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OCT 12 2016

The Supreme Court of South Carolina
SUPREME COURT

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE: (803) 734-1080
FAX: (803) 734-0384

October 11, 2016

The Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
Post Office Box 11330
Columbia, S.C. 29211

RE: Paula Fullbright, et al v. Spinnaker Resorts, Inc., et al
Case No.: 2016-001765

Dear Mr. Shearouse:

I certify that the Office of Bar Admissions has received a verified application requesting J. Andrew Meyer be admitted *pro hac vice* in the above matter. Pursuant to Rule 244(d), SCACR, Mr. Meyer was not required to pay the \$250.00 filing fee.

Yours truly,

Gayle B. Watts /st
Deputy Clerk for Bar Admissions

GBW/st

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

S.C. SUPREME COURT

S.C. SUPREME COURT

Paula Fullbright and Mark Fullbright	2016-001765	The Supreme Court of South Carolina
Plaintiff	Case No.	Tribunal
vs.		
	Mailing Address of Tribunal:	P.O. Box 11330
Spinnaker Resorts, Inc. d/b/a Spinnaker Resorts South Carolina, Inc. Defendant		Columbia, South Carolina 29211
Defendant		

Comes now J. Andrew Meyer, applicant herein, and respectfully represents the following:

1. Applicant resides at:

10800 Brighton Bay Blvd NE Apt. 15307
Street Address

<u>St. Petersburg</u> City	<u>Pinellas</u> County	<u>FL</u> State	<u>33716</u> Zip Code
<u>727-709-7668</u> Telephone			

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Finn Law Group P.A., with offices at 7431 114th Ave Ste. 114

Street Address

<u>Largo</u> City	<u>Pinellas</u> County	<u>FL</u> State	<u>33773</u> Zip Code
<u>727-214-0700</u> Primary Telephone	<u>727-475-1494</u> Cell Phone	<u>ameyer@finnlawgroup.com</u> Fax Number	<u>ameyer@finnlawgroup.com</u> Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by Paula and Mark Fullbright 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 22 September of 1995, 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 Florida 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:
See Amendment attached	

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.)

None

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):

None

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):

None

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):

None

9. Local counsel of record associated with applicant in this case is of the Naert & Dubois, LLC Joesph DuBois, Esq. and Zachary Steven Naert, Esq. law firm, which has offices at:

22 New Orleans Rd #1
Street Address
Hilton Head Island Beaufort SC 29928
City County State Zip Code
843-686-5500 843-686-5501 zach@lowcountrylegal.com
Primary Telephone Cell Phone Fax Number Email Address
78163
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).

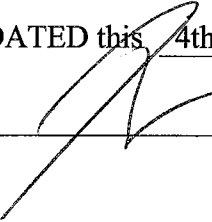
None

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 tribunal for this case only.

DATED this 4th day of October, 20 16



APPLICANT

Amendment to Question 5 – Courts Admitted to Practice

Court:	Date Admitted:
Florida Bar	1995
New Jersey Bar	1996
United States Court of Appeals, Third Circuit	2004
United States Court of Appeals, Fourth Circuit	2005
United States Court of Appeals, Ninth Circuit	2008
United States Court of Appeals, Eleventh Circuit	2002
United States Court of Appeals, D.C. Circuit	2012
United States District Court, District of Colorado	2013
United States District Court, Middle District of Florida	1995
United States District Court, Northern District of Florida	2000
United States District Court, Southern District of Florida	2000

VERIFICATION

STATE OF Florida)
COUNTY OF Pinellas)

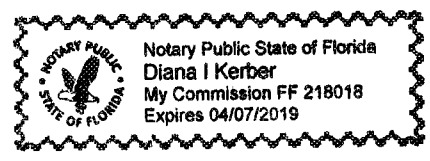
I, J. Andrew Meyer, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and 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 4th day of October, 20 16

[Signature]

Notary Public for the State of _____
My Commission Expires: _____



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 _____ day of _____, 20 _____

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

4th day of October, 20 16

[Signature]
APPLICANT/AFFIANT



The Florida Bar

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600
WWW.FLORIDABAR.ORG

State of Florida)

County of Leon)

In Re: 56766
J Andrew Meyer
7431 114th Ave., Ste. 104
Largo, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on September 22, 1995.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is an active member of The Florida Bar in good standing.

Dated this 30th day of September, 2016.

Pam Gerard, Manager
Membership Records Dept.
The Florida Bar

PG/SS:ksf3:R10

The Supreme Court of South Carolina

Paula Fullbright and Mark Fullbright, Plaintiffs,

v.

Spinnaker Resorts, Inc. d/b/a Spinnaker Resorts South
Carolina, Inc., Defendant.

Appellate Case No. 2016-001765

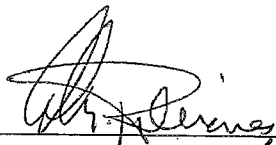
ORDER

Pursuant to Rule 244, SCACR, the Court will answer the following questions certified to this Court by order of the Honorable Patrick Michael Duffy, United States District Court for the District of South Carolina:

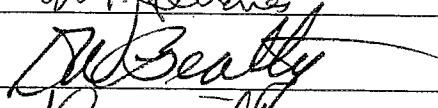
1. Does the South Carolina Real Estate Commission (the Commission) have exclusive jurisdiction to determine whether a violation of the South Carolina Vacation Time Sharing Plans Act¹ (the Act) has occurred?
2. Is the Commission's determination of a violation of the Act a condition precedent to a purchaser bringing a private cause of action to enforce the provisions of the Act?
3. Are the Commission's determinations as to whether the Act was violated binding on courts of the Judicial Branch?

The parties shall serve and file briefs as provided by Rule 244(e), SCACR. Because Rule 244 does not provide for the filing of initial briefs, only final briefs should be filed in this matter.

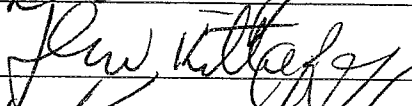
¹ S.C. Code Ann. §§ 27-32-10 to -410 (2007 and Supp. 2015).



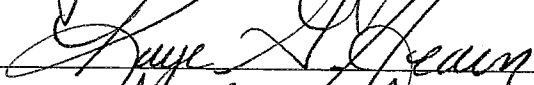
C. J.



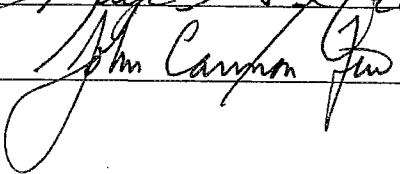
J.



J.



J.



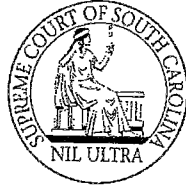
J.

Columbia, South Carolina

September 21, 2016

cc:

Joseph DuBois, Esquire
Zachary Steven Naert, Esquire
Michael D. Finn, Esquire
Patrick Andrew Kennedy, Esquire
J. Andrew Meyer, Esquire
Barry L. Johnson, Esquire
P. Michael Duffy, Esquire



The Supreme Court of South Carolina

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September 21, 2016

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The Victoria Bldg, Suite 200
Bluffton SC 29909

P. Michael Duffy, Esquire
PO Box 835
Charleston SC 29402

Re: Paula Fullbright, et al. v. Spinnaker Resorts, Inc., etc.
Appellate Case No. 2016-001765

Dear Counsel:

Enclosed is an order accepting the certified question in this case.

Since several of the attorneys before the United States District Court are not admitted in South Carolina, I call your attention Rule 244(d) of the South Carolina Appellate Court Rules which states:

Within fifteen (15) days of the date of the order of the Supreme Court agreeing to answer the certified question(s), any counsel representing a party before the certifying court who is not licensed to practice law in South Carolina and who desires to participate in the proceedings before the Supreme Court, shall make a motion to be admitted pro hac vice and file the application required by Rule 404, SCACR. In recognition of the unique nature of the proceedings under this rule, a counsel representing a party before the certifying court may be admitted pro hac vice without associating South Carolina counsel and without paying the application fee required by Rule 404. In all other respects, the motion and application must fully comply with the requirements of Rules 240 and 404, SCACR.

A copy of Rule 404 and the pro hac vice application form are available at