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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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JUL 01 2016
SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Cynthia Graham Howe
Master-in-Equity, Fifteenth Judicial Circuit

Case No.: 2009-CP-26-620

Ellis E. Smith, individually and on behalf of A&E Constructors and Consultants, Inc., a South Carolina Corporation..... Plaintiffs,

vs.

Arthur Wayne Vereen, Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction, Inc., Linda C. Vereen, Arthur W. Vereen, as Trustee of the Arthur W. Vereen Residence Trust, and Linda C. Vereen, as Trustee of the Linda C. Vereen Residence Trust, Defendants,

AND

Arthur Wayne Vereen, individually and on behalf of A&E Constructors and Consultants, Inc. and 29th Place Developers, Inc., Third-Party Plaintiffs,

vs.

E. Smith and Sons Construction, LLC, EES Construction and Consulting, Inc. and Ellis E. Smith, individually, Third-Party Defendants.

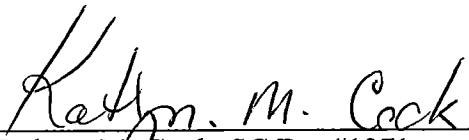
OF WHOM Arthur Wayne Vereen, individually and on behalf of A&E Constructors and Consultants, Inc., Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction Company, Inc., Linda C. Vereen, Arthur W. Vereen, as Trustee of the Arthur W. Vereen Residence Trust, Linda C. Vereen, as Trustee of the Linda C. Vereen Residence Trust and 29th Place Developers, Inc. are Appellants,

AND

Ellis E. Smith, individually and on behalf of A&E Constructors and Consultants, Inc., a South Carolina Corporation and E. Smith and Sons Construction, LLC, EES Construction and Consulting, Inc. and Ellis E. Smith, individually are Respondents.

MOTION FOR KATHRYN M. COOK TO BE REMOVED AS COUNSEL FOR
APPELLANTS

Pursuant to Rule 264 of the South Carolina Appellate Court Rules, Kathryn M. Cook, Esquire, who served as trial counsel for Defendants and Third-Party Plaintiffs—who are now collectively identified as Appellants on appeal—hereby moves to withdraw as counsel of record for Appellants and to have her name stricken from the record. Appellants have consented to this motion based on their signature below. Henrietta U. Golding and James K. Gilliam, both of the McNair Law Firm, P.A., shall serve as counsel for Appellants. As required by Rule 264(b) of the South Carolina Appellate Court Rules, notice of this motion has been provided to counsel for Respondents.

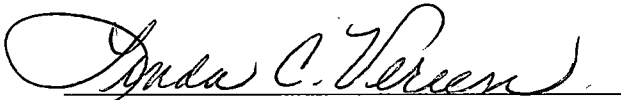

Kathryn M. Cook, SC Bar #1371
306 Calhoun Rd.
Myrtle Beach, SC 29577
Ph: (843) 222-2116
Email: kifcook55@gmail.com

Myrtle Beach, South Carolina
June 20, 2016

WE CONSENT:

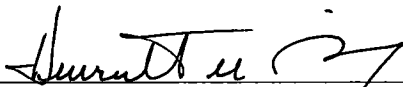


Arthur Wayne Vereen, individually, as Trustee of the Arthur W. Vereen Residence Trust, and on behalf of A&E Constructors and Consultants, Inc., Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction Company, Inc., and 29th Place Developers, Inc.



Linda C. Vereen, individually and as Trustee of the Linda C. Vereen Residence Trust.

WE CONSENT:



Henrietta U. Golding, SC Bar #2173
James K. Gilliam, SC Bar #76695
McNair Law Firm, P.A.
2411 N. Oak Street, Suite 206 (29577)
Post Office Box 336
Myrtle Beach, SC 29578-0336
Ph: (843) 444-1107
Fax: (843) 443-9137
Email: hgolding@mcnair.net
jgilliam@mcnair.net
Attorneys for Appellants

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Case No.: 2009-CP-26-620

Ellis E. Smith, individually and on behalf of A&E Constructors and Consultants, Inc., a South Carolina Corporation Plaintiffs,

vs.

Arthur Wayne Vereen, Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction, Inc., Linda C. Vereen, Arthur W. Vereen, as Trustee of the Arthur W. Vereen Residence Trust, and Linda C. Vereen, as Trustee of the Linda C. Vereen Residence Trust, Defendants,

AND

Arthur Wayne Vereen, individually and on behalf of A&E Constructors and Consultants, Inc. and 29th Place Developers, Inc., Third-Party Plaintiffs,

vs.

E. Smith and Sons Construction, LLC, EES Construction and Consulting, Inc. and Ellis E. Smith, individually, Third-Party Defendants.

OF WHOM Arthur Wayne Vereen, individually and on behalf of A&E Constructors and Consultants, Inc., Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction Company, Inc., Linda C. Vereen, Arthur W. Vereen, as Trustee of the Arthur W. Vereen Residence Trust, Linda C. Vereen, as Trustee of the Linda C. Vereen Residence Trust and 29th Place Developers, Inc. are Appellants,

AND

Ellis E. Smith, individually and on behalf of A&E Constructors and Consultants, Inc., a South Carolina Corporation and E. Smith and Sons Construction, LLC, EES Construction and Consulting, Inc. and Ellis E. Smith, individually are Respondents.

PROOF OF SERVICE

I, Carole Koerner, an employee of McNair Law Firm, P.A., attorneys for Appellants, Arthur Wayne Vereen, individually and on behalf of A&E Constructors and Consultants, Inc., Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction Company, Inc., Linda C. Vereen, Arthur W. Vereen, As Trustee of the Arthur W. Vereen Residence Trust, Linda C. Vereen, As Trustee of the Linda C. Vereen Residence Trust, and 29th Place Developers, Inc. in the above-entitled action, certify that I have served the Motion for Kathryn M. Cook to be Removed as Counsel for Appellants, and Proof of Service on Counsel of Record to this matter by depositing a copy in the United States Mail, first class postage prepaid on the 30th day of June, 2016 as follows:

OTHER COUNSEL OF RECORD:

Frank H. DuRant, Esquire
DuRant and Martin
Post Office Box 960
Myrtle Beach, SC 29578-0960
Phone: (843) 448-1541
Fax: (843) 626-7431
Email: fdurant@durantandmartin.com
Attorneys for Ellis E. Smith, individually and on behalf of A&E Constructors and Consultants, Inc., and EES Construction and Consulting, Inc., Respondents

J. Jackson Thomas, Esquire
Thompson & Henry, P.A.
1314 Professional Drive
Myrtle Beach, SC 29577
Phone: (843) 692-2628
Email: jthomas@myrlaw.com
Attorneys for E. Smith and Sons Constructions, LLC, EES Construction and Consulting, Inc. and Ellis E. Smith, Individually, Respondents



Carole Koerner

Myrtle Beach, South Carolina

MCNAIR
ATTORNEYS

June 30, 2016

James K. Gilliam

kgilliam@mcnair.net
T (843) 444-1107
F (843) 444-4729

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, South Carolina 29211

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JUL 01 2016

SC Court of Appeals

Re: Ellis Smith v. Arthur Vereen
Appellate Case no.: 2016-001075
Our file #: 064758.00001

Dear Ms. Kitchings:

Enclosed for filing is an original and seven copies of a Motion for Kathryn M. Cook to be Removed as Counsel for Appellants and Proof of Service in the above matter. Also enclosed is the filing fee of \$25.00.

Please return one filed copy of the Motion and Proof of Service in the enclosed, self-addressed stamped envelope. By copy of this letter, and as indicated in the Proof of Service, we are serving Counsel of Record.

Sincerely,

McNAIR LAW FIRM, P.A.



James K. Gilliam

JKG/ck

cc: Frank H. DuRant, Esquire
J. Jackson Thomas, Esquire
Clients (via email)

Enclosures

McNAIR LAW FIRM, P.A.
Founders Centre
2411 Oak Street, Suite 206
Myrtle Beach, SC 29577

Mailing Address
Post Office Box 336
Myrtle Beach, SC 29578

mcnair.net

