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OCT 12 2017

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA

In the Supreme Court

Published Opinion No. 5371

Heard October 14, 2015 Filed December 9, 2015

Appellate Case No. 2016-000320

Circuit Case No. 2012-CP-10-1332

Betty Fisher , as Real Representative for Alice Shaw-Baker, Petitioner,

v.

Bessie Huckabee, Kay Passailague Slade, Sandra Bird, and Peter Kouten and Does 1-100,
Defendants,

Of Whom Bessie Huckabee, Kay Passailague Slade, Sandra Bird, and Peter Kouten are
the Respondents.

SECOND AMENDED

**RESPONDENT PETER A. KOUTEN
MOTION TO WITHDRAW AS COUNSEL AND SUBSTITUTE COUNSEL
FOR RESPONDENT PETER A. KOUTEN
AND WITHDRAWAL OF REPRESENTATION
OF RESPONDENTS
BESSIE HUCKABEE, KAY PASSAILAGUE SLADE, SANDRA BIRD**

PETER A. KOUTEN, ESQUIRE
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COMES NOW Peter A. Kouten, Respondent in the above Writ and co-counsel for Respondents Bessie Huckabee, Kay Passailague Slade, Sandra Bird (deceased), pursuant to Rule 264, South Carolina Appellate Court Rules, and move to withdraw as counsel for Respondents Bessie Huckabee, Kay Passailague Slade, Sandra Bird (deceased). Additionally, Respondent Peter A. Kouten seeks to withdraw as counsel for himself and substitute counsel for Peter A. Kouten and who shall show unto this Honorable Court as follows:

Respondent Peter A. Kouten, by his own consent attached herein, seeks withdrawal as counsel for himself and seeks substitution of counsel by Evan Smith, Esquire who has consented to representation of Respondent Kouten only, his consent also attached herein.

Peter A. Kouten, as co-counsel for Respondents Bessie Huckabee, Kay Passailague Slade, Sandra Bird(deceased), seeks withdrawal as counsel for Respondents Bessie Huckabee, Kay Passailague Slade, Sandra Bird(deceased) by consent, attached herein, of Attorney Wills, remaining counsel for Respondents Bessie Huckabee, Kay Passailague Slade, Sandra Bird(deceased).

Respondent Peter A. Kouten seeks to have this Honorable Court accept this Second Amended Motion which has Movant's consent and consent of Attorney Wills as counsel for Bessie Huckabee, Kay Passailague Slade, Sandra Bird(deceased) pursuant to South Carolina Appellate Court Rule 264.

By this Second Amended Motion and cover, notice has been provided to attorneys for Petitioner, John Hughes Cooper and Lisa Fisher, and Attorney Wills for Respondents Bessie Huckabee, Kay Passailague Slade, Sandra Bird(deceased). Id.

Attorney Evan Smith, a licensed attorney in the State of South Carolina has consented to represent Respondent Peter A. Kouten, and only Respondent Peter A. Kouten, for all matters affecting Respondent Peter A. Kouten in the case at bar.

WHEREFORE, Respondent herein prays that this Honorable Court Grant Respondent Peter A. Kouten's Second Amended Motion to Withdraw as counsel for all Respondents and Substitute Counsel for Peter A. Kouten, by consent, and add Evan Smith, Esquire as counsel for Respondent Peter A. Kouten. Further, upon Withdrawal of Counsel for Respondents Bessie Huckabee, Kay Passailague Slade, Sandra Bird(deceased), Attorney Wills shall continue as sole counsel for Bessie Huckabee, Kay Passailague Slade, Sandra Bird(deceased).

Respectfully Submitted,



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October //, 2017
Charleston, South Carolina

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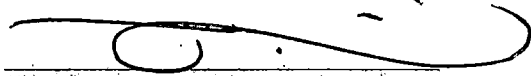
SECOND AMENDED

**RESPONDENT PETER A. KOUTEN
MOTION TO SUBSTITUTE COUNSEL
FOR RESPONDENT PETER A. KOUTEN
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BESSIE HUCKABEE, KAY PASSAILAGUE SLADE, SANDRA BIRD**

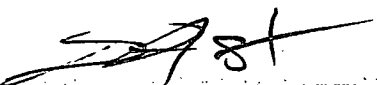
WE CONSENT



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W. Westbrook Wills III, Esquire
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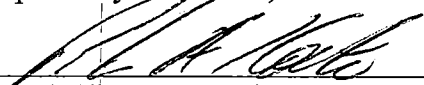
Bessie Huckabee, Kay Passailague Slade, Sandra Bird, and Peter Kouten and Does 1-100,
Defendants,

Of Whom Bessie Huckabee, Kay Passailague Slade, Sandra Bird, and Peter Kouten are
the Respondents.

PROOF OF SERVICE

I certify that I have served the foregoing Second Amended Motion upon counsel for Petitioner and Respondents by depositing a copy of same in the United States Mail, postage prepaid, on October ____, 2017, addressed as noted below.

Respectfully Submitted,



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Counsel Served:

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