

STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM ABBEVILLE COUNTY
Court of Common Pleas

The Honorable Eugene C. Griffith, Jr., Circuit Court Judge

Opinion No. 5387 (S.C. Ct. App. Filed March 2, 2016)
Appellate Case No. 2014-00946

Richard Wilson, Michael J. Antoniak, Jr., Marsha L. Antoniak,
Anita L. Belton, Prescott Darren Bosler, Johnny Calhoun, Sallie
Calhoun, Cynthia Gary, Robert Wayne Gary, Eugene P. Lawton,
Jr., Jeanette Norman, James Robert Shirley, Robert W. Spires,
Crystal Spires Wiley, Lewis S. Williams, Janie Wiltshire, Benjamin
Franklin Wofford, Jr., and Rebecca Hammond Wofford,Plaintiffs/Petitioners

RECEIVED
JUL 22 2016
SC SUPREME COURT

v.

Laura B. Willis and Jesse A. Dantice, individually, and as
agents and/or brokers for Southern Risk Insurance Services LLC,
Travelers Casualty Insurance Company of America, Allied Property and
Casualty Insurance Co., Peerless Insurance Co., Montgomery Mutual
Insurance Co., Safeco Insurance Co. of America, and Foremost
Insurance Co., Southern Risk Insurance Services, LLC, Travelers
Casualty Insurance Co. of America, Allied Property and Casualty
Insurance Co., Peerless Insurance Co., Montgomery Mutual Insurance
Co., Safeco Insurance Co. of America, and Foremost Insurance Co, Laurie
Williams.....Defendants,

Of whom Peerless Insurance Co., Montgomery Mutual Insurance
Co., and Safeco Insurance Co. of America are.....Respondents

Of Whom Laurie Williams is.....Petitioner

MOTION FOR ADMISSION OF LESLIE A. BAILEY *PRO HAC VICE*

COMES NOW, counsel for Petitioners Richard Wilson, Michael J. Antoniak, Jr., Marsha L. Antoniak, Anita L. Belton, Prescott Darren Bosler, Johnny Calhoun, Sallie Calhoun, Cynthia Gary, Robert Wayne Gary, Eugene P. Lawton, Jr., Jeanette Norman, James Robert Shirley, Robert W. Spires, Crystal Spires Wiley, Lewis S. Williams, Janie Wiltshire, Benjamin Franklin Wofford, Jr., and Rebecca Hammond Wofford, the Plaintiffs/Petitioners in the above-entitled case, and move this Honorable Court for an order admitting Leslie A. Bailey (hereinafter “Bailey”), *pro hac vice*, to represent the above-named Petitioners in the above-captioned matter.

In support of this motion, the undersigned would show until this Court that Bailey is a member in good standing of the California State Bar and is also admitted to practice in the following courts: United States Supreme Court, U.S District Court, Northern District of California; U.S. District Court, Central District of California; U.S. Court of Appeals for the Fourth Circuit; U.S. Court of Appeals for the Seventh Circuit; U.S. Court of Appeals for the Eighth Circuit; U.S. Court of Appeals for the Ninth Circuit; and U.S. Court of Appeals for the Eleventh Circuit. *See* attached Exhibit A, Verified Application for Admission *Pro Hac Vice* in the State of South Carolina. This motion is further based upon South Carolina case and statutory law, and the South Carolina Rules of Civil and Appellate Procedure.

LOCAL COUNSEL CONSENT AND CERTIFICATION

I, Thomas E. Hite, Jr., do hereby consent as local counsel of record, to the association of Leslie A. Bailey *pro hac vice* to the South Carolina Bar. For the reasons stated on the attached Exhibit A, it is respectfully requested that the Petitioners’ Motion for Admission be granted.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,

HITE AND STONE, LLC



Thomas E. Hite, Jr.
P.O. Box 805
100 East Pickens
Abbeville, SC 29620
(864) 366-5400
tommyhite@hotmail.com

July 21, 2016
Abbeville, South Carolina

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Calhoun, Cynthia Gary, Robert Wayne Gary, Eugene P. Lawton,
Jr., Jeanette Norman, James Robert Shirley, Robert W. Spires,
Crystal Spires Wiley, Lewis S. Williams, Janie Wiltshire, Benjamin
Franklin Wofford, Jr., and Rebecca Hammond Wofford,Plaintiffs/Petitioners

v.

Laura B. Willis and Jesse A. Dantice, individually, and as
agents and/or brokers for Southern Risk Insurance Services LLC,
Travelers Casualty Insurance Company of America, Allied Property and
Casualty Insurance Co., Peerless Insurance Co., Montgomery Mutual
Insurance Co., Safeco Insurance Co. of America, and Foremost
Insurance Co., Southern Risk Insurance Services, LLC, Travelers
Casualty Insurance Co. of America, Allied Property and Casualty
Insurance Co., Peerless Insurance Co., Montgomery Mutual Insurance
Co., Safeco Insurance Co. of America, and Foremost Insurance Co, Laurie
Williams.....Defendants,

Of whom Peerless Insurance Co., Montgomery Mutual Insurance
Co., and Safeco Insurance Co. of America are..... Respondents

Of Whom Laurie Williams is.....Petitioner

ORDER FOR ADMISSION OF LESLIE A. BAILEY *PRO HAC VICE*

Upon consideration of the motion submitted by local counsel, Thomas E. Hite, Jr. to admit Leslie A. Bailey *Pro Hac Vice* to represent Petitioners Richard Wilson, Michael J. Antoniak, Jr., Marsha L. Antoniak, Anita L. Belton, Prescott Darren Bosler, Johnny Calhoun, Sallie Calhoun, Cynthia Gary, Robert Wayne Gary, Eugene P. Lawton, Jr., Jeanette Norman, James Robert Shirley, Robert W. Spires, Crystal Spires Wiley, Lewis S. Williams, Janie Wiltshire, Benjamin Franklin Wofford, Jr., and Rebecca Hammond Wofford in the within action, it is hereby

ORDERED that the said motion be **GRANTED** and the applicant Leslie A. Bailey may appear on behalf of the represented party in accordance with the South Carolina Rules of Civil and Appellate Procedure.

IT IS SO ORDERED.

This the ____ day of _____, 2016

Exhibit “A”

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

Richard Wilson, Michael J.
Antoniak, Jr., Marsha L. Antoniak,
Anita L. Belton, Prescott Darren
Bosler, Johnny Calhoun, Sallie
Calhoun, Cynthia Gary, Robert
Wayne Gary, Eugene P. Lawton,
Jr., Jeanette Norman, James Robert
Shirley, Robert W. Spires,
Crystal Spires Wiley, Lewis S.
Williams, Janie Wiltshire, Benjamin
Franklin Wofford, Jr., and Rebecca
Hammond Wofford,

Plaintiff

Appellate Case No. 2014-
00946

Case No.

South Carolina Supreme Court
Tribunal

vs.

Mailing Address of Tribunal:

Supreme Court Building
1231 Gervais Street
Columbia, South Carolina 29201

Laura B. Willis and Jesse A.
Dantice, individually, and as
agents and/or brokers for Southern
Risk Insurance Services LLC,
Travelers Casualty Insurance
Company of America, Allied
Property and
Casualty Insurance Co., Peerless
Insurance Co., Montgomery Mutual
Insurance Co., Safeco Insurance Co.
of America, and Foremost
Insurance Co., Southern Risk
Insurance Services, LLC, Travelers
Casualty Insurance Co. of America,
Allied Property and Casualty
Insurance Co., Peerless Insurance
Co., Montgomery Mutual Insurance
Co., Safeco Insurance Co. of
America, and Foremost Insurance
Co.,

Defendant

Comes now Leslie A. Bailey, applicant herein, and respectfully represents the following:

1. Applicant resides at:

1330 Shotwell Street
 Street Address
 San Francisco San Francisco CA 94110
 City County State Zip Code
 (415)608-8236
 Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Public Justice, P.C., with offices at 555 12th Street, Suite 1230

Street Address
 Oakland Alameda CA 94607
 City County State Zip Code
 (510)622-8150 (415)608-8236 (510)622-8155 lbailey@publicjustice.net
 Primary Telephone Cell Phone Fax Number Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by the above listed Plaintiffs to provide legal representation in connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since 12/01 of 2004, 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 California where applicant regularly practices law. Attached is a certificate of good standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where applicant regularly practices law.

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:
California Supreme Court	12/01/2004
U.S. Supreme Court	02/19/2008
U.S. District Court, Northern District of California	12/01/2004
U.S. District Court, Central District of California	10/10/2014
U.S. Court of Appeals for the Fourth Circuit	03/17/2012
U.S. Court of Appeals for the Seventh Circuit	03/20/2015
U.S. Court of Appeals for the Eighth Circuit	10/09/2007
U.S. Court of Appeals for the Ninth Circuit	12/01/2004
U.S. Court of Appeals for the Eleventh Circuit	11/03/2008

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.)

N/A

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):

N/A

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):

N/A

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

N/A

9. Local counsel of record associated with applicant in this case is Tommy Hite, Jr. of the Hite and Stone law firm, which has offices at:

100 East Pickens Street

Street Address

<u>Abbeville</u>	<u>Abbeville</u>	<u>SC</u>	<u>29620</u>
City	County	State	Zip Code
<u>864-366-5400</u>		<u>864-366-2638</u>	<u>tommyhite@hotmail.com</u>
Primary Telephone	Cell Phone	Fax Number	Email Address

South Carolina Bar Number

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).

N/A

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 tribunal for this case only.

DATED this 13th day of July, 2016



APPLICANT

VERIFICATION

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. (Notice required by CA Secretary of State)

STATE OF California)

COUNTY OF Alameda)

I, Leslie A. Bailey, 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. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

[Signature]
APPLICANT/AFFIANT

Subscribed and sworn to before me this 13th day of July, 2016

[Signature]

Notary Public for the State of California

My Commission Expires: 12/25/2018



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 14th day of July, 2016

[Signature]
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have personally served a copy of this application upon the South Carolina Supreme Court by hand-delivered 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 22 day of July, 2016

[Signature]
APPLICANT/AFFIANT



THE STATE BAR OF CALIFORNIA

MEMBER RECORDS & COMPLIANCE

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

July 5, 2016

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, LESLIE ANDREA BAILEY, #232690 was admitted to the practice of law in this state by the Supreme Court of California on December 1, 2004; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kathan Lambert".

Kathan Lambert
Custodian of Membership Records

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Jr., Jeanette Norman, James Robert Shirley, Robert W. Spires,
Crystal Spires Wiley, Lewis S. Williams, Janie Wiltshire, Benjamin
Franklin Wofford, Jr., and Rebecca Hammond Wofford,Plaintiffs/Petitioners

v.

Laura B. Willis and Jesse A. Dantice, individually, and as
agents and/or brokers for Southern Risk Insurance Services LLC,
Travelers Casualty Insurance Company of America, Allied Property and
Casualty Insurance Co., Peerless Insurance Co., Montgomery Mutual
Insurance Co., Safeco Insurance Co. of America, and Foremost
Insurance Co., Southern Risk Insurance Services, LLC, Travelers
Casualty Insurance Co. of America, Allied Property and Casualty
Insurance Co., Peerless Insurance Co., Montgomery Mutual Insurance
Co., Safeco Insurance Co. of America, and Foremost Insurance Co, Laurie
Williams.....
...Defendants,

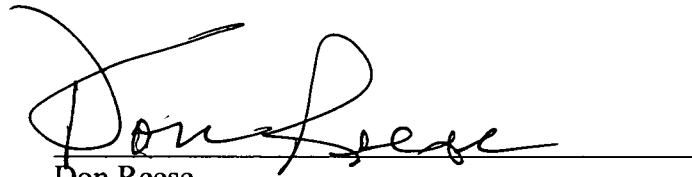
Of whom Peerless Insurance Co., Montgomery Mutual Insurance
Co., and Safeco Insurance Co. of America are.....Respondents

Of Whom Laurie Williams is.....Petitioner

PROOF OF SERVICE

I, the undersigned courier for the law offices of Hite and Stone, do hereby certify that I have personally served by hand delivery a copy of the below referenced document to the South Carolina Supreme Court, Office of Bar Admissions, 1231 Gervais Street, Columbia, SC 29201.

Pleadings: Verified Application for Admission *Pro Hac Vice* of Leslie A. Bailey.



Don Reese

July 21, 2016

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Insurance Co., Southern Risk Insurance Services, LLC, Travelers
Casualty Insurance Co. of America, Allied Property and Casualty
Insurance Co., Peerless Insurance Co., Montgomery Mutual Insurance
Co., Safeco Insurance Co. of America, and Foremost Insurance Co, Laurie
Williams.....
...Defendants,

Of whom Peerless Insurance Co., Montgomery Mutual Insurance
Co., and Safeco Insurance Co. of America are.....Respondents

Of Whom Laurie Williams is.....Petitioner

PROOF OF SERVICE

I, the undersigned legal assistant with the law offices of Hite and Stone, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) herein below specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

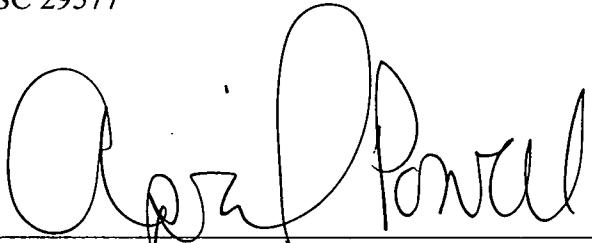
Pleadings: Motion for Admission of Leslie A. Bailey *Pro Hac Vice*

Counsel Served:

Jane H. Merrill, Esquire
Hawthorne Merrill Law, LLC
410 Main Street
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C. Mitchell Brown, Esquire
William C. Wood, Jr., Esquire
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Post Office Box 3939
Myrtle Beach, SC 29577



April Powell

July 21, 2016