

PRESIDENT

Ladson F. Howell
 PO Box 1896
 Mt. Pleasant, SC 29465
 (843) 849-2800

PRESIDENT-ELECT

Natalie P. Bluestein
 One Carriage Lane, Bldg. D
 Charleston, SC 29407
 (843) 769-0311

EDITOR

David W. Wolf
 286 Meeting Street
 Charleston, SC 29401
 (843) 853-9000

WINTER, 2013**Website: <http://www.charlestonbar.org>****FROM THE PRESIDENT**

Dear Colleagues:

I am a fan of comedy, especially stand-up. My wife puts up with it and agrees to go to shows with me on occasion. I have also taken my young daughter with me when I was certain that the comic was not too "blue". I also love telling jokes, and I can tell some pretty good ones. The problem is that none of my jokes are original. I would love to perform stand-up comedy as a hobby, but I cannot write original jokes that are worth telling. I have the same problem in the courtroom. I have a number of good, canned, deliveries in my arsenal for closing arguments, but they are all stolen from lawyers better than me as well.

I am not a fan of lawyer jokes, however. I can think of no profession apart from our own that has done more to protect and improve our communities, our governments, and indeed the world. Yet we are arguably the most maligned profession as well. While serving as president of this organization, I have a unique opportunity to play a small role in combating our community's negative perception of our profession. Our bar association does a great deal of good in our community, most notably through our pro bono program as well as the Center for Heirs Property. Sertoma is another organization of which I am proud to be a member. Any time that organization helps a charity, it appears in the newspaper. Large amounts of time and money come from lawyers who are working to make Charleston a better place, and for the most part, Charlestonians are never made aware of it. Improving our image in the local community will be part of my focus while in this position. More free CLE's will be another focus, and I will address that in my next letter.

It is an honor to serve as president of this proud association. Thank you for the privilege. I got a laugh at the annual meeting when I promised to work hard toward the noble goal of a scandal-free administration. That joke was stolen too, first uttered by our great past President Cheryl Shoun. Thanks Cheryl, I owe you one.

Humbly submitted,

Lad Howell

ANNOUNCEMENTS

Audrey R. Brown announces the opening of the **A.R. Brown Law Firm, LLC**, located at 1327 Ashley River Road, Building C, Suite 100, Charleston, South Carolina 29407. Tel. (843) 259-2195. Fax (877) 591-9503. E-mail arbrown@arbrownlaw.com. Miss Brown's practice focuses on family law (including private Guardian *ad Litem* work and DSS defense), estate planning, and estate probate.

Green Ford & Wallace LLC has moved to 715 King Street, Charleston, SC 29403, 843-277-2011, and has changed its name to **Ford & Wallace LLC**. The firm is pleased to announce the addition of **Neil Thomson** to their Charleston practice. With an established reputation, successful case histories and thriving litigation practice, Mr. Thomson will offer a fresh perspective to the boutique firm.

Hall Booth Smith is proud to welcome Elizabeth Freeman as a new associate in the Charleston office. Originally from Greenville, SC, Ms. Freeman attended The University of the South in Sewanee, Tennessee, where she earned a B.A. in Political Science. During undergraduate school, she interned in the Scottish Parliament for the former Minister of Finance. She received her J.D. from the Charleston School of Law in 2009. While in law school, Ms. Freeman served as the Articles Editor for Federal Courts Law Review and as the Development Editor for MALABU, the Maritime Law Bulletin.

Ms. Freeman has been working in the legal industry in the Lowcountry since 2005. She served as law clerk to the Honorable Steven H. John while he was Chief Administrative Judge for the Fifteenth Judicial Circuit of South Carolina and as an intern to the Honorable David C. Norton in United States District Court for the District of South Carolina. Prior to joining **HBS**, Ms. Freeman practiced in commercial and business litigation, corporate formation, and estate planning.

Richardson Plowden attorney Drew Hamilton Butler has relocated from the Columbia office to the Firm's new Charleston office at 40 Calhoun Street, Suite 220. Richardson Plowden opened its Charleston office in November 2012. Butler, who is a member of the Charleston County Bar Association, will continue to focus his practice on corporate defense litigation, insurance defense litigation, construction litigation, products liability defense, premises liability defense, and personal injury litigation.

Max Sparwasser announces the opening of **Max Sparwasser Law Firm, LLC** located at 875 Lowcountry Blvd., Suite 210, Mt. Pleasant, SC 29464. Tel. (843) 864-6444; Fax. (866) 860-8160; email. max@maxlawsc.com. Practice focus is on all personal injury cases.

CLASSIFIEDS:

LAW OFFICE RENTAL: Office spaces in The Franke Building, downtown Charleston City Market Area. Two blocks to Federal and State Courthouse, RMC and other County offices. Immediate availability. Attorney office with or without support staff space available. Rent includes full time receptionist, courier, three copiers, fax machines, four conference rooms and kitchen. **Contact Joe Brockington (843) 722-2807 or Nick Clekis (843) 720-3737.**

CHARLESTON COUNTY BAR ASSOCIATION EXECUTIVE BOARD

2013-2014

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IMPORTANT REMINDER

Please remember to send any changes in your contact information (address, telephone number, e-mail address, etc.) to the below e-mail address so that your mail will not be returned to us and you will receive all notifications sent out via e-blast. If you have not been receiving e-blasts it is probably due to the fact that we either do not have your e-mail address or the one that we have is incorrect. We are missing e-mails from many attorneys so checking your e-mail on our website is very important and providing us with the correct information via e-mail is appreciated. In addition, all newsletters and other mailouts sent out by the Bar Association are sent bulk mail and the post office will not forward bulk mail.

Julianne R. Holzel, Executive Secretary

Telephone number: (843) 881-6666

E-Mail: secretary@charlestoncountybar.org

Mailing Address:

PO Box 21136

Charleston, SC 29413

ONLINE MEMBER DIRECTORY

Please help us have a more complete online member directory. If you go to the Lawyer Director on <http://www.charlestonbar.org> and see that any of your contact information and/or headshot is missing, or outdated, please e-mail the information and photo (in jpeg format) to jholzel2@concast.net. We will add the new information to the website as quickly as possible. **This is especially important for new members.**

2013 CHARLESTON COUNTY BAR DUES REMINDER

Please note that if your 2013 Charleston County Bar dues have not been paid by the March 15, 2013, this will be the last newsletter you receive as you will be removed from the active list of members. Also please note that the dues have been raised to \$100.00 for 2013 by vote of the membership at the Annual Meeting in February, 2012.

PRO BONO MOMENTS

By: Marvin H. Feingold, Esquire
Director/ Legal Counsel
(Charleston) Pro Bono Legal Services, Inc.

Early in our eighth year, things around the Pro Bono office are very much as they have been a constant and continuing stream of applicants for service and also, volunteers who do everything from taking out the trash to interviewing clients and drafting pleadings.

Myriad legal problems present themselves every day. Often we see young mothers with children who have been abandoned by their husbands and, unable to make ends meet, they seek legal help; or it may be a child, seeking to probate a parent's estate. Lawyers who work in these areas know that achieving the client's desired ends in such cases, is not always an easy fix.

Needless to say, after having shopped for a lawyer and finding one unaffordable, the news from a pro bono or legal aid program, that there simply is not a free lawyer out there for every kind of case is tough to deliver. Nevertheless we continue to run the fact through our filter of priorities. Priorities are based on jurisprudential exigencies and the amount of work required.

By the time this Newsletter is published the Available Pro Bono Cases page should be on line (at Charlestonprobono.org.) Attorneys may shop for a Pro Bono case by using the PASSWORD: "volatty."

Attorneys are urged to go to our website and follow the instructions.

The Seventh Annual Ackerman Summer Law Fellow applicants are currently being interviewed and the Program of paid Summer internships will begin on May 13. As in the past 2 seminars are planned for Charleston area Summer interns. We ask that you plan to have your Summer interns attend. The dates for the seminars will be published through the CCBA list-serve, well in advance.

Our funding position is precarious. We depend on direct donations from the private bar for a significant portion of our annual funding. As things stand, we are in a state of perpetual fundraising and urge firms and individual attorneys to please consider a substantial contribution to keep this worthy Program running.



CHARLESTON PRO BONO

LEGAL SERVICES, INC.

LAW FIRM: _____

Contact: _____ Address: _____

Enclosed is our gift of \$_____. (Lead gift \$5,000 and above)

Please cut out and return to Charleston Pro Bono Legal Services, Inc., Post Office Box 1116, Charleston, SC 29402

CPB is a 501c3 organization; your donation is tax deductible as provided by law.

Our Eulogies

By: Ruth W. Cupp

At the February 28th annual meeting of our Bar, Allen R. Holmes delivered a eulogy on Coming Ball Gibbs, Jr., his law partner and friend.

When Coming made this state's highest score the on the LSAT, Harvard offer him an admission, which he turned down "gleefully."

"Coming was a remarkable trial lawyer. I never saw anyone more gifted at cross examination....once a judge ordered a transcript of Coming's cross for the judge's entertainment.

"He was the patron saint of the underdog, the broken and the down-on-their-luck. He with Ann Stirling and other lawyers took the representation of a convicted murder under circumstances where it appeared obvious that he had received ineffective assistance of counsel. Even though the S.C. Supreme Court on 3 occasions rejected this view and the U.S. Supreme Court twice, the U.S. Supreme Court ultimately ruled that the client was entitled to a new trial. The client is freed, welcomed back by his family, and has lived a law abiding life. Needless to say, this case consumed hundreds of hours of otherwise billable time for Coming received no compensation. This case meant more to him than almost any other.

"Coming represented many lawyers who were in trouble with the Bar....Coming would not hold a lawyer in default....Coming kept a sense of humor. He made no attempts at pretense....he took great satisfaction from his life and his work."

"We will miss him."

Grady Query gave the tribute to Paul N. Uricchio. III

Ricky never forgot his roots. "He was not just a lawyer but also a friend to his clients. He worked seven days a week, studied the law more than other lawyers and was truly an expert in the area of torts and insurance law."

"To him the law was his toolbox and he was a skillful craftsman who used those tools to accomplish his trade for the benefit of the lame and the downtrodden who were most often the people that he served."

"As those of you knew him well are totally aware, Ricky was a free spirit and he marched to his own drummer. He loved his motorcycle and his freewheeling friends. Lesser known was his love of classic poetry which he recited beautifully and his knowledge of history of the old city (Charleston). Most of all he loved his family and his clients. He never went a day without talking to his children and his phone was never off to his clients."

"A photo copy of each eulogy is made and the film is given to the family of the deceased member" said Robert Bernstein, past president of the county bar.

Judicial Notice

City of Charleston Municipal Court Chief Judge Joseph S. Mendelsohn

By: Robert T. Crabtree, Charleston School of Law, Class of 2013

CIRCUIT COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

(Court schedules are changing constantly; please verify current information through S.C. Court Administration or by checking the South Carolina Judicial Department website at <http://www.judicial.state.sc.us/calendar/index.cfm>.)

April 1	April 8	April 15	April 22
Chas CPNJ - Dennis Chas CPNJ - Harrington Chas GS - McDonald Berk CP - Nicholson	Chas CPNJ - Hughston Chas CPNJ - Jefferson Chas CPNJ - McDonald AW - Young Berk CPNJ - Harrington Berk GS - Dennis Berk CP - Nicholson	9 th CPNJ - Dennis Chas CPNJ - Harrington Chas GS - McDonald Chas CPNJ - Young Chas GS - Hughston Berk CP - Nicholson	Chas CPNJ - Jefferson Chas CPNJ - McDonald Chas GS - Harrington Chas GS - Young Berk GS - Dennis
April 29	May y	May 13	May 20
	Chas CPNJ - Dennis Chas CPNJ - Young 9 th CPNJ - Harrington Chas GS - Jefferson Chas GS - McDonald	Chas CPNJ - Harrington Chas CPNJ - Newman 9 th CPNJ - Nicholson 9 th CPNJ - McDonald Chas CPNJ - Young Chas GS - Hughston	Chas CPNJ/ - Jefferson PCR Chas CPNJ - McDonald Chas CP - Hughston Berk CPNJ - Young Berk GS - Nicholson
May 27	June 3	June 10	June 17
9 th CPNJ - Dennis Chas CPNJ - McDonald Chas CPNJ - Newman Chas GS - Harrington Chas GS - Young	9 th CPNJ - McDonald Chas CPNJ - Jefferson Chas CPNJ - Young Chas GS - Dennis Chas GS - Nicholson	Chas CPNJ - Harrington Chas CPNJ - Nicholson Chas CPNJ - Young Berk CPNJ - Jefferson Berk GS - McDonald	Chas CPNJ - Young Chas CP - Hughston Chas GS - Jefferson Chas GS - Harrington 9 th CPCR - Dickson Berk CPNJ - Dennis
June 24			
Chas CPNJ - Jefferson Chas GS - Hughston Chas GS - Dennis			

CIRCUIT COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

April	April 8	April 15	April 22
1 st CPNJ - Dickson	1 st CPNJ - Griffith	Dor GS - Goodstein	Dor GS - Goodstein
April 29	May 6	May 13	May 20
		1 st CPNJ - Dickson	1 st CPNJ/ - Dickson PCR Dor CPNJ - Goodstein
May 27	June 3	June 10	June 17
Dor GS - Dickson	Dor GS - Goodstein		
June 24			
1st CPNJ - Dickson			

FAMILY COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

April 1	April 8	April 15	April 22
Chas - McMahon Chas - Garfinkel Chas - Martin Berk - Landis	Chas - Creech Chas - Garfinkel Chas - Martin Chas - Cate Berk - McMahon Berk - Landis		Chas - McMahon Chas - Garfinkel Chas - Morris Chas - Martin Berk - Creech Berk - Landis
April 29	May 6	May 13	May 20
Chas - McMahon Chas - Cate Chas - Bromell Holmes Chas - Martin Berk - Morehead Berk - Creech Berk - McGowan	Chas - Mcahon Chas - Garfinkel Chas - Cate Chas - Martin Berk - Holt Berk - Landis	Chas - McMahon Chas - Garfinkel Chas - Landis Chas - Gibbons Chas - Martin Berk - Creech Berk - Cate Berk - Holt	Chas - Creech Chas - Jenkinson Chas - Morris Chas - Martin Berk - Garfinkel Berk - McGowan
May 27	June 3	June 10	June 17
Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Martin Berk - Creech Berk - Landis	Chas - McMahon Chas - Garfinkel Chas - Landis Chas - Cate Chas - Martin Berk - Holt Berk - Creech	Chas - Creech Chas - Garfinkel Chas - Cate Berk - McMahon Berk - Landis	Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Martin Berk - Creech
June 24			
Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Martin Berk - Creech Berk - Landis Berk - Jenkinson			

FAMILY COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

April 1	April 8	April 15	April 22
Dor - Wylie Dor - McLin	Dor - Wylie Dor - McLin		Dor - McLin
April 29	May 6	May 13	May 20
Dor - McLin Dor - Wylie	Dor - McLin	Dor - Wylie Dor - Jones	Dor - McMahon Dor - Guyton
May 27	June 3	June 10	June 17
Dor - Wylie Dor - McLin	Dor - McLin Dor - Jones	Dor - Wylie Dor - McLin	Dor - Wylie Dor - McLin
June 24			
Dor - Wylie			

CHARLESTON COUNTY COMMON PLEAS JURY VERDICTS

(Information supplied by Clerk of Court's Office)

2009-CP-10-5946 David Bielen, Edna O. Bielen, Joshua Oliver, Nicolette O. Coe, individually, and as Parent and Legal Guardian of Nicholas Oliver, a Minor Under the Age of Eighteen (18) Years, Ashley Oliver, a Minor Under the Age of Fifteen (15) years, vs. County of Charleston Sheriff's Department

Attorneys: Plaintiffs: Jackson Seth Whipper
Defendant: Ellore A. Games and Brian E. Johnson

Cause of Action: Assault/Slander/Libel

Verdict: For the Defendant.

2010-CP-10-4825 Kathleen Hatch vs. Dr. William Estes, Charleston Bone & Joint, P.A.

Attorneys: Plaintiff: Ruskin C. Foster
Defendants: Todd W. Smyth and Joshua Steven Whitley

Cause of Action: Medical Malpractice

Verdict: For the Defendant.

2010-CP-10-6239 D. A. Morgan Price vs. Todd Chas, Jacara Chas, Marsh Winds Owners Association, Inc. a/k/a Marsh Winds Horizontal Property Regime, and The Marshland Communities, LLC

Attorneys: Plaintiff: Andrew S. Radeker
Defendants: Derek F. Dean

Cause of Action: Torts/Other

Verdict: For the Plaintiff against Defendants Todd Chas and Jacara Chas in the amount of \$300,227.43 actual damages; for the Defendants Marsh Winds Owners Association, Inc. and The Marshland Communities, LLC on the Plaintiff's claim for breach of fiduciary duty; for the Defendant Marsh Winds Owners Association, Inc., a/k/a Marsh Winds Horizontal Property Regime on its counterclaim against the Plaintiff in the amount of \$85,227.43 actual damages.

2010-CP-10-8129 Peter E. Reilly vs. Lisa C. Burke and John Burke

Attorneys: Plaintiff: Robert R. Sansbury, III
Defendants: Julian K. Allen

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendants.

2011-CP-10-1276 Blake Dennis vs. Trudie Ann Shingledecker

Attorneys: Plaintiff: Matthew V. Creech
Defendant: David Cleveland

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

2011-CP-10-4101 Thomas Gordon vs. Jennifer Hyler

Attorneys: Plaintiff: Francis J. Cornely and David L. Savage
Defendant: David Starr Cobb

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

2011-CP-10-4520 Lisa D. Overby vs. Jayne G. Rugg

Attorneys: Plaintiff: Peter M. Kaufman
Defendant: Benjamin B. Davis

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$7,860.00 actual damages.

2011-CP-10-6791 William B. Mellette and Helen Mellette vs. Crystal Nicole Rabon

Attorneys: Plaintiffs: Henry E. Grimball
Defendant: Benjamin B. Davis and Blake A. McKie

Cause of Action: Personal Injury

Verdict: For the Defendant.in the amount of \$50,000.00 actual damages after a \$100,000.00 setoff

2011-CP-10-8516 Justin Whitney and Amy M. Whitney vs. Bruce W. Deane and Marsha D. Deane

Attorneys: Plaintiffs: Frank M. Cisa
Defendants: Pro Se

Cause of Action: Breach of Contract

Verdict: For the Defendants to the Plaintiffs' cause of action for breach of contract; for the Plaintiffs as to the Defendants' cause of action for breach of contract.

2011-CP-9089 Rawshawn Clark and Bertha Miller vs. Irvin W. Dean

Attorneys: Plaintiffs: William B. Jung
Defendant: Dwayne M. Green

Cause of Action: Negligence/Property Damage

Verdict: For the Defendant.

2011-CP-10-9196 Terrylin Dais-Pasley vs. Roper St. Francis Healthcare, d/b/a Roper St. Francis Hospital at 2095 Henry Tecklenburg Drive

Attorneys: Plaintiff: Gary A. Ling

Defendant: Joseph J. Tierney, Jr., Christine Kent Toporek and Robert B. Hawk

Cause of Action: Premises Liability

Verdict: For the Plaintiff in the amount of \$15,000.00 actual damages.

2011-CP-10-9331 Charles Cooper vs. George McCrackin

Attorneys: Plaintiff: Keith E. Robinson
Defendant: Alan R. Belcher

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$51,000.00 actual damages.

FEDERAL COURT JURY VERDICTS
(Information supplied by Clerk of Court's Office)

9:12-cv-705-DCN Mark Dorsey vs. Town of Bluffton

Attorneys: Plaintiff: Lucy Clark Sanders and Nancy Bloodgood
Defendant: Terry A. Finger and Tyler A. Nelnick

Cause of Action: Violation of Uniform Services Employment Rights Act

Verdict: For the Defendant.

2:12-cv-1313-CWH Harry A. Grant vs. Robert Bedford

Attorneys: Plaintiff: E. Paul Gibson and Phillip A. Berlinsky
Defendant: Amy B. Rothschild and Thomas J. Keaveny, II

Cause of Action: Diversity – Personal Injury

Verdict: For the Plaintiff in the amount of \$130,000.00 actual damages.