

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

**RECEIVED**

**Dec 29 2020**

**S.C. SUPREME COURT**

Miriam Butler and Evelyn Stewart  
in her capacity as personal  
representative of Joseph Stewart,  
and individually and on behalf of  
others similarly situated

Plaintiff

2020-001285

Case No.

Supreme Court of South  
Carolina

Tribunal

vs.

The Travelers Home & Marine Ins.  
Company, and The Standard Fire  
Ins. Co.

Defendant

Mailing Address of Tribunal:

P.O. Box 11330

Columbia, SC 29211

Comes now J. Brandon McWherter, applicant herein, and respectfully represents the following:

1. Applicant resides at:

6460 Penrose Drive

Street Address

Brentwood

City

731-695-5063

Telephone

Williamson

County

TN

State

37027

Zip Code

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)

McWherter Scott Bobbitt PLC

, with offices at

341 Cool Springs Blvd, Suite 230

Street Address

Franklin

City

615-354-1144

Primary Telephone

Williamson

County

731-695-5063

Cell Phone

TN

State

731-664-1540

Fax Number

37067

Zip Code

brandon@msb.law

Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by

Miriam Butler, Evelyn Stewart as personal representative of Joseph

Stewart, individually and on behalf of others similarly situated

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 November of 2001, 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

Tennessee

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.)

<b>Court:</b>	<b>Date Admitted:</b>
TN Supreme Court and TN State Courts - Bar No. 21600	11/2001
U.S. District Court of TN Western District, Middle District, Eastern District	11/2001, 12/2003, 5/ 2012
U.S. District Court of MS Southern District; Northern District; MS State Courts - Bar No. 105244	9/2016
U.S. District Court of AR Eastern District, Western District - Bar No. 2018088	12/2016; 8/2018
Sixth Circuit Court of Appeals	2/2006
Fifth Circuit Court of Appeals	3/2019
U.S. District Court of GA Middle District, Northern District	12/2016, 7/2017

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

None.

9. Local counsel of record associated with applicant in this case is David E. Massey and Summer Tompkins of the Law Offices of David E. Massey, Trial Lawyers law firm, which has offices at:

<u>1620 Gervais Street, Suite A</u>			
Street Address			
<u>Columbia</u>	<u>Richland</u>	<u>SC</u>	<u>29202</u>
City	County	State	Zip Code
<u>803-799-9022</u>	<u>803-256-4824</u>	<u>803-256-4824</u>	<u>radmassey@aol.com;</u>
Primary Telephone	Cell Phone	Fax Number	Email Address
<u>Massey 3679/Tompkins 76078</u>			
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).

Miriam Butler, et al v Travelers, et al, before the SCSC, 10/3/2019, David E. Massey and Summer Tompkins, Granted  
Gloria Bryson, et al v Liberty Insurance Corp, et al, stayed pending SCSC decision in Butler, 8/5/2020, David E. Massey and Summer Tompkins, Granted.  
Linda Floyd, et al v Allstate Indemnity Co, et al, pending, 7/15/2020, David E. Massey and Summer Tompkins, Granted.  
Beverly Leach v Universal Ins. Co. of North America; stayed pending SCSC decision in Butler, 7/15/2020, David E. Massey and Summer Tompkins, 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 21st day of October, 2020

  
\_\_\_\_\_  
APPLICANT

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Dec 29 2020

S.C. SUPREME COURT

VERIFICATION

STATE OF TENNESSEE )

COUNTY OF WILLIAMSON )

I, J. Brandon McWherter, 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.

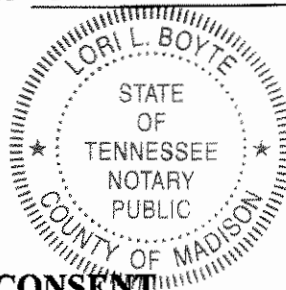
JBM-WA  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 21st day of October, 20 20

Lori L. Boyte

Notary Public for the State of Tennessee

My Commission Expires: 10/19/2021



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 29th day of October, 20 20

s/Summer Tompkins  
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 \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

JBM-WA  
APPLICANT/AFFIANT

***Supreme Court of Tennessee***  
***Certificate of Good Standing***

*I, James M. Hivner, Clerk of the Supreme Court of the State of Tennessee,  
do hereby certify that*

*James Brandon McWherter*

*is a licensed and practicing attorney of the Courts of this State, having been  
admitted to practice on October 31, 2001, and is presently in good standing. The  
Supreme Court is the Court of last resort in Tennessee.*

*In testimony whereof, I have set my hand and affixed the seal of the Court on  
this the 16th day of October, 2020.*

*James M. Hivner*  
*Clerk of the Supreme Court of Tennessee*

By: \_\_\_\_\_

*Adam F. Bennett, D.C.*