

STATE OF SOUTH CAROLINA
IN THE
SUPREME COURT

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JAN 14 2013

S.C. SUPREME COURT

Appeal From The Court Of Common Pleas
For Greenville County
The Honorable Edward W. Miller, Circuit Court Judge
C.A. No. 2008-CP-23-2701
South Carolina Court of Appeals
Opinion No. 4820, filed March 23, 2011

Brian P. Menezes, Petitioner,

v.

WL Ross & Co LLC, Wilbur, L. Ross, Jr., Michael J. Gibbons, David H. Storper, David L. Wax, Joseph L. Gorga, Stephen B. Duerk, WLR Recovery Fund II, L.P., WLR Recover Fund III, L.P., WLR Recovery Associates II LLC, and WLR Recovery Associates III, LLC, Respondents.

MOTION TO ADMIT COUNSEL *PRO HAC VICE* - JOSEPH E. FINLEY

Pursuant to Rule 404 of the South Carolina Appellate Court Rules, H. Sam Mabry, an attorney duly admitted to the Bar of the State of South Carolina, hereby moves the Court for the admission *pro hac vice* of Joseph E. Finley, Esq., as counsel for Respondents, in connection with this appeal. In support of this motion, the undersigned shows the court as follows:

1. Mr. Finley is a practicing member in good standing of the State of Georgia Bar, which grants like privileges to out-of-state attorneys to practice on a *pro hac vice* basis. Mr. Finley is a partner with the law firm of Jones Day and works in its office located at 1420 Peachtree Street, NE, Suite 800, Atlanta, Georgia 30309-3053.

2. Mr. Finley has personally associated, and will personally appear on behalf of Defendant/Respondents as necessary in this litigation, with Mr. Mabry. Mr. Mabry is a resident of South Carolina who is duly and legally admitted to the South Carolina State Bar, and service may be made upon him in all matters connected with these legal proceedings, or any disciplinary matters,

with the same effect as if personally made on Mr. Finley.

3. Counsel for the Respondents have consulted with counsel for Petitioner regarding this motion, and counsel for Petitioner has indicated his consent to this Motion.

WHEREFORE, the undersigned respectfully requests that the Court order the admission *pro hac vice* of Joseph E. Finley as counsel for Defendants/Respondents in connection with this case.

This the 9th day of January, 2013.

Respectfully submitted,



H. Sam Mabry, III (SC Bar No. 3490)
Charles M. Sprinkle III (SC Bar No. 70630)
HAYNSWORTH SINKLER BOYD, P.A.
Post Office Box 2048
Greenville, South Carolina 29602
Telephone: 864-240-3200
Facsimile: 864-240-3300

Attorneys for Respondents.

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David L. Wax, Joseph L. Gorga, Stephen B. Duerk, WLR Recovery Fund II, L.P.,
WLR Recover Fund III, L.P., WLR Recovery Associates II LLC, and WLR
Recovery Associates III, LLC, Respondents.

PROOF OF SERVICE

I hereby certify that I have served true and correct copies of Respondents' Motion to Admit Counsel *Pro Hac Vice*- Joseph E. Finley, proposed Order Admitting Counsel *Pro Hac Vice*, and Verified Application to Admit Joseph E. Finley *Pro Hac Vice* on Petitioner by mailing copies of said documents to his attorney of record via regular U.S. Mail, postage prepaid, this the 9th day of January, 2013, addressed as follows:

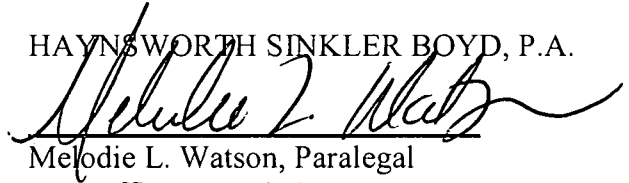
William D. Herlong, Esquire
THE HERLONG LAW FIRM, LLC
531 South Main Street, Suite 201
Greenville, SC 29601

Thomas L. Stephenson, Esquire
Andrew A. Mathias, Esquire
NEXSEN PRUET, LLC
PO Drawer 10648
Greenville, SC 29603

Russell T. Burke, Esquire
NEXSEN PRUET, LLC
1230 Main Street, Suite 700
Columbia, SC 29201

Stephen Peterson Groves, Sr.
205 King Street, Suite 400
Charleston, SC 29401

HAYNSWORTH SINKLER BOYD, P.A.

A handwritten signature in black ink, appearing to read "Melodie L. Watson", written over a horizontal line.

Melodie L. Watson, Paralegal

Post Office Box 2048

Greenville, South Carolina 29602

(864) 240-3200

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

Brian P. Menezes

Plaintiff

2008-CP-23-2701

Case No.

S.C. SUPREME COURT

Court

vs.

Mailing Address of Court: P.O. BOX 11330
Columbia, SC 29211

WL Ross & Co., LLC, et al

Defendant

Comes now JOSEPH E. FINLEY, applicant herein, and respectfully represents the following:

1. Applicant resides at:

653 Darlington Road

Street Address

Atlanta

Fulton

Georgia

30305

City

County

State

Zip Code

404-812-6944

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Jones Day, with offices at, at

1420 Peachtree Street, NE, Suite 800

Street Address

Atlanta

Fulton

Georgia

30309-3053

City

County

State

Zip Code

404-581-8409

Telephone

404.581.8330

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by WL Ross & Co. LLC to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since April of 2007, 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 Georgia where applicant regularly practices law. Attached is a certificate of good standing.

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:

All State and Superior Courts of Georgia	7/2/1998
Georgia Supreme Court	4/3/2007
All US District Courts in Georgia	4/5/1999 (Northern), 6/17/1999 (Middle), 8/29/2012 (Southern)
DC Court of Appeals	6/5/1998
Florida Supreme Court	9/26/1995
Georgia Court of Appeals	5/5/2003
U.S. Court of Appeals, 11th Circuit	4/6/2001

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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 administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

None

9. Local counsel of record associated with applicant in this case is H. Sam Mabry III, of the HAYNSWORTH SINKLER BOYD, P.A. law firm, which has offices at:

75 Beattie Place, Two Liberty Square

Street Address

Greenville

Greenville

South Carolina

29601-2119

County

City

State

Zip Code

(864) 240-3221

Telephone

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

Charles M. Sprinkle III, Haynsworth Sinkler Boyd, P.A.

Michael J. McConnell

N. Scott Fletcher

JONES DAY

1420 Peachtree Street, N.E., Suite 800

Atlanta, GA 30309-3053

(404) 521-3939 (telephone)

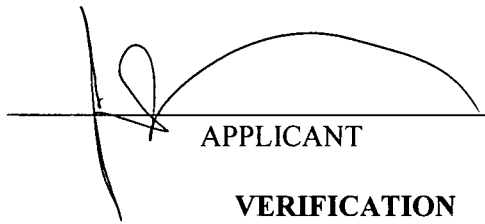
10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

Brian P. Menezes, v. WL Ross & Co. LLC, et al., Court of Common Pleas, C.A. No. 2008-CP-23-2701, Local Counsel: H. Sam Mabrey III, Haynsworth Sinkler Boyd, P.A. -- GRANTED; this case was consolidated into In re International Textile Group, Inc. Merger Litigation, C.A. No. 2009-CP-23-3346 (Ct. Com. Pl. Greenville County, S.C.)

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 court for this case only.

DATED this 8th day of January, 2013.


APPLICANT
VERIFICATION

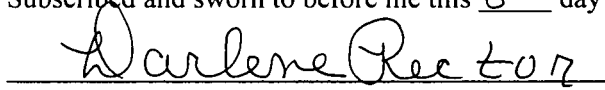
STATE OF GEORGIA)

COUNTY OF Fulton)

I, JOSEPH E. FINLEY, 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.


APPLICANT/AFFIANT

Subscribed and sworn to before me this 8th day of January, 2013.



Notary Public for the State of Georgia

My Commission Expires: 10/06 2016



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 9th day of January, 2013.


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 9th day of January, 2013.


APPLICANT/AFFIANT



Supreme Court
State of Georgia

STATE JUDICIAL BUILDING

Atlanta 30334

CAROL W. HUNSTEIN, CHIEF JUSTICE
HUGH P. THOMPSON, PRESIDING JUSTICE
ROBERT BENHAM
P. HARRIS HINES
HAROLD D. MELTON
DAVID E. NAHMIA
KEITH R. BLACKWELL
JUSTICES

THÉRÈSE S. BARNES, CLERK
JEAN RUSKELL, REPORTER

January 4, 2013

I hereby certify that Joseph Edward Finley, Esq., was admitted on the 3rd day of April, 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

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WLR Recover Fund III, L.P., WLR Recovery Associates II LLC, and WLR
Recovery Associates III, LLC, Respondents.

ORDER ADMITTING COUNSEL *PRO HAC VICE* – JOSEPH E. FINLEY

It appearing from the Motion and Verified Application for *pro hac vice* admission filed with this Court in support of the *pro hac vice* admission of Joseph E. Finley to appear before this court that Joseph E. Finley is qualified for *pro hac vice* admission pursuant to Rule 404 of the South Carolina Appellate Court Rules;

IT IS THEREFORE ORDERED that Respondent' Motion is GRANTED and Joseph E. Finley is hereby admitted *pro hac vice* to appear on behalf of Respondents in the above-captioned action.

AND IT IS SO ORDERED.

Judge, South Carolina Supreme Court

This the _____ day of _____, 2013.
Columbia, South Carolina

GREENVILLE

CHARLESTON

COLUMBIA

FLORENCE

Haynsworth
Sinkler Boyd, PA.

ATTORNEYS AND COUNSELORS AT LAW

75 BEATTIE PLACE, 11TH FLOOR (29601-2119)
POST OFFICE BOX 2048 (29602-2048)
GREENVILLE, SOUTH CAROLINA
TELEPHONE 864.240.3200
FACSIMILE 864.240.3300
WEBSITE www.hsblawfirm.com

H. SAM MABRY, III
DIRECT DIAL NUMBER 864.240.3221
EMAIL smabry@hsblawfirm.com

January 9, 2013

The Honorable Daniel E. Shearouse
ATTN: SUNDAY TUNSTALL
South Carolina Supreme Court
P.O. Box 11330
Columbia, South Carolina 29211

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S.C. SUPREME COURT

Re: Brian P. Menezes v. WL Ross & Co., LLC, et al.
South Carolina Court of Appeals Opinion No. 4820, filed March 23, 2011
Appellate Case No. 2011-194626

Dear Mr. Shearouse:

Please find enclosed the original and seven (7) copies of Respondents' Motion to Admit Counsel *Pro Hac Vice*, the Verified Application for Admission *Pro Hac Vice*, and proposed Order Admitting Counsel *Pro Hac Vice* for Michael J. McConnell, in the above-referenced civil action. This attorney is a member of the State Bar of Georgia. I would appreciate your filing the original Application and Motion, and returning a clocked copy in the envelope provided. I would also appreciate your presenting the proposed Order to the appropriate judge for signing if it meets his or her approval. Once the Order is signed, please file and return it to me in the additional envelope provided. I have also enclosed our check in the amount of \$25.00 to cover the motion filing fee.

Also enclosed is the original Verified Application for Admission with the admission fee of \$250.00 along with Proof of Service that all documents have been served upon counsel for Petitioner.

Please do not hesitate to call me if you have any questions. Thanking you in advance for your assistance in this matter, and with kind regards, I am

Haynsworth
Sinkler Boyd, PA.

ATTORNEYS AND COUNSELORS AT LAW

The Honorable Daniel E. Shearouse
January 9, 2013
Page 2

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.

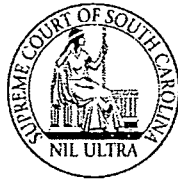
H. Sam Mabry, III

H. Sam Mabry, III

by CMS
with permission

HSMIII:mlw
Enclosures

cc: William D. Herlong, Esq.
Russell T. Burke, Esq.
Thomas L. Stephenson, Esq.
Andrew A. Mathias, Esq.
Stephen Peterson Groves, Sr., Esq.



The Supreme Court of South Carolina

H. Sam Mabry, III
PO Box 2048
Greenville SC 29602

01/15/2013

RECEIPT #66893

Case No: 2011-194626
Case Short Title: Brian P. Menezes v. WL Ross & Co
Event:
Fee Type: Motion Fee
Amount: \$25.00
Payment Type: Check
Reference No: 1051087
Check/Money Order Date: 01/09/2013
Comments: BRIAN P. MENEZES V. WL ROSS CO, ET.AL.