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Subject: Activity In Case 3:19-cv-02621-JMC Butler v. Travelers Home and Marine Insurance Company, The et al Order on Motion to Appear Pro Hac Vice
Date: Thursday, September 26, 2019 9:35:19 AM

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U.S. District Court

District of South Carolina

Notice of Electronic Filing

The following transaction was entered on 9/26/2019 at 9:34 AM EDT and filed on 9/26/2019

Case Name: Butler v. Travelers Home and Marine Insurance Company, The et al

Case Number: 3:19-cv-02621-JMC

Filer:

Document Number: 7(No document attached)

Docket Text:

TEXT ORDER granting [6] Motion to Appear Pro Hac Vice. Signed by Honorable J Michelle Childs on 9/26/2019.(asni,)

3:19-cv-02621-JMC Notice has been electronically mailed to:

David Eugene Massey radmassey@aol.com, cara.chromiak@masseylegal.com,
summercollette@bellsouth.net

Summer Collette Tompkins summertompkins2010@gmail.com, edp@austinmehr.com,
knolen@austinmehr.com, shall@austinmehr.com

Erik David Peterson edp@austinmehr.com

3:19-cv-02621-JMC Notice will not be electronically mailed to:

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
(COLUMBIA DIVISION)

MIRIAM BUTLER, individually and on)
behalf of others similarly situated,)
Plaintiff)
v.)
THE TRAVELERS HOME AND MARINE)
INSURANCE COMPANY and THE STANDARD)
FIRE INSURANCE COMPANY,)
Defendants)

Case No. 3:19-cv-02621-JMC

ORDER

A Motion and Application/Affidavit for Admission *Pro Hac Vice* has been filed in this case and considered by the undersigned.

IT IS ORDERED THAT:

Applicant: Erik D. Peterson who represents Plaintiff

- Be **granted** admission *pro hac vice* in this case.
- Be **denied** admission *pro hac vice* in this case.

Date

United States District/Magistrate Judge

UNITED STATES DISTRICT COURT
 DISTRICT OF SOUTH CAROLINA
 (COLUMBIA DIVISION)

MIRIAM BUTLER, individually and on
 behalf of others similarly situated,
 Plaintiff

v.
 THE TRAVELERS HOME AND MARINE
 INSURANCE COMPANY and THE STANDARD
 FIRE INSURANCE COMPANY,
 Defendants

)
) Case No. 3:19-cv-02621-JMC
)
) Motion in Support of
) Pro Hac Vice Admission
)
)
)

The undersigned local counsel hereby moves, together with the attached Application and Affidavit, that Erik D. Peterson be admitted *pro hac vice* in the above-captioned case as associate counsel. As local counsel, I understand that:

1. I will personally sign and include my District of South Carolina federal bar attorney identification number on each pleading, motion, discovery procedure, or other document that I serve or file in this court; and
2. All pleadings and other documents that I file in this case will contain my name, firm name, address, and phone number and those of my associate counsel admitted *pro hac vice*; and
3. Service of all pleadings and notices as required shall be sufficient if served upon me, and it is my responsibility to serve my associate counsel admitted *pro hac vice*; and
4. Unless excused by the court, I will be present at all pretrial conferences, hearings, and trials and may attend discovery proceedings. I will be prepared to actively participate if necessary.
5. Certification of Consultation (Local Civil Rule 7.02).

- Prior to filing this Motion, I conferred with opposing counsel who has indicated the following position as to this Motion: will likely oppose; does not intend to oppose
- X Prior to filing this Motion, I attempted to confer with opposing counsel but was unable to do so for the following reason(s):
Counsel has not yet appeared for Defendant.

No duty of consultation is required because the opposing party is proceeding pro se.

Law Offices of David E. Massey Trial Lawyers
 Firm Name
1620 Gervais Street, Suite A
 Street Address or Post Office Box
Columbia, SC 29202
 City, State, Zip Code
803-256-4824
 Telephone Number
summertompkins2010@gmail.com
 E-Mail Address

Summer Tompkins
 Name of Local Counsel
s/ Summer Tompkins
 Signature of Local Counsel
 Local Counsel for the Plaintiff
 District of South Carolina
 Federal Bar Number 76078

KENTUCKY BAR ASSOCIATION

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Van F. Sims

Judge John F. Vincent

THIS IS TO CERTIFY THAT

ERIK DAVID PETERSON

Mehr Fairbanks Trial Lawyers

201 West Short Street, Suite 800

Lexington, Kentucky 40507

Membership No. 93003

is an active member in good standing with the Kentucky Bar Association as required by the Rules of the Supreme Court of Kentucky. Dated this 14th day of May, 2019.

JOHN D. MEYERS

REGISTRAR



By: *Michele M. Pogrotsky*
Michele M. Pogrotsky, Deputy Registrar



SUSAN STOKLEY CLARY
Clerk

OFFICE OF THE CLERK
SUPREME COURT OF KENTUCKY
ROOM 209, STATE CAPITOL
700 CAPITAL AVE.
FRANKFORT, KENTUCKY 40601-3488

Telephone:
(502) 564-4720
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(502) 564-5491

CERTIFICATION

I, Susan Stokley Clary, Clerk of the Supreme Court of Kentucky, do hereby certify the records in this office show that Erik David Peterson having met the necessary requirements for admission to the Bar, took the oath prescribed by the Constitution of this Commonwealth on June 5, 2009, and thereupon was admitted to practice as an attorney before this and all other courts of the Commonwealth of Kentucky, and certify that Erik David Peterson is an attorney at law in good standing, as such, in all the courts of the Commonwealth.

I further certify that the Supreme Court is the Court of highest jurisdiction for the Commonwealth of Kentucky.

Done at the Capitol at Frankfort, Kentucky this 17th day of May, 2019.

SUSAN STOKLEY CLARY
CLERK

By: Chasity Kittrell
Deputy Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
(COLUMBIA DIVISION)

MIRIAM BUTLER, individually and on
behalf of others similarly situated,
Plaintiff

Case No. 3:19-cv-02621-JMC

v.
THE TRAVELERS HOME AND MARINE
INSURANCE COMPANY and THE STANDARD
FIRE INSURANCE COMPANY,
Defendants

Application/Affidavit for
Pro Hac Vice Admission

- (1) Name. Erik David Peterson
- (2) Residence. I reside in the following state: Kentucky
- (3) Business Address. I am an attorney and practice law under the name of or as a member of the following firm:

Firm name: Mehr Fairbanks & Peterson Trial Lawyers, PLLC
 Mailing address: 201 West Short Street, Suite 800 City/State/Zip: Lexington, KY 40507
 Telephone number: 859-225-3731
 Facsimile number: 859-225-3830
 E-mail address: edp@austinmehr.com
 (Application will not be considered without an e-mail address to receive electronic notification.)

- (4) Jurisdiction of this Court. I, by execution of this Application and Affidavit, consent and agree to comply with the applicable statutes, laws, and rules of the State of South Carolina, with all applicable federal statutes, laws, and rules, including Local Rules of the United States District Court for the District of South Carolina (particularly, Local Civil Rule 83.I.08 and/or Local Criminal Rule 57.I.08). I consent to the jurisdiction of the United States District Court for the District of South Carolina in all matters of attorney conduct.¹
- (5) Regular Practice of Law. I am a member in good standing of the bar of the highest court of the State of Kentucky where I regularly practice law. **Attached is my certificate of good standing.**
- (6) Additional Bar Membership. I have been admitted to practice before the following courts: (List all of the 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.) By signing this Affidavit, I certify that I am a member in good standing of each of the listed bars unless otherwise noted.

¹This District 1 maintains a web site (www.scd.uscourts.gov) from which the federal and local rules of procedure and related materials may be obtained.

Court	Date Admitted	Good Standing
Kentucky Supreme Court	June 5, 2009	Yes
Supreme Court of California	July 1, 2008	Yes
US District Court, Eastern District of Kentucky	May 21, 2013	Yes
United States Court of Appeals, 9 th Circuit	March 30, 2010	Yes
US District Court, Central District of California	November 19, 2008	Yes
US District Court, Southern District of California	November 18, 2008	Yes
US District Court, Northern District of California	November 24, 2008	Yes
US District Court, Eastern District of California	November 17, 2008	Yes
United States Court of Appeals, 6 th Circuit	August 1, 2008	Yes
US District Court, Western District of Kentucky	April 15, 2013	Yes

(7) Pending Disciplinary Matters. Are you presently the subject of any formal suspension or disbarment proceedings, and have you been notified by any disciplinary agency of the initiation of formal procedures? No
 (If "yes," give particulars, such as jurisdiction, court, date, grounds. Information to comply with this paragraph may be provided *in camera* but that fact shall be revealed below.)

(8) Curtailment of Prior *Pro Hac Vice* Admissions. Have you ever had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked?
 No
 (If "yes," give particulars, such as date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation.)

(9) Sanctions. Have you ever had any certificate or privilege to appear and practice before any judicial or administrative body suspended or revoked, or received a public reprimand or greater sanction?
 No
 (If "yes," give particulars, e.g., judicial or administrative body, date of suspension, and reinstatement.)

(10) Criminal Sanctions. Have you ever been convicted of a felony under the laws of the District of Columbia or of any State or under the laws of the United States?
 No
 (If "yes," give particulars, such as date, court, judge, circumstances, and ultimate disposition.)

(11) Present and Previous *Pro Hac Vice* in this Court. Have you, within the last ten (10) years, filed an application to appear *pro hac vice* in the United States District Court for the District of South Carolina or another court in the state of South Carolina?
 No

(If "yes," give court, case name, docket number, and status of litigation, year of application, local counsel of record in each case, and state whether application is pending or was granted.) Attach additional pages if necessary.

- (12) Designated Local Counsel. Local counsel of record associated with Applicant in this case is:

Attorney Name: Summer C. Tompkins (SC Bar 76078)
Firm Name: Law Offices of David E. Massey Trial Lawyers
Street Address or Post Office Box: 1620 Gervais Street, Suite A
City, State, and Zip Code: Columbia, SC 29202
Telephone Number: 803-256-4824
E-Mail Address: summertompkins2010@gmail.com

I understand that local counsel of record is required to: (1) personally sign each pleading, motion, discovery procedure, or other document served or filed in this Court; (2) accept service of all pleadings and notices as required on behalf of all counsel for the party represented; (3) be present at all pretrial conferences, hearings and trials, unless excused by the Court; (4) be prepared to participate actively as may be necessary; and (5) assure compliance with Local Civil Rules 83.I.04, 83.I.05, and 83.I.06 or Local Criminal Rules 57.I.04, 57.I.05, and 57.I.06 as appropriate. Local counsel of record may attend discovery proceedings.

- (13) Associated Counsel. In addition to local counsel designated above, the following counsel are also associated with the undersigned in this case.

J. Brandon McWherter
Gilbert McWherter Scott Bobbitt PLC
341 Cool Springs Blvd, Suite 230, Franklin, TN 37067
(615) 354-1144
bmcwherter@gilbertfirm.com

and

T. Joseph Snodgrass
Larson King, LLP
30 7th Street E., Suite 800
St. Paul, MN 55101
651-312.6510
jsnodgrass@larsonking.com

- (14) Application Fee. I affirm that the application fee of two hundred and fifty dollars (\$250) has been paid in accordance with Local Civil Rule 83.I.05 or Local Criminal Rule 57.I.05 or paid herewith.
- (15) Electronic Notification. By submitting this application, I consent to electronic notification.
- (16) Represented Party/Parties. I seek to represent the following party/parties:
MIRIAM BUTLER, individually and on behalf of others similarly situated
- (17) I certify that I have read Local Civil Rule 30.04 regarding the conduct of depositions.



Signature of Applicant

Sworn to and subscribed before me
this 24 day of September, 2019.

Susan Hall

A Notary Public
of the State of Kentucky

My Commission expires: 3/12/23

SUSAN HALL
NOTARY PUBLIC
STATE AT LARGE - KENTUCKY
ID # 619098
MY COMMISSION EXPIRES MARCH 12, 2023

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