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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas
R. Ferrell Cothran, Circuit Court Judge

RECEIVED
MAR 09 2020
SC Court of Appeals

Appellate Case No. 2017-000998
Civil Action No. 2015-CP-43-596

Paul Branco and Branco Investments,
Inc., d/b/a Great American Cookie Co.,Respondents,

v.

Hull Storey Retail Group, LLC, and
Sumter Mall, LLC.....Appellants.

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Rule 404 of the South Carolina Appellate Court Rules ("SCACR"), Miles E. Coleman of Nelson Mullins Riley and Scarborough, LLP respectfully requests an Order permitting John M. Markwalter to appear *pro hac vice* as counsel for Hull Storey Retail Group, LLC and Sumter Mall, LLC in this matter. As indicated in the Verified Application and supporting documents filed contemporaneously with this Motion, Mr. Markwalter is a member in good standing of the bar of the highest courts in the States of Georgia and North Carolina. Mr. Markwalter will be handling this matter in association with undersigned counsel, who is a member in good standing of the South Carolina Bar. Pursuant to Rule 404, SCACR, Mr. Markwalter and undersigned counsel are contemporaneously serving copies of the Verified Application for Admission *Pro Hac Vice* and supporting documents on the South Carolina Supreme Court Office of Bar Admissions, along with a \$250.00 payment to the South Carolina Supreme Court.

WHEREFORE, as the provisions of Rule 404, SCAR, have been met, Appellants respectfully request that this motion be granted.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: Miles Coleman

Miles E. Coleman

SC Bar No. 78264

E-Mail: miles.coleman@nelsonmullins.com

2 W. Washington St. / Fourth Floor

Post Office Box 10084 (29603-0084)

Greenville, SC 29601

(864) 250-2300

*Attorney for Appellants Hull Storey Retail Group,
LLC, and Sumter Mall, LLC*

March 5, 2020
Greenville, South Carolina

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

Paul Branco & Branco Investments, Inc.,
d/b/a Great American Cooking Co.,
Respondents

Appellate Case No. 2017-000998

The State of South Carolina
In The Court of Appeals

Plaintiff

Case No.

Tribunal

vs.

Hull Storey Retail Group, LLC, and
Sumter Mall, LLC - Appellants

Mailing Address of Tribunal:

The South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Defendant

Comes now John Marriott Markwalter, applicant herein, and respectfully represents the following:

1. Applicant resides at:

Home: 2099 Egret Circle

Street Address

Evans

Columbia

Georgia

30809

City

County

State

Zip Code

706-955-3681

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) or employee of the legal department of the Hull Property Group, LLC, with offices at

1190 Interstate Parkway

Street Address

Augusta

Richmond

Georgia

30909

City

County

State

Zip Code

706-434-1743

706-955-3681

706-863-4933

jmarkwalter@hullpg.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 Hull Property Group, LLC (successor to Hull Storey Retail Group), & Sumter Mall, 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 June of 1993, 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 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:
State Bar of Georgia	1993
Georgia Supreme Court	1993
Georgia Court of Appeals	1993

Court:	Date Admitted:
U.S. District Court - S.D. of Georgia	2002
State Bar of North Carolina	2019

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 Miles E. Coleman law firm, which has offices at:

104 South Main Street Ninth Floor

Street Address

Greenville

South Carolina

29601

City

County

State

Zip Code

864-250-2300

864-884-3969

864-232-2925

miles.coleman@nelsonmullins.com

Primary Telephone

Cell Phone

Fax Number

Email Address

78264

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).

N/A

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 7th day of February, 2020


APPLICANT

VERIFICATION

STATE OF GEORGIA)

COUNTY OF RICHMOND)

I, John Marriott Markwalter, 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.

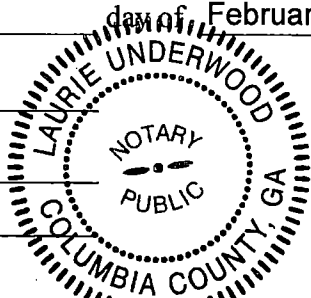
John M. Markwalter
APPLICANT/AFFIANT

Subscribed and sworn to before me this 7th day of February, 20 20

Laurie Underwood

Notary Public for the State of Georgia

My Commission Expires: July 6, 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 5th day of February, 20 20

[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

7th day of February, 20 20

John M. Markwalter
APPLICANT/AFFIANT



Supreme Court
State of Georgia

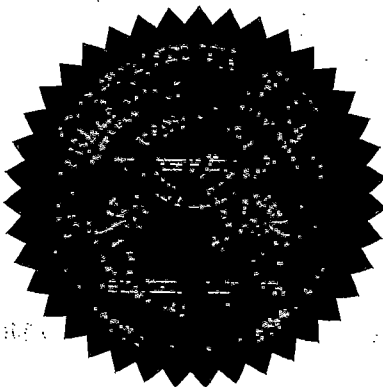
NATHAN DEAL JUDICIAL CENTER

Atlanta 30334

January 13, 2020

I hereby certify that John Marriott Markwalter, Esq., was admitted on the 20th day of September, 1993, 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.



Theresa S. Bane, Clerk

The North Carolina State Bar

I, Alice Neece Mine, Secretary of the North Carolina State Bar,

do hereby certify that

Mr. John Marriott Markwalter (Bar # 54693)

was licensed to practice law by the State of North Carolina on August 9, 2019.

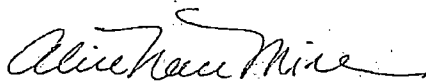
Said lawyer is presently an active member of the North Carolina State Bar and is eligible to practice law in North Carolina.

Said lawyer is not subject to a pending order of administrative or disciplinary suspension.

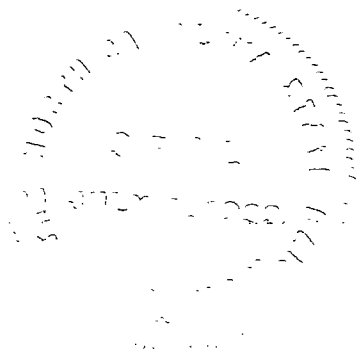
Said lawyer's financial account with the State Bar is current.

Therefore, said lawyer is in good standing with the North Carolina State Bar.

Given over my hand and the Seal of the North Carolina State Bar,
this the 22nd day of January, 2020.



Alice Neece Mine
Secretary of the North Carolina State Bar



THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas
R. Ferrell Cothran, Circuit Court Judge

Appellate Case No. 2017-000998
Civil Action No. 2015-CP-43-596

Paul Branco and Branco Investments,
Inc., d/b/a Great American Cookie Co.,..... Respondents,

v.

Hull Storey Retail Group, LLC, and
Sumter Mall, LLC Appellants

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SC Court of Appeals

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellants Hull Storey Retail Group, LLC, and Sumter Mall, LLC, do 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 by United States Mail, postage prepaid, to the following address(es):

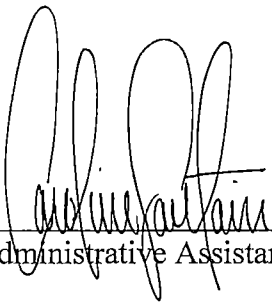
Pleadings:

MOTION FOR ADMISSION PRO HAC VICE

Counsel Served:

Patrick M. Killen
McGowen, Hood & Felder, LLC
28 N. Main Street
Sumter, SC 29150
803.774.5026
Email: pkillen@mcgowenhood.com

John S. Simmons
Simmons Law Firm, LLC
1711 Pickens Street
Columbia, SC 29201
803.779.4600
Email: jsimmons@simmonsfirm.com



Administrative Assistant

Greenville, South Carolina
March 5, 2020



NELSON MULLINS

NELSON MULLINS RILEY & SCARBOROUGH LLP
ATTORNEYS AND COUNSELORS AT LAW

Miles E. Coleman
T 864.373.2352 F 864.373.2925
miles.coleman@nelsonmullins.com

104 South Main Street | Ninth Floor
Greenville, SC 29601
T 864.250.2300 F 864.232.2925
nelsonmullins.com

March 5, 2020

Via U.S. postal mail

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

RECEIVED

MAR 09 2020

SC Court of Appeals

RE: *Branco et al. v. Hull Storey Retail Group, LLC et al.*
Appellate Case No. 20017-000998
Civil Action No. 2015-CP-43-596
Our File No. 53746/01500

Dear Ms. Kitchings:

Enclosed please find an original and seven copies of a Motion for Admission *Pro Hac Vice* and supporting documents. We would ask that you file the original and six of the copies and return a file-stamped copy to us via the enclosed postage-paid envelope. Also enclosed is a Firm check for the filing fee associated with this Motion. By copy of this letter we are serving counsel of record with copies of the Motion.


Very truly yours,

Miles E. Coleman

Enclosures

cc: Patrick M. Killen, w/enclosures
John S. Simmons, w/enclosures

Haster 129,807 MAR
03/05/2020
US POSTAGE \$007.50⁰²
011E11682698 ZIP 29601

 **NELSON MULLINS**
Post Office Box 10084
Greenville, SC 29603-0084

The South Carolina Court of Appeals
Clerk of Court
1220 Senate Street
Columbia, SC 29201

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