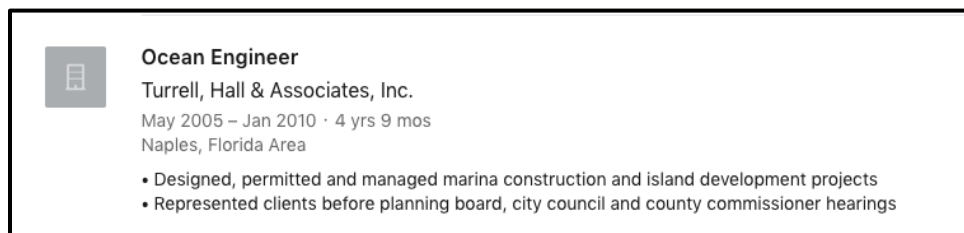


On multiple occasions, Joe Cunningham has been accused of exaggerating his resume or breaching ethics in his professional career, including being accused of violating the South Carolina Rules of Professional Conduct for attorneys and misleading voters about his experience as a lawyer and Ocean engineer.

BACKUP:

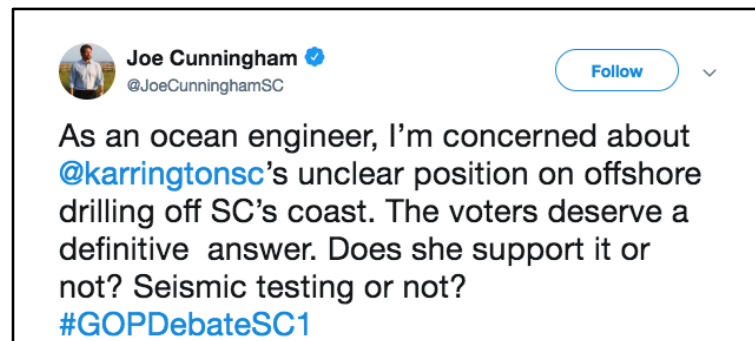
Cunningham claims that he is an ocean engineer, but he only had an intern license and never took the exam to become a professional engineer:

- On his LinkedIn profile, Cunningham describes working as an ocean engineer with Turrell, Hall & Associates, Inc., a marine and environmental consulting firm in Naples, Florida.



(Joe Cunningham, [LinkedIn](#), accessed 1/15/19)

- On social media and in campaign materials, Cunningham claims to be an ocean engineer.



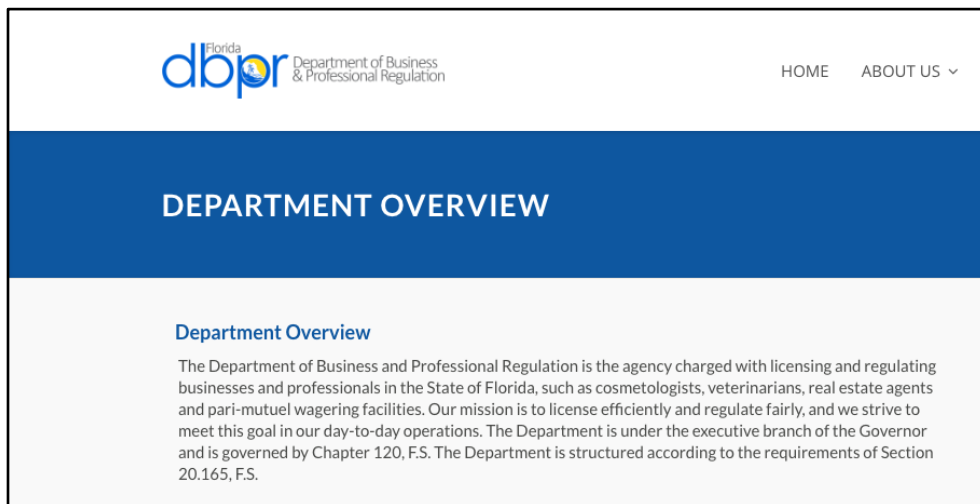
(Joe Cunningham, [Twitter](#), 6/1/18)

- In a campaign video entitled "Out Here," Cunningham is shown in a wetsuit treading water, and states, "as an ocean engineer, I've spent a lot of time on the water...and in it:" CUNNINGHAM: "As an ocean engineer, I've spent a lot of time on the water...and in it. And I've always opposed offshore drilling. My opponent? Not so much. Here she is in her own words: KATIE ARRINGTON: 'President Trump...and I support what he did. He lifted the ban on offshore drilling.' I don't support it. Because even a small leak could kill our economy and ruin our beaches. We can't drill out here. If you send me to Congress, I'll make sure we never do. I'm Joe Cunningham, and I approve this message." (Joe Cunningham, "Joe Cunningham: Out Here," [Clip](#) begins at 0:01, Uploaded 10/2/18)
- In the same video, Cunningham is described on-screen as an "Ocean Engineer."



(Joe Cunningham, "Joe Cunningham: Out Here," [Clip](#) begins at 0:01, Uploaded 10/2/18)

- While Cunningham holds an Engineering Intern License according to the Florida Department of Business & Professional Regulation (DBPR)—an organization that licenses and regulates businesses and professionals in the State of Florida—no record exists of Cunningham taking the qualifying exam to become a certified professional civil engineer.



(Florida Department of Business & Professional Regulation, "Department Overview," MyFloridaLicense.com, accessed 1/16/19)

Florida dbpr
DBPR ONLINE SERVICES

Log On Home 1:59:42 PM 1/16/2019

Search for a Licensee
Apply for a License
View Application Status
Find Exam Information
File a Complaint
AB&T Delinquent
Invoice & Activity
List Search

Licensee Details

Licensee Information

Name:	CUNNINGHAM, JOSEPH KENDRICK (Primary Name)
Main Address:	4817 LAKEWOOD BLVD NAPLES Florida 34112
County:	COLLIER
License Mailing:	4817 LAKEWOOD BLVD. NAPLES FL 34112
County:	COLLIER
LicenseLocation:	

License Information

License Type:	Engineering Intern
Rank:	Eng Intern
License Number:	1100013010
Status:	Current
Licensure Date:	12/11/2008
Expires:	

Special Qualifications

Qualification Effective	
-------------------------	--

(Florida Department of Business & Professional Regulation, "Licensee Details," MyFloridaLicense.com, accessed 1/16/19)

- According to the Florida DBPR, Cunningham's Engineering Intern License was issued on December 11, 2008, and as of June 24, 2020, the status of this license was listed as "current."

License Information	
License Type:	Engineering Intern
Rank:	Eng Intern
License Number:	1100013010
Status:	Current
Licensure Date:	12/11/2008
Expires:	
Special Qualifications	Qualification Effective

(Florida Department of Business & Professional Regulation, "Licensee Details," MyFloridaLicense.com, accessed 6/24/20)

- Additional DBPR records indicate that as of August 11, 2009, Cunningham was eligible to take the qualifying examination to become a professional civil engineer.

Florida dbpr
DBPR ONLINE SERVICES

Log On Home 2:06:10 PM 1/16/2019

Search for a Licensee
Apply for a License
View Application Status
Find Exam Information
File a Complaint
AB&T Delinquent
Invoice & Activity
List Search

Licensee Details

Licensee Information

Name:	CUNNINGHAM, JOSEPH KENDRICK (Primary Name)
Main Address:	4817 LAKEWOOD BLVD NAPLES Florida 34112
County:	COLLIER
License Mailing:	
LicenseLocation:	

License Information

License Type:	Professional Engineer
Rank:	
License Number:	
Status:	Eligible for Exam
Licensure Date:	
Expires:	

Special Qualifications

Qualification Effective	
Civil	08/11/2009

(Florida Department of Business & Professional Regulation, "Licensee Details," MyFloridaLicense.com, accessed 1/16/19)

- As of August 26, 2019, Joe Cunningham does not appear as a licensed engineer or land surveyor in a search of records maintained by the South Carolina Department of Labor, Licensing, and Regulation.

The screenshot shows the 'Professional Licensing Boards | Board Member Lookup' page. The search criteria are: Last Name: Cunningham, First name: Joseph, COA / License #: (blank), City: (blank), Company name: (blank), License Type: All. A reCAPTCHA verification box is present. The search returned 1 record(s). Below the search results is a table with the following data:

Lic #	Last	First	Middle	City	State	Type
10530	CUNNINGHAM	JOSEPH	R	TRAVELERS REST	SC	Engineering

(South Carolina Labor, Licensing, and Regulation, “Professional Licensing Boards/Board Member Look-Up: Cunningham, Joseph,” LLR.com, accessed 8/26/19)

Editor’s Note: In a search of “Joseph Cunningham” in records maintained by the South Carolina Department of Labor, Licensing, and Regulation, the only result is “Joseph R. Cunningham,” whose license expired in June 2014.


The screenshot shows the profile for Joseph R. Cunningham on the Board: Engineers and Land Surveyors. The profile includes the following information:

- JOSEPH R CUNNINGHAM**
- PO BOX 62
- TRAVELERS REST, SC 29690
- Business Phone:** (864) 313-3634
- License number:** 10530
- License type:** Engineering
- Classification(s):** ENGINEER CATEGORY A
- Status:** EMERITUS RETIRED
- First Issue Date:** 06/30/1985
- Expiration:** 06/30/2014
- Board Public Action History:** View Orders, View Other License for this Person
- No Orders Found

(South Carolina Labor, Licensing, and Regulation, “Board: Engineers and Land Surveyors: Joseph R. Cunningham,” LLR.com, accessed 8/26/19)

Cunningham said he “prosecuted felons,” while working at the Boone County Commonwealth Attorney’s Office, but he was really a law clerk and hadn’t yet passed the Bar exam:

- According to his LinkedIn profile, while acting as a Law Clerk in the Boone County Commonwealth Attorney’s Office between 2012 and 2014, Cunningham prosecuted “felonies” in the Boone County Circuit Court.



Law Clerk
 Boone County Commonwealth Attorney's Office
 Dec 2012 – May 2014 · 1 yr 6 mos

Prosecute felonies in Boone County Circuit Court.
 Present indictments to Boone County Grand Jury.
 Conduct revocation and competency hearings.
 Assist in trial preparation and jury selection.
 Draft motions and orders.
 Work cases with police officers and detectives.
 Conduct legal research. [See less](#)

(Joe Cunningham, [LinkedIn](#), accessed 3/13/19)

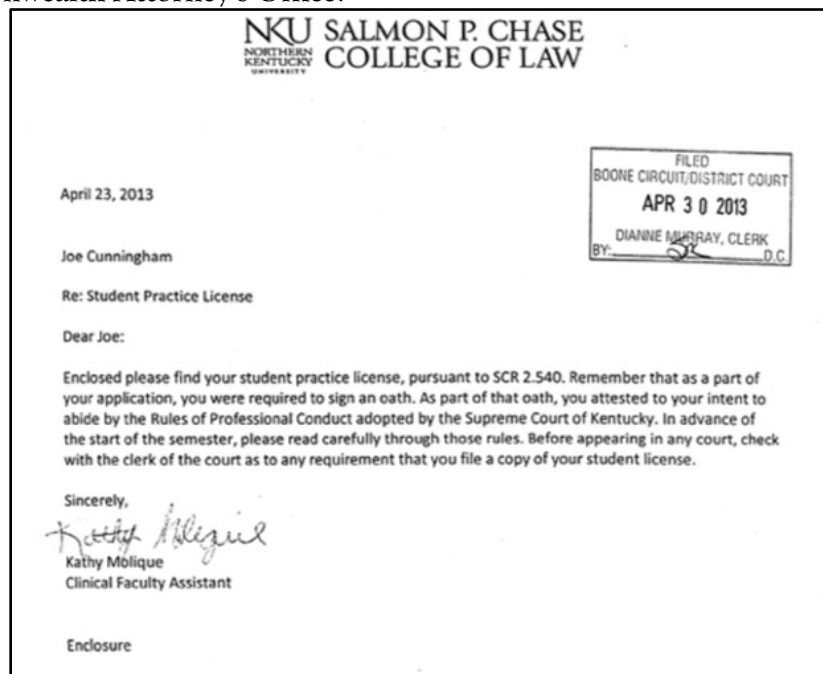
- In a debate with Republican challenger Katie Arrington, Cunningham claimed he worked in “the prosecutor’s office, for a number of years, prosecuting felons,” and that he “worked alongside” law enforcement, “presenting evidence and solving cases.” “I worked in the prosecutor’s office, for a number of years, prosecuting felons.” (ABC News, “Katie Arrington vs. Joe Cunningham S.C. Congressional Debate, [Clip](#) begins at 45:57, Uploaded 10/16/18)

“But I always stand on the side of law enforcement. I’ve worked with them. Worked alongside them. I’ve been inside the Grand Jury Rooms with them, presenting evidence and solving cases with them. And I’ll continue to do that in Congress.” (ABC News, “Katie Arrington vs. Joe Cunningham S.C. Congressional Debate, [Clip](#) begins at 46:28, Uploaded 10/16/18)

- According to the Kentucky Rules of the Supreme Court (SCR), Rule 2.540, “Limited Student Practice,” a student who has successfully met specific requirements “may provide legal services” and “may appear in any proceeding in any court” of Kentucky “on behalf of any person financially unable to employ counsel, or, on the behalf of the Commonwealth or United States’ Attorney.” However, in any criminal matter in which the defendant could be punished by a fine of more than \$500 or by confinement of more than twelve months, the student must be supervised by a “member in good standing of the bar.” “Any student who has successfully completed two-thirds of the academic hour requirement for the first degree in law at an approved law school and is participating in a law school sponsored clinic, intern, extern, or public service program may provide legal services to, and may appear in any proceeding in any court of this state on behalf of any person financially unable to employ counsel, or, on behalf of the Commonwealth or the United States' Attorney; and any student who has successfully completed two-thirds of the academic hour requirements for the first degree in law may provide legal advice, counseling and negotiation services to a college or university student, regardless of that student's financial status, pursuant to an approved law school clinical program provided: (a) Such student is providing such services to, or appearing in such proceeding on behalf of, a person assigned to the student through a clinic, intern, extern, or public service program operated by an approved law school under the direction of a full or part time law school director. (b) Such student makes application to the Character and Fitness Committee of the Kentucky Office of Bar Admissions, on a form approved by the Committee and accompanied by a \$25.00 processing fee to cover costs. The Committee reviews and approves applications for students who appear to be qualified to perform legal services as interns and certifies this to the Supreme Court. (c) The Chief Justice of the

Supreme Court of Kentucky, the dean of the student's law school, and the director of the law school program in which such student is participating, have filed written approval of such student with the clerk of the Supreme Court, the clerk of the courts before which the student is to appear, and the clerk of the circuit court in the county wherein the student's law school is located. (d) A member in good standing of the bar of this state personally supervises all activities of the student in each case, with the exception that the student may consult with the client or potential clients, but may not advise, negotiate or appear alone in administrative proceedings or in the courts of this state in civil or criminal matters without personal appearance and supervision by a member in good standing of the bar of this state, and as otherwise provided in this Rule. In all criminal cases involving crime for which the defendant may be punished by a fine of more than \$500.00 or by confinement for more than twelve months, personal supervision of the activities of the student requires that a member in good standing of the bar of this state be present for all proceedings which take place before a judge.” (Thomson Reuters Westlaw, “Kentucky Court Rules: Rules of the Supreme Court (SCR), Rule 2.540, Limited Student Practice,” [Westlaw](#), accessed 3/13/19)

- **In compliance with SCR 2.540, Cunningham didn't receive his student practice license until April 2013, nearly four months after he started clerking at the County Commonwealth Attorney's Office.**



(Boone Circuit/District Court, Burlington, KY, Letter Regarding Student Practice License for Joe Cunningham, 4/23/13)

FILED
BOONE CIRCUIT/DISTRICT COURT
APR 30 2013
BY: DIANNE MURPHY, CLERK
D.C.

**CERTIFICATIONS AND APPROVAL OF APPLICATION TO PARTICIPATE
IN LEGAL INTERNSHIP PROGRAM**

1. I, Joe Cunningham, a student of the Salmon P. Chase College of Law, hereby apply for approval to participate in the Legal Internship Program pursuant to the provision of SCR 2.540.

Dated: 4/17/13 Signature of Applicant [Signature]

2. I, Jennifer Kinsley, Faculty Director of the law school program in which the aforesaid applicant seeks to participate pursuant to the provisions of SCR 2.540, hereby approve said applicant for participation in the Legal Internship Program.

Dated: 5-28-13 Signature of Faculty Director [Signature]

3. I, Lawrence Rosenthal, Assoc. Dean of the Salmon P. Chase College of Law, hereby certify that the aforesaid applicant has successfully completed two-thirds of the academic hour requirements for the first degree in law, and is otherwise approved for participation in the Legal Internship Program pursuant to the provision of SCR 2.540.

Dated: 3/26/13 Signature of Dean [Signature]

4. I, Linda T. Smith, a member in good standing of the Kentucky Bar, hereby certify that I will personally supervise the activities of the aforesaid applicant as is required for participation in the Legal Internship Program pursuant to the provision of SCR 2.540(e).

Dated: 4/11/13 Signature of Sponsor [Signature]

5. I, GRACIE HELMKE, member of the Character and Fitness Committee of the Kentucky Office of Bar Admissions, hereby certify that the aforesaid applicant appears qualified to perform legal services as an intern under the provisions of SCR 2.040 and SCR 2.540.

Dated: 4-5-13 Signature [Signature]
Member, Character & Fitness Committee

6. I, John D. Minton, Chief Justice of the Supreme Court of Kentucky, hereby approve the aforesaid applicant for participation in the Legal Internship Program established by SCR 2.540.

Dated: 4-17-13 Signature [Signature]
John D. Minton, Chief Justice
Supreme Court of Kentucky

(Boone Circuit/District Court, Burlington, KY, "Certifications and Approval of Application to Participate in Legal Internship Program," 4/17/13)

- Cunningham was not admitted to the South Carolina Bar until November 2014—6 months after he had left the Boone County Commonwealth Attorney’s Office—and wasn’t admitted to the Kentucky Bar until May 2015, a full year after he had departed.

South Carolina Bar

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- Directory
 - Lawyers Desk Book
 - ADR Search
 - Contract Lawyer & Paralegal Directory
 - Mailing Lists and Labels
- Sections, Committees & Divisions
- Member Benefits & Assistance
- Event Calendar


Joseph Kendrick Cunningham
Joe Cunningham Law, LLC

Address: PO Box 21768
Charleston, SC 29413
Charleston

Email: [Click to Display](#)

Phone: (843) 814-0515 Ext.

(South Carolina Bar, "Bar Member Profile: Joseph Kendrick Cunningham," SCBar.org, accessed 2/28/19)



For Lawyers Shop CLE Bar News About Us For the Public

Bar Programs

Legal Resources & Info

Law School: Northern Kentucky University, 2014

Bar Admission: 11/17/2014

Member Class: Regular Member

Member Status: Good Standing

(South Carolina Bar, "Bar Member Profile: Joseph Kendrick Cunningham," SCBar.org, accessed 2/28/19)

filed against an attorney, that an attorney is being investigated for an alleged violation of the Kentucky Rules of Professional Conduct, or that an attorney has received a private reprimand. Every effort has been made to keep the disciplinary information contained in this website accurate and current, but it is provided with no warranty of any kind.

Last updated: 12/10/2018

Joseph Kendrick Cunningham
Regular
josephkendrick@gmail.com

PHOTO NOT AVAILABLE

OFFICIAL ADDRESS INFORMATION

Joe Cunningham Law, LLC
PO Box 21768
Charleston
South Carolina
29403 United States
[Map]

843-814-0515 (Phone)

County: Out-Of-State

OTHER INFORMATION

Date of Admission: 5/1/2015

Status: Active

Public Discipline History: No record of public discipline.

Practice Information pursuant to SCR 3.023: I am engaged in the Private Practice of Law, and I am currently covered by a policy of professional liability insurance with minimum limits of \$100,000.00 per claim and \$300,000.00 aggregate for all claims during the policy term.

GROUPS

Foundation
Kentucky Bar
Foundation Contribution

Sections

Civil Litigation

(Kentucky Bar Association, "Joseph K. Cunningham," Kentucky Bar.org, 12/10/18)

During a civil case in 2015, Cunningham was accused by another firm of violating the South Carolina Rules of Professional Conduct for attorneys by communicating with a plaintiff while representing the defendant:

- In May 2014, Charlene Lemon, a Food Service Manager in a Charleston, South Carolina high school, filed suit against GCA Services Group Inc., alleging she was injured in a slip-and-fall accident due to the negligence of GCA as they performed janitorial duties in the kitchen.

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF CHARLESTON)	FOR THE NINTH JUDICIAL CIRCUIT
CHARLENE LEMON,)	CASE NUMBER: 14-CP-10-3362
)	
Plaintiff,)	
)	
v.)	
)	
GCA SERVICES GROUP, INC.,)	COMPLAINT
WILBER DESAUSSURE, AND)	(Jury Trial Requested)
KENNETH TOLBERT,)	
)	
Defendants.)	
)	

FILED
 2014 MAY 27 PM 3:51
 JULIE J. ARMSTRONG
 CLERK OF COURT

(State of South Carolina, County of Charleston, Court of Common Pleas, Ninth Judicial Circuit, "Complaint," Case No. 2014-CP-10-3362, 5/27/14)

wax from it.




13. That the Defendants owed a heightened duty of care to the school's employees, and visitors, and in particular Charlene Lemon, with regards to the Defendants' work area which was under Defendants' control.

14. That on or about July 2, 2012 the floors and walkways within the Defendants' work area were in an unsafe and dangerous condition created by the Defendants.

15. That Plaintiff was injured when she slipped and fell in a collection of the liquid/unknown substances placed on the floor by Defendants, causing her to sustain injuries.

(State of South Carolina, County of Charleston, Court of Common Pleas, Ninth Judicial Circuit, "Complaint," Case No. 2014-CP-10-3362, Page 6, 5/27/14)

- Joseph Cunningham was retained by GCA Services Group Inc. as counsel in the case.

 Julie J. Armstrong Charleston County Clerk of Court		Charleston County Circuit Court Case Details Public Index	
Charleston County Home Page Clerk of Court Home Page Magistrates Court SC Judicial Home Page Search Tips			
Switch View			
Charlene Lemon VS GCA Services Group Inc			
Case Number:	2014CP1003362	Court Agency:	Common Pleas
Case Type:	Common Pleas	Case Sub Type:	Personal Injury 350
Status:	Dismissed	Assigned Judge:	Clerk Of Court C P, G S, And Family Court
Disposition:	Dismissed per Rule 41(a)	Disposition Date:	01/06/2016
Original Source Doc:		Original Case #:	
Judgment Number:		Court Roster:	
		Disposition Judge:	Clerk Of Court C P, G S, And Family Court
		Restore Reason:	Reopened Case
Filed Date: 05/27/2014 File Type: Jury			
Case Parties Judgments Tax Map Information Associated Cases Actions Financials			
Click the  icon to show associated parties.			
	Name	Address	Race Sex Year Of Birth Party Type Party Status Last Updated
	 Cunningham, Joseph Kendrick	342 East Bay Street Charleston SC 29401	

(Charleston County, Charleston County Clerk of Court, "Charlene Lemon v. GCA Services Group Inc.," [Charleston County Circuit Court Case Details Public Index](#), accessed 1/9/19)

- In August 2015, Cunningham and his partner—Robert T. Lyles—filled a motion for summary judgement in the case, claiming that the conditions under which the plaintiff was injured were obvious, and as such, their client was not liable for the accident.

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON CHARLENE LEMON <p style="text-align: center;">PLAINTIFF,</p> <p style="text-align: center;">V.</p> GCA SERVICES GROUP, INC., WILBUR DESAUSSURE, AND KENNETH TOLBERT. <p style="text-align: center;">DEFENDANTS.</p>	THE COURT OF COMMON PLEAS FOR THE NINTH JUDICIAL CIRCUIT CASE #: 14-CP-10-3362 <p style="text-align: center;">GCA SERVICES GROUP, INC.'S NOTICE AND MOTION FOR SUMMARY JUDGMENT</p>
---	---

FILED
 2015 AUG 31 PM 2:31
 JULIE J. ARSHING
 CLERK OF COURT


BY _____

TO: DAVID B. YARBOROUGH, JR., ESQUIRE, AND DAVID B. LAIL, ATTORNEYS
 FOR PLAINTIFF.:

PLEASE TAKE NOTICE that Defendant, GCA Services Group, Inc. (hereinafter
 "GCA") by and through their undersigned attorneys, will move before this Honorable Court ten
 (10) days after the date hereof, or as soon thereafter as counsel may be heard for an Order
 pursuant to Rule 56(a), *SCRCP*, granting summary judgment on the grounds that the alleged
 conditions on which Plaintiff injured herself were open and obvious.

This motion is supported by the pleadings, affidavits, discovery, and testimony which is
 either on file, of record or forthcoming.

(State of South Carolina, County of Charleston, Court of Common Pleas, Ninth Judicial Circuit, "GCA Services Group, Inc.'s Notice and Motion for Summary Judgment," Case No. 2014-CP-10-3362, 8/31/15)




Robert T. Lyles, Jr., Esquire
 Joseph K. Cunningham, Esquire
 LYLES & LYLES, LLC
 Charleston, SC 29401
 Phone: (843) 577-7730 / Fax: (843) 577-7172
rtl@lylesfirm.com
jkc@lylesfirm.com
*Attorneys for Defendant, GCA Services Group,
 Inc.*

Charleston, South Carolina
 August ____, 2015

(State of South Carolina, County of Charleston, Court of Common Pleas, Ninth Judicial Circuit, "GCA Services Group, Inc.'s Notice and Motion for Summary Judgment," Case No. 2014-CP-10-3362, Page 2, 8/31/15)

- In September 2015, after a mediation attempt to settle the case reached an impasse, Charlene Lemon's attorney, David B. Lail—of Yarborough Applegate—wrote to Cunningham, accusing Cunningham of violating the South Carolina Rules of Professional Conduct for attorneys by contacting the plaintiff outside of official channels and questioning her in relation to the case without counsel present.

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON)	
)	PROOF OF ADR OR EXEMPTION
Charlene Lemon,)	
Plaintiff,)	
)	
vs.)	FILE NO.: 2014-CP-10-3362
)	
GCA Services Group, Inc., Wilbur)	
Desaussure and Kenneth Tolbert,)	
)	
Defendant.)	
_____)	


 JULIE J. ARBUSTROUD
 CLERK OF COURT
 SEP 14 PM 2:51
 FILED

(State of South Carolina, County of Charleston, Court of Common Pleas, Ninth Judicial Circuit, "Proof of ADR or Exemption," Case No. 2014-CP-10-3362, 9/14/15)

4. As a result of ADR, this case should be considered (please check one);

() Fully Settled.

 () by Consent Judgment, to be filed by _____

or () Voluntary Dismissal to be filed by _____

() Partially Settled.

(XX) At an Impasse.

(XX) In need of further ADR I am am not willing to continue as a neutral. I recommend that ADR resume as of _____ the time that further discovery is completed.

5. Plaintiff was present was not present
 Defendant was present was not present

6. Other participants were:

XX Lawyer for Defendant Robert Lyles, Joe Cunningham

XX Lawyer for Plaintiff David B. Yarborough, David Lail

XX Representative for Insurance Carrier Travelers

 Guardian *ad Litem*

 Experts

(State of South Carolina, County of Charleston, Court of Common Pleas, Ninth Judicial Circuit, "Proof of ADR or Exemption," Case No. 2014-CP-10-3362, Page 2, 9/14/15)



**YARBOROUGH
APPLEGATE**
ATTORNEYS AT LAW

David B. Lail, Esq.
dlail@yarboroughapplegate.com
Licensed in SC and DC

September 30, 2015

Joseph K. Cunningham, Esquire
Lyles & Lyles, LLC
P.O. Box 773
Charleston, SC 29402

Re: Charlene Lemon v. GCA Services Group, Inc.
Case No.: 2014-CP-10-3362
Our File No.: 13-040

Dear Joe:

Our client, Ms. Lemon, informed us yesterday afternoon that you came to her place of employment and communicated with her regarding this case. To clarify, South Carolina Rules of Professional Conduct Rule 4.2, Communication with Person Represented by Counsel, states:

In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter unless the lawyer has the consent of the other lawyer or is authorized to do so by law or a court order.

Your communication with Ms. Lemon was clearly in violation of Rule 4.2. You did not have our consent to communicate with Ms. Lemon and you were not authorized by law or court order to speak with her about this case.

Further, it is our understanding that photographs were taken in the course of your improper communication with our client and you are unwilling to produce those photographs. These photographs must be produced. Please see Interrogatory No. 3 to Plaintiff's First Set of Interrogatories and Request No. 4 of Plaintiff's First Set of Requests for Production, both served on September 26, 2014. Pursuant to Rule 11 of the South Carolina Rules of Civil Procedure, please consider this letter Plaintiff's good faith attempt to confer with you to resolve this discovery dispute so that we can avoid the next step to the resolution process, which will be the filing of a Motion to Compel regarding yesterday's event. Please produce these photographs by Friday, October 9, 2015.

291 East Bay Street / Floor 2 / Charleston, SC 29401 / Phone: 843.972.0150 / Fax: 843.277.6691
www.yarboroughapplegate.com

(David B. Lail, Yarborough Applegate, "Re: Lemon v. GCA Services Group, Inc.," Letter to Joseph Cunningham, 9/30/15)

- According to the South Carolina Judicial Department's Rules of Professional Conduct, Rule 4.2, Communication with Person Represented by Counsel, prohibits an attorney from discussing the subject of representation with an individual the attorney knows to be represented by another attorney in the matter, unless the aforementioned attorney has the consent of the other attorney or is so ordered or mandated by law. "Rule 4.2: Communication with Person Represented by Counsel: In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter unless the lawyer has the consent of the other lawyer or is authorized to do so by law or a court order." (South Carolina Judicial Department, "Rule 4.2: Communication with Person Represented by Counsel," [South Carolina Judicial Department](#), 4/15/15)

- In November 2015, the case was settled between Lemon and GCA services, and before, it appears, any action could be undertaken regarding Yarborough Applegate's accusation against Cunningham.

FORM 4
JUDGMENT IN A CIVIL CASE

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
IN THE COURT OF COMMON PLEAS

Charlene Lemon **FILED** GCA Services Group

CASE NO. 2014-CP-10-3362

PLAINTIFF(S) **2015 NOV 20 AM 11:46** DEFENDANT(S)

Submitted by: **JULIE J. ARMSTRONG**
CLERK OF COURT

Attorney for: Plaintiff Defendant
or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.

DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRCP; Rule 41(a), SCRCP (Vol. Nonsuit); Rule 43(k), SCRCP (Settled); Other

ACTION STRICKEN (CHECK REASON): Rule 40(j), SCRCP; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other

DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court: Court advised case settled per Attorney Lail. Terms of the settlement were placed on the record.

This order ends does not end the case.
Additional Information for the Clerk: _____

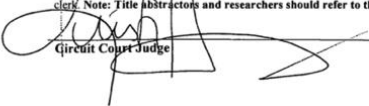
INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
N/A		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest of additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

 **2151** **11/18/15**
Circuit Court Judge Judge Code Date

SCRCP Form 4C (10/2011) Page 1 of 2

(State of South Carolina, County of Charleston, Court of Common Pleas, Ninth Judicial Circuit, "Judgment in a Civil Case," Case No. 2014-CP-10-3362, 11/20/15)

- In January 2016, the case was officially dismissed with prejudice.

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)
CHARLENE LEMON)
Plaintiff,)
-vs-)
GCA SERVICES GROUP, INC.,)
WILBUR DESAUSSURE AND)
KENNETH TOLBERT)
Defendant.)

IN THE COURT OF COMMON PLEAS:
NINTH JUDICIAL CIRCUIT
CASE NO.: 2014-CP-10-3362
2014


STIPULATION OF DISMISSAL

FILED
2016 JAN -6 PM 3:41
JULIE J. ANDERSON
CLERK OF COURT

YOU WILL PLEASE TAKE NOTICE that the parties in this matter hereby stipulate to a dismissal of this action, with prejudice.

NOW, THEREFORE, at the stipulation of all parties in this matter, this case is hereby dismissed and ended with prejudice, pursuant to Rule 41(a)(1)(B) of the South Carolina Rules of Civil Procedure.

WE STIPULATE:



David B. Lail, Esq.
Yarborough Applegate
291 East Bay Street
Charleston, SC 29401
Attorney for Plaintiff

12-17-2015

Date