

# The Supreme Court of South Carolina

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

March 20, 2017

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

RE: Theodore Hartsock, Jr., as Personal Representative of the Estate of Sarah Mills Hartsock v. Goodyear Dunlop Tires North America, LTD, a foreign corporation, et al

Case No.: 2016-002398

Dear Mr. Shearouse:

I certify that the Office of Bar Admissions has received a verified application requesting M. Gary Toole be admitted *pro hac vice* in the above matter.

Yours truly,

Deputy Clerk for Bar Admissions

GBW/st

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

Theodore G. Hartsock, Jr., as  
Personal Representative of the  
Estate of Sarah Mills Hartsock

Plaintiff

2016-002398

Case No.

*S.C. Supreme Court*  
Tribunal

vs.

Mailing Address of Tribunal:

Goodyear Dunlop Tires North  
America, LTD, a foreign  
corporation; and Goodyear Tire &  
Rubber Company, a foreign  
corporation

Defendant

**RECEIVED**

MAR 17 2017

**S.C. SUPREME COURT**

Comes now M. Gary Toole, applicant herein, and respectfully represents the following:

1. Applicant resides at:

2619 Rose Isle Circle

Street Address

Orlando

Orange

Florida

32803

City

County

State

Zip Code

407-342-7003

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)

McDonald Toole Wiggins, P.A., with offices at

111 North Magnolia Avenue, Suite 1200

Street Address

Orlando

Orange

Florida

32801

City

County

State

Zip Code

407-246-1800

407-342-7003

407-246-1895

gtoole@mtwlegal.com

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

Goodyear Tire & Rubber Company 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 October 7 of 1987, 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:
United States District for the Northern District of Florida	December 18, 1990
United States District for the Middle District of Florida	November 16, 1987
United States District for the Southern District of Florida	March 6, 1992
United States Court of Appeals for the Eleventh Circuit	May 27, 2010
United States Court of Appeals for the Fourth Circuit	February 16, 2016

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 Curtis L. Ott, Esq. of the Gallivan, White & Boyd P.A. law firm, which has offices at:

1201 Main Street, Suite 1200

Street Address

<u>Columbia</u>	<u>Richland</u>	<u>South Carolina</u>	<u>29201</u>
City	County	State	Zip Code
<u>803-779-1833</u>		<u>803-779-1767</u>	<u>cott@GWBlawfirm.com</u>
Primary Telephone	Cell Phone	Fax Number	Email Address

66145

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).

- Randy Eugene Wheeler v. Ford Motor Company, Ben Satcher Motors, Inc., State Court of South Carolina,

County of Lexington, Case No. 01-CP-32-0656, granted March 10, 2004, local counsel of record was: Elbert S. Dorn, Esq. and Nicholas W. Gladd, case is closed.

- Hartsock v. Goodyear Dunlop Tires North America, LTD, et al., USDC of South Carolina, Charleston Division, Case No. 2:13-cv-00419-PMD, granted March 6, 2013, local counsel of record is: Curtis L. Ott, Esq., case is active.

- Maria Davenport v. Goodyear Tire and Rubber Co., et al., Court of Common Pleas, Aiken County, South Carolina, Case No. 2014-CP-02-00569, granted October 10, 2014, local counsel of record was: Curtis L. Ott, Esq., case was moved to Federal Court.

- Devon Davenport v. Goodyear Tire and Rubber Co., et al., Court of Common Pleas, Aiken County, South Carolina, Case No. 2014-CP-02-00681, granted October 10, 2014, local counsel of record was: Curtis L. Ott, Esq., case was moved to Federal Court.

- Maria Davenport, Arnold Davenport, and Demorio Davenport v. The Goodyear Tire & Rubber Co, et al., USDC of South Carolina, Aiken Division, Case No. 2015-JMC-3751, date of application: October 23, 2015, granted November 4, 2015, local counsel of record is: Curtis L. Ott, Esq., case is active.

- Devon Davenport v. The Goodyear Tire & Rubber Co, et al., USDC of South Carolina, Aiken Division, Case No. 2015-JMC-3752, date of application: October 23, 2015, granted November 4, 2015, case is still active, local counsel of record is: Curtis L. Ott, Esq., case is active.

- Yaxis v. The Goodyear Tire & Rubber Company, et al., Court of Common Pleas, Dorchester County, South Carolina, Case No. 2015-CP-18-01992, granted April 4th, 2016, local counsel of record is: Curtis L. Ott, Esq., case is active.

- Kristensen v. The Goodyear Tire & Rubber Company, Court of Common Pleas, Colleton County, South Carolina, Case No. 2016-CP-15-1365, granted November 2, 2016, local counsel of record is: Curtis L. Ott, Esq., case is active.

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 15<sup>th</sup> day of March, 20 17

  
\_\_\_\_\_  
APPLICANT

**VERIFICATION**

STATE OF Florida )

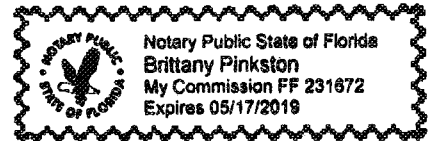
COUNTY OF Orange )

I, M. Gary Toole, 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 15<sup>th</sup> day of March, 20 17

Notary Public for the State of Florida  
My Commission Expires: May 17, 2019



**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 \_\_\_\_\_

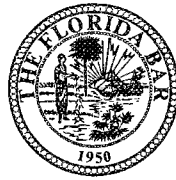
\_\_\_\_\_  
LOCAL COUNSEL OF RECORD

**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

17<sup>th</sup> day of March, 20 17

[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: 710814  
M. Gary Toole  
McDonald Toole Wiggins, P.A.  
111 N. Magnolia Ave., Ste. 1200  
Orlando, 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 October 7, 1987.

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 22<sup>nd</sup> day of February, 2017.

Pam Gerard, Manager  
Membership Records Dept.  
The Florida Bar

PG/SSM:kstu2:R10