

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

The Cliffs Club & Hospitality Group, Inc., *et al.*,¹
d/b/a The Cliffs Golf and Country Club,

Case No. 12-01220

Debtor.

MOTION IN SUPPORT OF PRO HAC VICE APPLICATION

The undersigned local counsel hereby moves, together with the attached Application and Affidavit, that

John Michael Levensgood 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).

¹ The Debtors, followed by the last four digits of their respective taxpayer identification numbers, are as follows:

The Cliffs Club & Hospitality Group, Inc. (6338); CCHG Holdings, Inc. (1356); The Cliffs at Mountain Park Golf & Country Club, LLC (2842); The Cliffs at Keowee Vineyards Golf & Country Club, LLC (5319); The Cliffs at Walnut Cove Golf & Country Club, LLC (9879); The Cliffs at Keowee Falls Golf & Country Club, LLC (3230); The Cliffs at Keowee Springs Golf & Country Club, LLC (2898); The Cliffs at High Carolina Golf & Country Club, LLC (4293); The Cliffs at Glassy Golf & Country Club, LLC (6559); The Cliffs Valley Golf & Country Club, LLC (6486); Cliffs Club & Hospitality Service Company, LLC (9665).

- 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
- Prior to filing this Motion, I attempted to confer with opposing counsel but was unable to do so for the following reason(s):
- _____

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

Law Office of Dana Wilkinson

Firm Name

365-C East Blackstock Road

Street Address or Post Office Box

Spartanburg, SC 29301

City, State, Zip Code

(864) 574-7944

Telephone Number

danawilkinson@danawilkinsonlaw.com

Dana Wilkinson

Name of Local Counsel

/s/ Dana Wilkinson, District Court No. 4663

Signature of Local Counsel

Local Counsel for the Debtors

District of South Carolina

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

Case No. 12-01220

The Cliffs Club & Hospitality Group, Inc., *et al.*,¹
d/b/a The Cliffs Golf and Country Club,

Debtor.

Application/Affidavit for Pro Hac Vice Admission

(1) Name. John Michael Levengood
First Middle Last

(2) Residence. I reside in the following state: Georgia
If a South Carolina resident, indicate months/years of residence: _____

(3) Business Address. I am an attorney and practice law under the name of or as a member of the following firm:

Firm name: McKenna Long & Aldridge LLP
Mailing address: 303 Peachtree Street, NE, Suite 5300 City/State/Zip Atlanta, GA 30308
Telephone number: (404) 527-4830
Facsimile number: (404) 527-4831
E-mail address: mlevengood@mckennalong.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.²

(5) Regular Practice of Law. I am a member in good standing of the bar of the highest court of the District of Columbia or the State of Georgia where I regularly practice law. **Attached is my certificate of good standing.**

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(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.

Court

US District Court for the Northern and Middle Districts of Georgia
Georgia Court of Appeals and Supreme Court of Georgia
11th Circuit Court of Appeals

Yes No
 Yes No
 Yes No

(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? Yes 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?

Yes 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?

Yes 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?

Yes 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?

Yes 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:	<u>Dana Wilkinson</u>
Firm Name:	<u>Law Office of Dana Wilkinson</u>
Street Address or Post Office Box:	<u>365-C East Blackstock Road</u>
City, State, and Zip Code:	<u>Spartanburg, SC 29301</u>
Telephone Number:	<u>(864) 574-7944</u>
E-Mail Address:	<u>danawilkinson@danawilkinsonlaw.com</u>

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.

<u>Gary W. Marsh</u>
<u>Bryan E. Bates</u>

(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:

The Cliffs Club & Hospitality Group, Inc.; CCHG Holdings, Inc.; The Cliffs at Mountain Park Golf & Country Club, LLC; The Cliffs at Keowee Vineyards Golf & Country Club, LLC; The Cliffs at Walnut Cove Golf & Country Club, LLC; The Cliffs at Keowee Falls Golf & Country Club, LLC; The Cliffs at Keowee Springs Golf & Country Club, LLC; The Cliffs at High Carolina Golf & Country Club, LLC; The Cliffs at Glassy Golf & Country Club, LLC; The Cliffs Valley Golf & Country Club, LLC; Cliffs Club & Hospitality Service Company, LLC

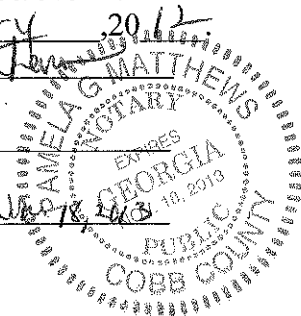
Michael Senegood
Signature of Applicant

Sworn to and subscribed before me

this 23rd day of February, 2012

Amela G. Matthews
A Notary Public
of the State of Georgia

My Commission expires: Nov 18, 2013





STATE BAR OF GEORGIA

Lawyers Serving the Public and the Justice System

Mr. John Michael Levengood
McKenna Long & Aldridge LLP
303 Peachtree Street NE, Suite 5300
Atlanta, GA 30308

CURRENT STATUS: Active Member-Good Standing
DATE OF ADMISSION: 06/26/1980
BAR NUMBER: 447934
TODAY'S DATE: 02/02/2012

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition	Date
N/A	N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- Certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, highest court required to practice law in Georgia.
- Enrolled with the State Bar of Georgia, arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

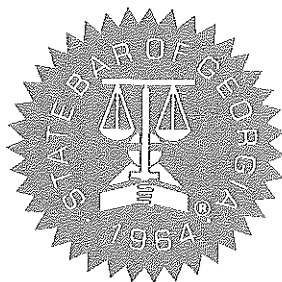
Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by State Bar Rule 1-204. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

STATE BAR OF GEORGIA

Brinda Lovvorn

Official Representative of the State Bar of Georgia



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UNITED STATES BANKRUPTCY COURT
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Debtor.

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: John Michael Levensgood who represents the Debtors in these jointly administered cases with this case as the lead case.

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

Date

United States Bankruptcy Judge

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