	6/24/99	None	219 S. Dearborn Street Chicago, IL 60604
2nd Circuit Ct of Appeals	4/18/05	None	Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street New York, NY 10007
9th Circuit Ct. of Appeals	9/7/05	None	95 Seventh Street San Francisco, CA 94103
8 <sup>TH</sup> Circuit Ct of Appeals	7/20/11	None	Thomas F. Eagleton Courthouse Room 24.329 111 South 10th Street St. Louis, MO 63102
USDC W.D. Texas	12/14/87	None	727 E. Durango Blvd. San Antonio, Texas 78206
USDC S.D. Texas	3/9/99	23234	515 Rusk Avenue Houston, TX 77002
USDC E.D. Texas	3/28/96	None	211 West Ferguson Street Tyler, Texas 75702
USDC N.D. Texas	3/22/93	None	1100 Commerce St. Dallas, Texas 75242
USDC E.D. Wisconsin	5/14/03	None	517 East Wisconsin Avenue, Milwaukee, WI 53202
USDC W.D. Wisconsin	12/2/05	None	120 North Henry Street Madison, WI 53701
USDC N.D. Indiana	4/27/05	None	5400 Federal Plaza Hammond, IN 46320
USDC S.D. Indiana	8/1/06	None	46 East Ohio Street Indianapolis, IN 46204
USDC W.D. Tennessee	9/11/08	None	167 N. Main Street Memphis, TN 38103

USDC D. Colorado	10/3/08	None	Alfred A. Arraj United States Courthouse Room A-105 901 19th Street Denver, Colorado 80294-3589
USDC N.D. Ill.	4/11/09	None	Everett McKinley Dirksen United States Courthouse 219 South Dearborn Street Chicago, IL 60604
USDC E.D. Mi.	April, 2014 (Still awaiting official cert.)	None	U.S. District Court 231 W. Lafayette Blvd. Detroit, MI 48226

VERIFICATION

STATE OF TEXAS )

COUNTY OF TRAVIS )

I, MANUEL H. NEUBURGER, 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.

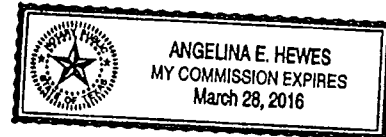
[Signature]  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 3rd day of July, 2014.

[Signature]

Notary Public for the State of Texas

My Commission Expires: 3-28-16



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 30th day of JUNE, 2014.

[Signature]  
LOCAL COUNSEL OF RECORD

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 3rd day of

July, 2014.

[Signature]  
APPLICANT/AFFIANT

# The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

**Manuel Harry Newburger**

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 4th day of November, 1983.

I further certify that the records of this office show that, as of this date

**Manuel Harry Newburger**

is presently enrolled with the State Bar of Texas as an active member in good standing.

**IN TESTIMONY WHEREOF** witness my hand

and the seal of the Supreme Court of  
Texas at the City of Austin, this, the  
23rd day of June, 2014.

BLAKE HAWTHORNE, Clerk

by *Blanca E. Valdez*

Blanca E. Valdez, Deputy Clerk

No. 062314TT

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
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G. Thomas Cooper, Jr., Circuit Court Judge  
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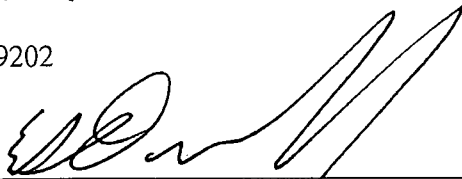
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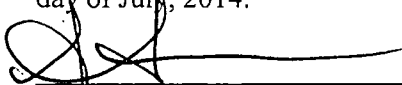
PROOF OF SERVICE

This is to certify that on the 10<sup>th</sup> day of July, 2014, the undersigned served a copy of Respondent's MOTION FOR ADMISSION OF MANUEL NEWBURGER PRO HAC VICE by depositing a copy of the same into the United States Mail, postage pre-paid and in the correct amount to the following:

JOHN D. ELLIOTT, ESQUIRE  
P.O. BOX 607  
COLUMBIA, SC 29202

  
Edward H. Overcash, Jr.  
Attorney for Respondent

SWORN to before me this 10<sup>th</sup>  
day of July, 2014.

 (SEAL)  
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: 10/4/20

# The South Carolina Court of Appeals

CACH, LLC, Respondent,

v.

Toby Hoffman, Jr., a/k/a Carl W. Hoffman, Jr.,  
Appellant.

Appellate Case No. 2012-213531

The Honorable G. Thomas Cooper, Jr.  
Richland County  
Trial Court Case No. 2011CP4002389

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## ORDER

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The motion to admit Manuel H. Newburger pro hac vice for participation in this case is GRANTED.

FOR THE COURT

BY V. Claire Allen  
DEPUTY CLERK

Columbia, South Carolina

cc:  
John D. Elliott, Esquire  
Edward H. Overcash, Jr., Esquire

**FILED**

July 17, 2014