

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE: (803) 734-1080
FAX: (803) 734-0384

June 11, 2019

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JUN 11 2019

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
Post Office Box 11330
Columbia, S.C. 29211

RE: Johnny Thomerson v. Richard DeVito, et al
(Question Certified from the United States District Court for the
District of SC Charleston Divison)
Case No.: 2018-cv-1571-RMG
Appellate Case No. 2019-000552

Dear Mr. Shearouse:

I certify that the Office of Bar Admissions has received a verified application requesting W. Scott Turnbull be admitted *pro hac vice* in the above matter. The \$250 filing fee for the applicant has been paid.

Yours truly,

Margaret C. McGee

Deputy Clerk for Bar Admissions

MCM/st

THE STATE OF SOUTH CAROLINA
In the Supreme Court

Johnny Thomerson, Plaintiff,

v.

Richard DeVito and Samuel Mullinax, individually and as Liquidating Shareholder Trustees of
Lenco Marine, Defendants.

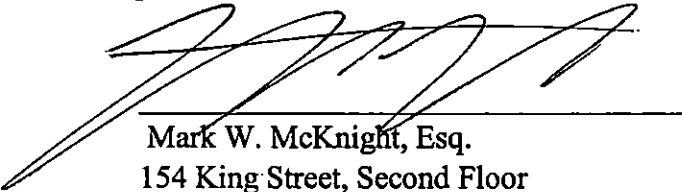
Appellate Case No. 2019-000552

QUESTION CERTIFIED FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
Richard Mark Gergel, United States District Court Judge

MOTION IN SUPPORT OF *PRO HAC VICE* APPLICATION

The undersigned local counsel hereby moves, together with the attached Verified Application, that
William Scott Turnbull be admitted *pro hac vice* in the above-captioned case as associate counsel.

WHEREFORE, local counsel respectfully requests that the Court enter an order admitting
William Scott Turnbull *pro hac vice* in the above-captioned case as associate counsel.



Mark W. McKnight, Esq.
154 King Street, Second Floor
Post Office Box 1255
Charleston, SC
(843) 557-2837
E-mail: mark@mcknightlawfirm.net
Attorney for Defendants

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JUN 10 2019

S.C. SUPREME COURT

W. Scott Turnbull, Esq.
Crary Buchanan, P.A.
759 SW Federal Highway, Suite 106
Post Office Drawer 24
Stuart, Florida 34995-0024
E-mail: turnbull@crarybuchanan.com
Attorney for Defendants

O. Grady Query, Esq.
147 Wappoo Creek Drive, Suite 202
Charleston, SC 29412
(843) 795-9500
Attorney for Plaintiff

Dan M. David, Esq.
147 Wappoo Creek Drive, Suite 101
Charleston, SC 29412
(843) 571-1893
Attorney for Plaintiff

THE STATE OF SOUTH CAROLINA
In the Supreme Court

Johnny Thomerson, Plaintiff,

v.

Richard DeVito and Samuel Mullinax, individually and as Liquidating Shareholder Trustees of
Lenco Marine, Defendants.

Appellate Case No. 2019-000552

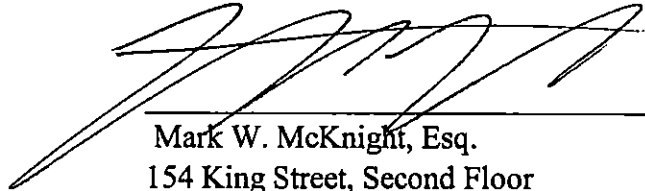
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Attorney for Plaintiff

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147 Wappoo Creek Drive, Suite 101
Charleston, SC 29412
(843) 571-1893
Attorney for Plaintiff

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

<u>Johnny Thomerson</u> Plaintiff	<u>2018-cv-1571-RMG</u> Case No.	United States District Court District of South Carolina, Charleston Division Tribunal
vs.	Mailing Address of Tribunal:	<u>S.C. Supreme Court</u> J. Waties Waring Judicial Center
<u>Richard DeVito and Samuel Mullinax, both individually and as Liquidating Shareholder Trustees of Lenco Marine</u> Defendants		Meeting Street at Broad Street <u>Charleston, SC 29401</u>

Comes now W. Scott Turnbull, applicant herein, and respectfully represents the following:

1. Applicant resides at:

129 SE Martin Avenue
Street Address

<u>Stuart</u> City	<u>Martin</u> County	<u>Florida</u> State	<u>34996</u> Zip Code
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(772) 223-4307
Telephone

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

Crary Buchanan, P.A., with offices at

759 SW Federal Highway, Suite 106
Street Address

<u>Stuart</u> City	<u>Martin</u> County	<u>Florida</u> State	<u>34994</u> Zip Code
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<u>(772) 287-2600</u> Primary Telephone	<u>(561) 603-3387</u> Cell Phone	<u>(772) 223-4360</u> Fax Number	<u>turnbull@crarybuchanan.com</u> Email Address
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3. Applicant has been retained personally or as a member of the above-named law firm by Richard DeVito and Samuel Mullinax to provide legal representation in connection with the above case now pending before the above-named tribunal of the State of South Carolina.

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S.C. SUPREME COURT

4. Since May of 2007, applicant has been, and presently is, a member in good standing of the bar of the highest court of the State of Florida where applicant regularly practices law. Attached is a Florida certificate of good standing dated within the last 90 days from the bar of the highest court of Florida.

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:
Florida	May 31, 2007
Illinois	May 18, 1999
Michigan	March 29, 1999
USDC Eastern District of Michigan	December 10, 1998
USDC Northern District of Florida	May 8, 2008
USDC Middle District of Florida	September 20, 2007
USDC Southern District of Florida	June 20, 2007
USDC Northern District of Illinois	May 18, 2007
FL Southern District Bankruptcy	May 18, 2007
US Court of Appeals – 6th Circuit	August 21, 2000
US Court of Appeals – 11th Circuit	January 26, 2009

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.)

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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):

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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 Mark W. McKnight of the Mark W. McKnight Attorney at Law, which has offices at:

154 King Street, Second Floor			
Street Address			
Charleston	Charleston	South Carolina	29402
City	County	State	Zip Code
(843) 577-2837		(843) 722-4094	mark@mcknightlawfirm.net
Primary Telephone	Cell Phone	Fax Number	Email Address

3865
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).

- Case Name: Johnny Thomerson v Richard DeVito and Samuel Mullinax
- Status of Litigation: All causes of the above-referenced lawsuit, except for the one currently in front of the South Carolina Supreme Court, were disposed of with Defendants' Motion for Summary Judgment. The remaining cause of action is the subject matter of the instant action.
- Date of application: June 7, 2018
- Local counsel of record: Mark W. McKnight
- Application 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.

VERIFICATION

STATE OF FLORIDA)

COUNTY OF MARTIN)

I, W. Scott Turnbull, 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.

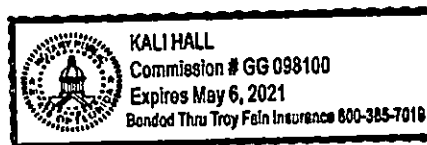
W. Scott Turnbull
APPLICANT/AFFIANT

Subscribed and sworn to before me this 3rd day of June, 2019

Kali Hall

Notary Public for the State of Florida

My Commission Expires: 5/16/21



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 June, 2019

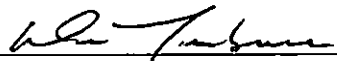
[Signature]
LOCAL COUNSEL OF RECORD

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

5th day of June, 20 2019



APPLICANT/AFFIANT

Supreme Court of Florida

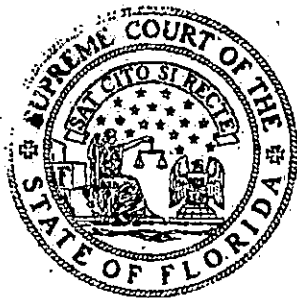
Certificate of Good Standing

I JOHN A. TOMASINO, Clerk of the Supreme Court of the State of Florida, do hereby certify that

W. SCOTT TURNBULL

was admitted as an attorney and counselor entitled to practice law in all the Courts of the State of Florida on May 31, 2007, is presently in good standing, and that the private and professional character of the attorney appear to be good.

*WITNESS my hand and the Seal of the
Supreme Court of Florida at Tallahassee,
the Capital, this May 29, 2019.*



A handwritten signature in black ink, appearing to read "J. A. Tomasino", is written over a horizontal line.

Clerk of the Supreme Court of Florida.