

77642

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

RECEIVED
OCT 22 2015
SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Appellate Case No. 2013-001812

The Callawassie Island Members Club, Inc... Respondent,

v.

Arthur Applegate Appellant

CONSENT PETITION TO SUBSTITUTE COUNSEL

M. Dawes Cooke, Jr., Esq.
John W. Fletcher, Esq.
BARNWELL WHALEY PATTERSON & HELMS, LLC
P.O. Drawer H
Charleston, SC 29402-0197
(843) 577-7700

Stephen P. Hughes, Esq.
J. Andrew Yoho, Esq.
HOWELL, GIBSON, AND HUGHES, P.A.
Post Office Box 40
Beaufort, South Carolina 29901
(843) 522-2400

Ehrick K. Haight, Jr., Esq.
Stacey S. Collins, Esq.
MINOR, HAIGHT & ARUNDELL, P.C.
P.O. Drawer 6067
Hilton Head Island, South Carolina 29938
(843) 785-8040
Attorneys for the Callawassie Island Members Club, Inc.

AND NOW COMES Respondent The Callawassie Island Members Club, Inc. ("Respondent"), which moves the Court for an Order relieving Ehrick K. Haight, Jr., Stacey S. Collins and Minor, Haight & Arundell, P.C. as counsel for Respondent pursuant to S.C.R.A.P., Rule 264, and to substitute M. Dawes Cooke, Jr., Brad Baniyas and John W. Fletcher, and Barnwell Whaley Patterson & Helms, LLC, as counsel for Respondent.

As grounds therefor Movants state:

1. Ehrick K. Haight, Jr., Stacey S. Collins and Minor, Haight & Arundell, P.C. are presently some of the attorneys representing Respondent in this lawsuit.

2. Respondent wishes to have Ehrick K. Haight, Jr., Stacey S. Collins and Minor, Haight & Arundell, P.C. withdraw their appearance as its counsel in this matter and to have M. Dawes Cooke, Jr., Brad Baniyas and John W. Fletcher, and Barnwell Whaley Patterson & Helms, LLC be substituted as counsel in their stead.

3. With the consent of the clients and other parties, Respondent requests that the court withdraw the appearance of Ehrick K. Haight, Jr., Stacey S. Collins and Minor, Haight & Arundell, P.C. as its counsel and that the Court substitute as counsel M. Dawes Cooke, Jr., Brad Baniyas and John W. Fletcher, and Barnwell Whaley Patterson & Helms, LLC.

4. The representation of Respondent will continue uninterrupted through M. Dawes Cooke, Jr., Brad Baniyas and John W. Fletcher, and Barnwell Whaley Patterson & Helms, LLC, who are admitted to practice before this Court.

5. In addition, Respondent is also represented by Stephen P. Hughes, J. Andrew Yoho, and the firm of Howell, Gibson & Hughes, P.A. Respondent wishes to have those attorneys continue representing it in this appeal. This Petition is not intended to withdraw the appearance of those attorneys.

6. For the foregoing reasons, Respondent requests that the Court enter an Order withdrawing the appearance of Ehrick K. Haight, Jr., Stacey S. Collins and Minor,

Other Counsel of Record:

Brian D. McDaniel, Esq.
Law Office of Brian McDaniel, LLC
P.O. Box 2085
Beaufort, South Carolina 29901
Attorneys for Appellant

Haight & Arundell, P.C. and striking them as counsel of record for Respondent in this case, and removing them from all distribution lists.

7. Respondent also respectfully requests this Court enter an order appointing M. Dawes Cooke, Jr., Brad Baniyas and John W. Fletcher, and Barnwell Whaley Patterson & Helms, LLC as its counsel and adding them to all distribution lists.

8. This substitution of counsel will not cause any delay in this matter and will not prejudice Respondent, Appellant or any other party to this lawsuit.

BARNWELL WHALEY
PATTERSON & HELMS, LLC

BY: 

M. Dawes Cooke, Esq.
Brad Baniyas, Esq.
John William Fletcher, Esq.
288 Meeting Street, Suite 200 (29401)
P. O. Drawer H
Charleston, South Carolina 29402
(843) 577-7700

Stephen P. Hughes, Esq.
J. Andrew Yoho, Esq.
HOWELL, GIBSON, AND HUGHES, P.A.
Post Office Box 40
Beaufort, South Carolina 29901
(843) 522-2400

Ehrick K. Haight, Jr., Esq.
Stacey S. Collins, Esq.
MINOR, HAIGHT & ARUNDELL, P.C.
P.O. Drawer 6067
Hilton Head Island, South Carolina 29938
(843) 785-8040

*Attorneys for Respondent The Callawassie
Island Members Club, Inc.*

Dated: October 19, 2015

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

OCT 22 2015

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

SC Court of Appeals

Edward W. Miller, Circuit Court Judge

Appellate Case No. 2013-001812

The Callawassie Island Members Club, Inc... Respondent,

v.

Arthur Applegate... Appellant

PROOF OF SERVICE OF CONSENT PETITION TO SUBSTITUTE COUNSEL

I certify that I have served the Consent Petition to Substitute Counsel on all counsel of record by depositing a copy of it in the United States Mail, postage prepaid, on October 1, 2015, addressed to their attorneys of record:

Brian D. McDaniel, Esq.
Law Office of Brian McDaniel, LLC
P.O. Box 2085
Beaufort, South Carolina 29901

Stephen P. Hughes, Esq.
J. Andrew Yoho, Esq.
HOWELL, GIBSON, AND
HUGHES, P.A.
Post Office Box 40
Beaufort, South Carolina 29901

Ehrick K. Haight, Jr., Esq.
Stacey S. Collins, Esq.
MINOR, HAIGHT & ARUNDELL, P.C.
P.O. Drawer 6067
Hilton Head Island, South Carolina 29938

Jeff Spencer, General Manager
Callawassie Island Members Club
22 Callawassie Club Drive
Okatie, South Carolina 29909

BARNWELL WHALEY
PATTERSON & HELMS, LLC

BY:  _____

M. Dawes Cooke, Esq.
Brad Banias, Esq.
John William Fletcher, Esq.
288 Meeting Street, Suite 200 (29401)
P. O. Drawer H
Charleston, South Carolina 29402
(843) 577-7700