

SUPREME COURT OF NORTH CAROLINA

CHESTER TAYLOR III,
RONDA and BRIAN
WARLICK, LORI MENDEZ,
LORI MARTINEZ, CRYSTAL
PRICE, JEANETTE and
ANDREW ALESHIRE,
MARQUITA PERRY,
WHITNEY WHITESIDE,
KIMBERLY STEPHAN,
KEITH PEACOCK, ZELMON
MCBRIDE,

Plaintiffs,

v.

BANK OF AMERICA, N.A.,

Defendant.

From Mecklenburg County
COA20-160-3

**MOTION TO DEEM TIMELY THE MOTION FOR
ADMISSION *PRO HAC VICE***

Defendant-Appellant Bank of America, N.A. (“Bank of America”),
hereby requests, under North Carolina Rules of Appellate Procedure 2
and 33(d), that the Court deem timely the Motion for Admission *Pro*

Hac Vice of Keith Levenberg and James McGarry, filed electronically on 24 February 2023.

In support of this Motion, Bank of America respectfully shows the Court as follows:

1. Bank of America timely electronically filed its new brief in this Court on 23 February 2023.
2. Upon review of the electronically filed new brief, the undersigned counsel realized that Motion for Admission *Pro Hac Vice* of Keith Levenberg and James McGarry had not yet been filed. They had previously been admitted *pro hac vice* in this appeal under No. 102A20-2.
3. Bank of America has filed the Motion for Admission *Pro Hac Vice* of Keith Levenberg and James McGarry today, 24 February 2023.
4. In all respects except for its date of filing, the Motion for Admission *Pro Hac Vice* of Keith Levenberg and James McGarry fully complies with North Carolina Rule of Appellate Procedure 33(d) and North Carolina General Statutes Section 84-4.1.
5. Bank of America consulted with Plaintiff-Appellee's counsel, William C. Robinson, about this motion on 24 February 2023. Mr.

Robinson confirmed that he consents to the Court deeming timely the Motion for Admission *Pro Hac Vice* of Keith Levenberg and James McGarry.

WHEREFORE, Bank of America respectfully requests that the Court deem timely the Motion for Admission *Pro Hac Vice* of Keith Levenberg and James McGarry, filed electronically on 24 February 2023.

McGUIREWOODS, LLP

Electronically submitted
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CERTIFICATE OF SERVICE

I hereby certify that on 24 February 2023 the foregoing **Motion to Deem Timely the Motion for Admission *Pro Hac Vice*** was electronically filed and served upon each of the parties in this action by email and by depositing a copy, contained in a first-class, postage-paid wrapper, into a depository under the exclusive care and custody of the United States Postal Service, addressed as follows:

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