

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE BEAUFORT COUNTY
Court of Common Pleas

Brooks P. Goldsmith, Fourteenth Circuit Court Judge

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APR 21 2016

SC Court of Appeals

CIVIL ACTION NO. 2012-CP-07-2169

Lake Estates Property Owners Association, Inc.,Plaintiff/Appellant

v.

Lake Estates, LLC; Estate Builders, Inc.; Estate Home Builders, LLC; Arkiteknic, Inc.; David Sladek Engineering Company; Jenkins Plumbing Company, LC; American Paving Design, LLC; American Paving Design, Inc.; Miller Construction of the Low Country, Inc.; Whitaker Laboratory, Inc.; Heritage Plastering & Stucco, LLC CMC Steel Works, Inc.; Savannah Hardscapes, Inc.; Superior Heating & Air, Inc.; Michael Stoghill d/b/a Advanced Residential Plumbing; Warren Flick Associates, LLC; Warren Flick; Russell Miller; Russell Miller, Jr.; and Robert Miller, Defendants

Of Defendants, Lake Estates, LLC; Estate Builders, Inc.; Miller Construction of the Low Country, Inc., Warren Flick, and Russell Miller, Respondents

**PETITION FOR SUBSTITUTION OF COUNSEL
FOR DEFENDANTS/RESPONDENTS LAKE ESTATES, LLC; WARREN
FLICK ASSOCIATES, LLC; AND WARREN FLICK**

C. Davi Dyer, Esq.
KERNODLE COLEMAN
P.O. Box 13897
Charleston, SC 294422
(843) 795-7800
Attorney for Respondents

Pursuant to SCACR 264, Trent M. Kernodle, Esq. and C. Davi Dyer, Esq.,
the attorneys of record for Defendants/Respondents Lake Estates, LLC, Warren

Flick Associates, LLC, and Warren Flick, file this petition for substitution of counsel. In support of this motion, the undersigned show as follows:

1. This case is on appeal from the Beaufort County Court of Common Pleas, Civil Action No. 2012-CP-07-2169, which was tried to jury verdict on January 14, 2016 in favor of Respondents. Appellant Lake Estates Property Owners Association, Inc. filed a Notice of Appeal with this Court on February 9, 2016. Upon information and belief, Appellant requested a copy of the transcript of the trial proceedings below on February 12, 2016. Under SCACR 207, the court reporter has until April 12, 2016 to transcribe and deliver the transcript to Appellant. Appellant then has thirty (30) days in which to file its brief to the appeal.

2. The attorney to be substituted is W. James Flynn, Esq., S.C. Bar No. 15830, with the firm Goodman, McGuffey, Lindsey & Johnson located at 1320 Main Street, Columbia, SC, 29201.

3. Lake Estates, LLC, Warren Flick Associates, LLC, and Warren Flick, Defendants/Respondents in this action, consent to this substitution of counsel as evidenced by their signatures on this Motion.

4. This petition for substitution is not made for reasons of delay and will not unduly prejudice Appellant, who has been notified of Respondents' change in counsel via certified mail, a true and correct copy of which is attached hereto as Exhibit A.

This 19 day of April, 2016.

By:



C. David Dyer (SC Bar No. 78178)
KERNODLE COLEMAN
P.O. Box 13897
Charleston, SC 294422
(843) 795-7800
(843) 795-3032 Fax
ddyer@kernodlelaw.com
Attorney for Lake Estates, LLC, Warren
Flick Associates, LLC and Warren Flick

Consented to by:

Lake Estates, LLC

Warren Flick Associates, LLC

Warren Flick

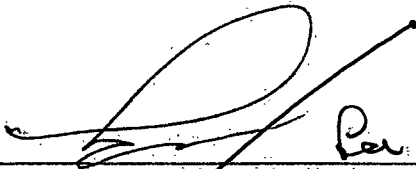
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing
**PETITION FOR SUBSTITUTION OF COUNSEL FOR RESPONDENTS
LAKE ESTATES, LLC; WARREN FLICK ASSOCIATES, LLC; AND
WARREN FLICK** by depositing a true copy of same in the U. S. Mail, proper
postage prepaid, addressed to counsel of record as follows:

Andrew S. Platte, Esq.
Speights & Runyan
2015 Boundary Street, Suite 239
Beaufort, South Carolina 29902
Attorney for Plaintiff/Appellant


This 24th day of March, 2016.

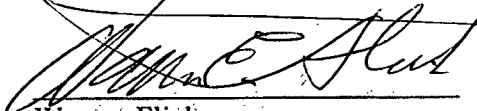
By:


C. Davi Dyer (SC Bar No. 78178)
KERNODLE COLEMAN
P.O. Box 13897
Charleston, SC 29442
(843) 795-7800
(843) 795-3032 Fax
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Attorney for Lake Estates, LLC, Warren
Flick Associates, LLC and Warren Flick

Consented to by:


Lake Estates, LLC


Warren Flick Associates, LLC

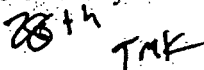

Warren Flick

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing
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LAKE ESTATES, LLC; WARREN FLICK ASSOCIATES, LLC; AND
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Andrew S. Platte, Esq.
Speights & Runyan
2015 Boundary Street, Suite 239
Beaufort, South Carolina 29902
Attorney for Plaintiff/Appellant

This 24th day of March, 2016:





GOODMAN
M c GUFFEY
LINDSEY &
JOHNSON LLP

ATTORNEYS AT LAW
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REPLY TO:
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March 31, 2016

CERTIFIED MAIL NO. 9314 8699 0430 0021 8358 52
RETURN RECEIPT REQUESTED

Andrew S. Platte, Esq.
Speights & Runyan
2015 Boundary Street, Suite 239
Beaufort, South Carolina 29902

Re: Lake Estates Property Owners Association, Inc. v. Lake
Estates, LLC.,
Civil Action File No.: 2012-CP-07-2169
Our File No.: 3258-0003

Dear Andrew:

Please be advised that Defendants/Respondents Lake Estates, LLC, Warren Flick Associates, LLC, and Warren Flick are seeking to substitute the undersigned as their attorney of record in the above-referenced case. Please direct all future correspondence and pleadings in this action to the following:

W. James Flynn, Esq.
Goodman McGuffey Lindsey & Johnson, LLP
1320 Main Street
Suite 300
Columbia, SC 29201
jflynn@gmlj.com
(803) 470-5016

Sincerely,

W. James Flynn

WJF:rtb

cc: Catherine D. Dyer, Esq., Kernodle Root & Coleman

Doc ID #3719599