

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

DUKE ENERGY CORPORATION, )  
)  
Petitioner, ) Appellate Case No. 2017-001260  
)  
vs. ) (ALC Case No. 12-ALJ-17-0031-CC)  
)  
SOUTH CAROLINA DEPARTMENT OF )  
REVENUE, )  
)  
Respondent. )

RECEIVED

AUG 28 2017

SC Court of Appeals

VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*

Comes now **ERIC S. TRESH**, Applicant herein and respectfully represents the following:

1. Applicant resides at 3853 Teesdale Court, Sandy Springs, Fulton County, Georgia 30350, telephone: (770) 668-0677.
2. Applicant is an attorney and partner in the law firm of Eversheds Sutherland (US) LLP, with offices at 999 Peachtree Street, NE, Atlanta, Fulton County, Georgia 30309-3996, telephone: (404) 853-8579, facsimile: (404) 853-8806.
3. Applicant has been retained as a member of the above-named law firm by Duke Energy Corporation to provide legal representation in connection with the above case now pending before the South Carolina Court of Appeals.
4. Since November of 2007, Applicant has been, and presently is, a member in good standing of the bar of the highest court of the State of Georgia, where Applicant regularly practices law. Attached is a certificate of good standing from the Georgia Supreme Court.

5. Applicant has been admitted to practice before the following courts:

<u>Court:</u>	<u>Date Admitted:</u>
New York Supreme Court, Appellate Div.	05/08/1996
U.S. District Court/Eastern District of NY	05/08/1996
U.S. Tax Court	05/30/1996
Georgia Supreme Court	11/05/2007
U.S. Court of Appeals/Second Circuit	08/20/2013
U.S. Supreme Court	10/15/2013
U.S. District court/Northern District of GA	03/07/2016
U.S. Court of Appeals/Eleventh Circuit	05/25/2017

Applicant is presently a member in good standing of the bars of the courts listed above, except as listed below: 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: 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: N/A.

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below: N/A.

9. Local counsel of record associated with Applicant in this case is Marsha A. Ward of Eversheds Sutherland (US) LLP, 999 Peachtree Street, NE, Suite 2300, Atlanta, Georgia 30309, telephone: (404) 853-8039, facsimile: (404) 853-8806.

If applicable, list all other firms/attorneys you are associated with in this matter:

Maria M. Todorova  
Eversheds Sutherland (US) LLP  
999 Peachtree Street, NE, Suite 2300  
Atlanta, GA 30309-3996

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases:

*Duke Energy Corp. v. South Carolina Dep't of Revenue*  
South Carolina Administrative Law Court  
Docket No. 10-ALJ-17-0270-CC  
*Pro Hac Vice* Application: Granted 04/12/2010  
Local Counsel: Burnet R. Maybank III  
Nexsen Pruet, LLC  
1230 Main Street, Suite 700  
Columbia, SC 29201  
Status: Decs 11/20/2012: Final Order and Decision; 01/02/2013:  
Notice of Appeal filed (see below)

*Duke Energy Corp. v. South Carolina Dep't of Revenue*  
South Carolina Court of Appeals  
Appellate Case No. 2012-213180 (appeal of 10-ALJ-17-0270-CC)  
*Pro Hac Vice* Application: Granted 01/24/2013  
Local Counsel: Burnet R. Maybank III  
Nexsen Pruet, LLC  
1230 Main Street, Suite 700  
Columbia, SC 29201  
Status: 12/08/2014: Decision entered upholding decision of the  
Administrative Law Court; 12/22/2014: Petition for a writ  
of certiorari filed with the South Carolina Supreme Court;  
02/17/2016: Supreme Court decision affirming Court of  
Appeals' decision as modified

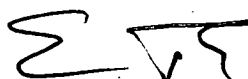
*Duke Energy Corp. v. South Carolina Dep't of Revenue*  
South Carolina Administrative Law Court  
Docket No. 12-ALJ-17-0031-CC  
*Pro Hac Vice* Application: Granted 02/16/2012  
Local Counsel: Ms. Ward (see paragraph 9 above)  
Status: This is the present case on appeal

*Duke Energy Corp. v. South Carolina Dep't of Revenue*  
South Carolina Administrative Law Court  
Docket No. 15-ALJ-17-0044-CC  
*Pro Hac Vice* Application: Granted 03/10/2015  
Local Counsel: John D. Shipman  
Sutherland  
999 Peachtree Street, NE, Suite 2300  
Atlanta, GA 30309  
Status: 11/18/2015: Consent Motion for Order of Dismissal

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize himself 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 Court for this case only.

DATED this 22 day of August, 2017.



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Eric S. Tresh

VERIFICATION

STATE OF GEORGIA  
COUNTY OF FULTON

I, Eric S. Tresh, 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 upon information and belief, and that as to those matters, I believe them to be true.



ERIC S. TRESH

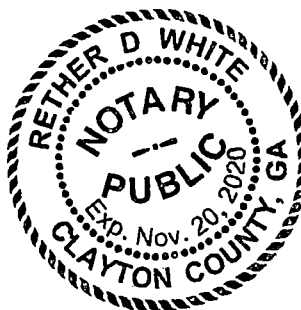
Subscribed and sworn to  
before me this 22 day of  
August, 2017.



Notary Public for the  
State of Georgia

My commission expires:

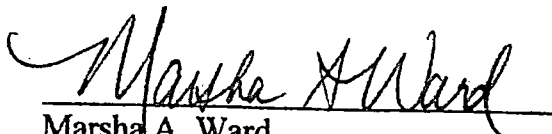
November 20, 2020



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 21<sup>st</sup> day of August, 2017.



Marsha A. Ward



Supreme Court  
State of Georgia  
STATE JUDICIAL BUILDING  
Atlanta 30334

P. HARRIS HINES, CHIEF JUSTICE  
HAROLD D. MELTON, PRESIDING JUSTICE  
ROBERT BENHAM  
CAROL W. HUNSTEIN  
DAVID E. NAHMIA  
KEITH R. BLACKWELL  
MICHAEL P. BOGGS  
NELS S.D. PETERSON  
BRITT C. GRANT  
JUSTICES

THÉRÈSE S. BARNES, CLERK  
JEAN RUSKELL, REPORTER

August 15, 2017

I hereby certify that Eric S. Tresh, Esq., was admitted on the 5<sup>th</sup> day of November, 2007, as a member of the bar of the Supreme Court of Georgia, the highest court of this State; and, since that date he has been and is now a member of this bar in good standing, as appears from the records and files in this office.



Witness my signature and the seal of this Court  
hereto affixed the day and year first above written.

*Therese S Barnes*  
, Clerk

THE STATE OF SOUTH CAROLINA  
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SOUTH CAROLINA DEPARTMENT OF )  
REVENUE, )  
)  
)  
Respondent. )

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of this application by Federal Express upon the South Carolina Supreme Court, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court, addressed as follows:

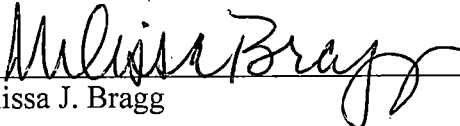
South Carolina Supreme Court  
Office of Bar Admissions  
1231 Gervais Street  
Columbia, SC 29201

I further certify that I have this day served copies of this application by United States mail, postage prepaid, addressed as follows:

Milton G. Kimpson  
General Counsel for Litigation  
South Carolina Department of Revenue  
P.O. Box 12265  
Columbia, SC 29211-9979

**RECEIVED**  
AUG 28 2017  
SC Court of Appeals

This 25 day of August, 2017.

  
Melissa J. Bragg

August 25, 2017

**Via Federal Express**

Ms. Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

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AUG 28 2017

SC Court of Appeals

**Re: Verified Applications for Admission *Pro Hac Vice*  
Appellate Case No. 2017-001260**

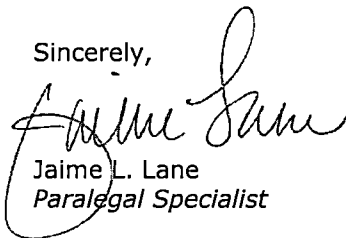
Dear Ms. Kitchings:

Enclosed please find an original and one copy each of the Verified Applications for Admission *Pro Hac Vice* of attorneys Eric S. Tresh and Maria M. Todorova. Kindly file the originals with the Court and return the remaining file-stamped copy in the enclosed stamped envelope.

Copies of the Applications are being mailed today, along with a check for \$500.00 to cover the filing fees, to the Supreme Court of South Carolina's Office of Bar Admissions.

Thank you for your assistance in this matter. Please do not hesitate to contact me with any questions.

Sincerely,



Jaime L. Lane  
Paralegal Specialist

Enclosures

cc: South Carolina Supreme Court (*w/ enclosures*)  
Milton G. Kimpson, Esq. (*w/ enclosures*)  
Marsha A. Ward, Esq.  
Eric S. Tresh, Esq.  
Maria M. Todorova, Esq.

ORIGIN ID:TSGA (202) 383-0484  
JAIME LANE  
EVERSHEDS SUTHERLAND (US) LLP  
700 SIXTH STREET, NW  
SUITE 700  
WASHINGTON, DC 20001  
UNITED STATES US

SHIP DATE: 25AUG17  
ACTWGT: 0.50 LB  
CAD: 103839521/W/SX12750

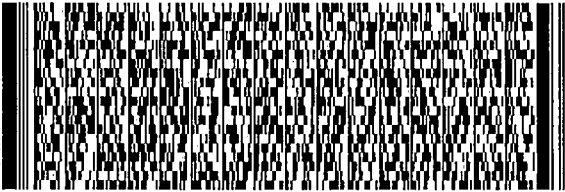
BILL SENDER

TO **MS. JENNY ABBOTT KITCHINGS**  
**SOUTH CAROLINA COURT OF APPEALS**  
**1220 SENATE ST**

**COLUMBIA SC 29201**

(202) 383-0925 REF: 29289.0007  
INV:  
PO: DEPT:

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PRIORITY OVERNIGHT

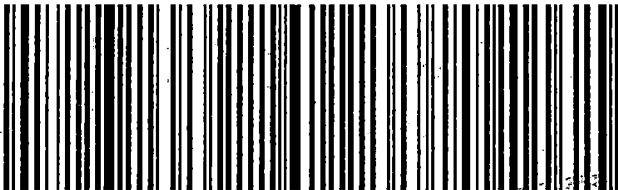
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