

91322

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

RECEIVED

OCT 31 2019

SC Court of Appeals

Case No. 17-ALJ-17-0238-CC
Appellate Case No. 2019-001706

Amazon Services LLC,..... Appellant,

v.

South Carolina Department of Revenue,..... Respondent.

MOTION FOR ADMISSION PRO HAC VICE OF CONSTANTINE L. TRELA, JR.,
ESQUIRE

Pursuant to Rule 404 of the South Carolina Appellate Court Rules, Bryson M. Geer of Nelson Mullins Riley & Scarborough LLP respectfully requests the Court to enter an Order permitting Constantine L. Trela, Jr., Esquire, to appear *pro hac vice* in this appeal as counsel for Appellant Amazon Services LLC (“Amazon Services”) and would show the court as follows:

1. Constantine L. Trela, Jr., Esq., is a member in good standing of the bar in the highest court of the State of Illinois. Additionally, Mr. Trela is an attorney with the law firm of Sidley Austin LLP and is counsel for Appellant Amazon Services.

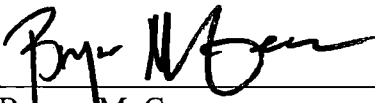
2. Mr. Trela is handling this matter in association with Bryson M. Geer, who is a member in good standing of the South Carolina Bar and the United States District Court for the District of South Carolina.

3. This motion is supported by the attached Verified Application for Admission *Pro Hac Vice* of Bryson M. Geer, a copy of which has been served by mail on the South Carolina Supreme Court Office of Bar Admissions, along with a \$250.00 check made payable to the South Carolina Supreme Court, pursuant to Rule 404 of the South Carolina Appellate Court Rules.

4. Prior to filing this motion, local counsel for Appellant Amazon Services consulted with Respondent's counsel, who indicated that Respondent consents to the admission *pro hac vice* of Mr. Trela in this action.

THEREFORE, the movant prays for an Order of this Court permitting the appearance of Constantine L. Trela, Jr., Esquire, *pro hac vice* in this appeal for Appellant Amazon Services.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 
Bryson M. Geer
SC Bar No. 13606
E-Mail: bryson.geer@nelsonmullins.com
John C. von Lehe, Jr.
SC Bar No. 5719
E-Mail: john.vonlehe@nelsonmullins.com
151 Meeting Street / Sixth Floor
P.O. Box 1806
Charleston, SC 29402-1806
(843) 534-4306

Attorneys for Appellant Amazon Services LLC

Charleston, South Carolina
October 30, 2019

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

Amazon Services, LLC	2019-001706	South Carolina Court of Appeals
Plaintiff	Case No.	Tribunal
vs.		
South Carolina Department of Revenue	Mailing Address of Tribunal:	South Carolina Court of Appeals
Defendant		1220 Senate Street Columbia, SC 29201

Comes now Constantine L. Trela, Jr., applicant herein, and respectfully represents the following:

RECEIVED
OCT 31 2019
SC Court of Appeals
60045
Zip Code

1. Applicant resides at:
196 N. Ahwahnee Road
 Street Address
Lake Forest Lake IL
 City County State 60045
(847) 922-7479
 Telephone Zip Code

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Sidley Austin LLP, with offices at
1 South Dearborn Street
 Street Address
Chicago Cook IL 60603
 City County State Zip Code
(312) 853-7293 (312) 853-7036 ctrela@sidley.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 Amazon Services, LLC 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 Nov. 5 of 1979, 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 Illinois 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:
U.S. Supreme Court	March 22, 1993
U.S. Court of Appeals for the Second Circuit	October 22, 2014

Court:	Date Admitted:
U.S. Court of Appeals for the Third Circuit	October 8, 1992
U.S. Court of Appeals for the Fifth Circuit	July 20, 1992
U.S. Court of Appeals for the Sixth Circuit	January 30, 1997
U.S. Court of Appeals for the Seventh Circuit	June 12, 1982
U.S. Court of Appeals for the Eighth Circuit	June 15, 2006
U.S. Court of Appeals for the Ninth Circuit	May 22, 2012
U.S. Court of Appeals for the Tenth Circuit	March 26, 2007
U.S. Court of Appeals for the Eleventh Circuit	December 19, 2018
U.S. Court of Appeals for the Federal Circuit	November 10, 1982
U.S. District Court for the Northern District of Illinois – General	December 13, 1979
U.S. District Court for the Northern District of Illinois – Trial	March 22, 1991
Illinois	November 5, 1979

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.)

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):

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):

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):

9. Local counsel of record associated with applicant in this case is Bryson M. Geer
of the Nelson Mullins Riley & Scarborough LLP law firm, which has offices at:

151 Meeting Street, Suite 600
Street Address
Charleston Charleston SC 29401
City County State Zip Code
(843) 534-4306 (843) 722-8700 bryson.geer@nelsonmullins.com
Primary Telephone Cell Phone Fax Number Email Address
13606
South Carolina Bar Number

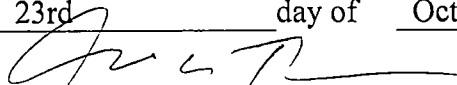
10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

--

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 23rd day of October, 2019

A handwritten signature in black ink, appearing to be 'A. C. T.', written over a horizontal line.

APPLICANT

VERIFICATION

STATE OF Illinois)

COUNTY OF Cook)

I, Constantine L. Trela, Jr., 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]

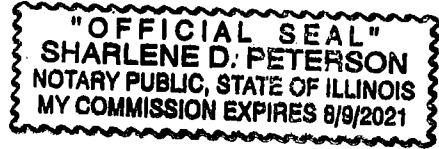
APPLICANT/AFFIANT

Subscribed and sworn to before me this 23rd day of October, 20 19

[Signature]

Notary Public for the State of Illinois

My Commission Expires: 8/9/2021



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 30th day of October, 20 19

[Signature]
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

30th day of October, 20 19

[Signature]
APPLICANT/AFFIANT

Certificate of Admission To the Bar of Illinois

I, Carolyn Taft Grosboll, Clerk of the Supreme Court of Illinois, do hereby certify that

Constantine L. Trela, Jr.

has been duly licensed and admitted to practice as an Attorney and Counselor at Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on 11/05/1979 and is in good standing, so far as the records of this office disclose.

IN WITNESS WHEREOF, I have hereunto
subscribed my name and affixed the
seal of said Court, this 8th day of
October, 2019.

Carolyn Taft Grosboll

Clerk,
Supreme Court of the State of Illinois

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Case No. 17-ALJ-17-0238-CC
Appellate Case No. 2019-001706

RECEIVED
OCT 31 2019
SC Court of Appeals

Amazon Services LLC,..... Appellant,

v.

South Carolina Department of Revenue,..... Respondent.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Amazon Services LLC, hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same to the following addresses:

Pleadings: MOTION FOR ADMISSION PRO HAC VICE OF
CONSTANTINE L. TRELA, JR., ESQUIRE

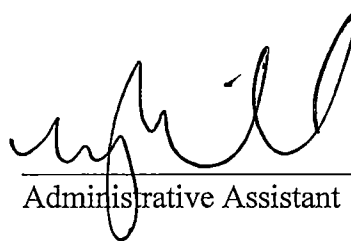
Counsel Served: Jason P. Luther, Esq.
Counsel for Litigation
South Carolina Department of Revenue
300A Outlet Pointe Blvd.
P.O. Box 12265
Columbia, SC 29210

Lauren Acquaviva, Esq.
Chillico & Associates, LLC
3850 Bessemer Road, Suite 120
Mount Pleasant, SC 29466

John M. S. Hoefler, Esq.
Tracey C. Green, Esq.
Chad N. Johnston, Esq.

John W. Roberts, Esq.
Andrew R. Hand, Esq.
Willoughby & Hoefler, P.A.
930 Richland Street
PO Box 8416
Columbia, SC 29201

Counsel for Respondent



Administrative Assistant

October 30, 2019



NELSON MULLINS

Bryson M. Geer
(Admitted in NC & SC)
T 843.534.4306
bryson.geer@nelsonmullins.com

NELSON MULLINS RILEY & SCARBOROUGH LLP
ATTORNEYS AND COUNSELORS AT LAW

151 Meeting Street | Sixth Floor
Charleston, SC 29401-2239
T 843.853.5200 F 843.722.8700
nelsonmullins.com

October 30, 2019

Via FedEx

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
OCT 31 2019
SC Court of Appeals

RE: Amazon Services, LLC v. South Carolina Department of Revenue
Appellate Case No. 2019-001706
Our File No. 054685.09000

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter please find the the following documents:

1. The original and seven (7) copies of:
 - a. Motion for Admission *Pro Hac Vice* of Carter G. Phillips and proof of service;
 - b. Motion for Admission *Pro Hac Vice* of Constantine L. Trela, Jr. and proof of service;
 - c. Motion for Admission *Pro Hac Vice* of Neil H. Conrad and proof of service; and
 - d. Motion for Admission *Pro Hac Vice* of Robert N. Hochman and proof of service.
2. The original Verified Applications for Admission *Pro Hac Vice* of:
 - a. Carter G. Phillips;
 - b. Constantine L. Trela, Jr.;
 - c. Neil H. Conrad; and
 - d. Robert N. Hochman.
3. The original Certificates of Good Standing for:
 - a. Carter G. Phillips;
 - b. Constantine L. Trela, Jr.;
 - c. Neil H. Conrad; and
 - d. Robert N. Hochman.
4. Our firm's check in the amount of \$200.00 for the fees associated with the filing of the four motions.

The Honorable Jenny Abbott Kitchings
October 30, 2019
Page 2

Please file the originals and return the clocked-in copies via the self-addressed, postage paid envelope provided.

By copy of this correspondence and the enclosure, we are serving Respondent's counsel with the same. Please do not hesitate to contact me should you have any questions or concerns.

With kind regards,

A handwritten signature in black ink that reads "Bryson M. Geer". The signature is written in a cursive, slightly slanted style.

Bryson M. Geer

BMG:gh
Enclosures

cc: Jason P. Luther, Jr., Esq.
Lauren Acquaviva, Esq.
John M. S. Hoefler, Esq.
Tracey C. Green, Esq.
Chad N. Johnston, Esq.
John W. Roberts, Esq.
Andrew R. Hand, Esq. (*all via email & U.S. mail*)

ORIGIN ID:RBWA (843) 853-5200
BRYSON GEER
NELSON MULLINS
LIBERTY CENTER, SUITE 600
151 MEETING STREET
CHARLESTON, SC 29401
UNITED STATES US

SHIP DATE: 30OCT19
ACTWGT: 0.50 LB
CAD: 250174999/WSX13400

BILL SENDER

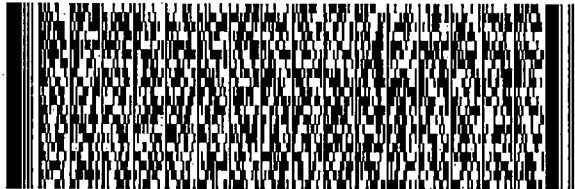
TO JENNY ABBOTT KITCHINGS
SC COURT OF APPEALS
1220 SENATE ST

COLUMBIA SC 29201

(803) 734-1890
INV.
PC:

REF: 054685.09000-BMG-

DEPT:



567.02/3005/2

THU - 31 OCT 10:30A
PRIORITY OVERNIGHT

TRK# 7806 2258 7610
0201

28 USCA

29201
SC-US CAE



RECEIVED

OCT 31 2019

SC Court of Appeals

FOLD on this line and place in shipping pouch with bar code and delivery address visible

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

Legal Terms and Conditions

Tendering packages by using this system constitutes your agreement to the service conditions for the transportation of your shipments as found in the applicable FedEx Service Guide, available upon request. FedEx will not be responsible for any claim in excess of the applicable declared value, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the applicable FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of 100 USD or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is 500 USD, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see applicable FedEx Service Guide. FedEx will not be liable for loss or damage to prohibited items in any event or for your acts or omissions, including, without limitation, improper or insufficient packaging, securing, marking or addressing, or the acts or omissions of the recipient or anyone else with an interest in the package. See the applicable FedEx Service Guide for complete terms and conditions. To obtain information regarding how to file a claim or to obtain a Service Guide, please call 1-800-GO-FEDEX (1-800-463-3339).