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SUMMER, 2011 **Website: http://www.charlestonbar.com**

FROM THE PRESIDENT

Dear Colleagues:

The days leading up to Memorial Day and the "official" start of summer are typically hectic and this year has been no exception. However, summer is a time when many of us take time to reflect on the past and contemplate the future. I have always thought that to be so because Memorial Day gives us pause to remember the contributions and sacrifices of those who have served in the armed forces, and many of our daily obligations subside to allow the summer to pass.

Looking back, it has been a busy year for the Association. In April we presented the inaugural James L. Petigru Award to Coming Ball Gibbs, Jr. for his years of service to the Charleston County Bar, the public and the profession. For those of you who were unable to attend the reception on April 6th, it was a fitting tribute to one of our finest lawyers. Frank McCann eloquently described the purpose of the award as recognition of those among us who are prepared to "stand up" (literally and figuratively) for clients and issues which may be unpopular. Judge Michael Duffy delivered a touching tribute to C.B.'s life and career. Many thanks to Frank, Judge Duffy, Randell Stoney and Cheryl Shoun for their hard work in making this award a reality.

Also in April I was honored to participate in the investiture of the Honorable Daniel E. Martin, Jr. By the time this letter is published Judge Martin will have replaced the Honorable Frances P. "Charlie" Seagars-Andrews on the Family Court Bench. Please join me in welcoming Judge Martin and thanking Judge Seagars- Andrews for her many years of dedicated service.

Looking ahead, we eagerly anticipate the upcoming investiture of the Honorable Stephanie P. McDonald as our newest At Large Circuit Court Judge. A committee headed by Sandy Senn is busy planning Judge McDonald's investiture ceremony. She is expected to assume her official duties later this summer and we look forward to welcoming her to the bench as well.

For those of you looking to get an early jump on your CLE requirements, our own Stanley Feldman is once again planning a seminar beginning at 4:00 PM on July 21st at Joe Riley Park. It is a unique experience combining Stanley's two passions (baseball and the law) and not to be missed. South Carolina's number one baseball fan and attorney, Chief Justice Jean H. Toal, is the featured speaker again this year. Additionally, Marvin Feingold and the dedicated staff at Pro Bono Legal Services are planning two seminars for summer law clerks and interns. Those interested in that program should contact Pro Bono Legal Services for more details.

With best wishes for a safe and relaxing summer,

John A. Massalon

ANNOUNCEMENTS

Stephanie M. Brinkley announces the opening of **Brinkley Law Firm, LLC**. The practice focuses on assisted reproduction technology, home preservation (loan modification/foreclosure defense), and traditional family law issues. The office is located at 1180 Sam Rittenberg Blvd., Ste. 200, Charleston, SC 29407. Phone (843) 227-9009; Fax (888) 977-9402; Email sbrinkley@brinkleylawllc.com.

Mark Clore takes pleasure in announcing the formation of **Clore Law Group, LLC**. He will be joined by **Samuel K. Allen**, **Eric S. Brock** and **John P. Hayes**. (formerly of Anastopoulo & Clore Law Firm, LLC)/ The firm focuses on complex and serious civil litigation, and works with other counsel across the country in these cases. They are located at 49 Immigration Street, Suite 100, Charleston, SC 29403. Telephone: (843) 722-8070; Fax: (843) 722-9881.

C. Steven Moskos has been certified as a Circuit Court Mediator by the South Carolina Board of Arbitrator and Mediator Certification. His contact information is 535 Stinson Dr., Charleston, SC 29407. Phone (843)-763-5297; Fax: (843) 266-1925; E-Mail: csmoskos@earthlink.net

Susan Sytner announces the opening of the **Sytner Law Firm, LLC**. The practice focuses on all aspects of traditional family law, as well as mediation and private Guardian *ad Litem* work. The office is located at 1180 Sam Rittenberg Blvd., Ste. 200, Charleston, SC 29407. Phone (843) 277-9010; Fax (843) 277-6774; Email susansytner@gmail.com.

IMPORTANT REMINDER

Effective April 1, the contact information for Julianne Holzel, Executive Secretary for the Charleston County Bar Association was changed as follows:

Telephone number: (843) 881-6666

E-Mail: jholzel2@comcast.net

Mailing address remains the same:

PO Box 21136

Charleston, SC 29413

Please remember to send any changes in your contact information (address, telephone number, e-mail address, etc.) to the above e-mail address so that your mail will not be returned to us and you will receive all notifications sent out via e-blast.

ONLINE MEMBER DIRECTORY

Please help us have a more complete online member directory. If you go to the Lawyer Director on http://www.charlestonbar.com 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.

Our Sincere Appreciation and Thanks to Mia Maness

It is with great regret and sincere appreciation that we bid farewell to Mia Maness as the editor of this newsletter. Shakespeare must have anticipated Mia's service as editor when he penned the line that "some are born great, some achieve greatness, and others have greatness thrust upon them."

Mia was born great. She has a keen intellect, a diligent work ethic, a great sense of humor and a contagious enthusiasm that she brings to every task, including her service as editor.

After growing up in Spartanburg, she began to achieve excellence. Mia received a B.A. from the University of South Carolina magna cum laude in 1985, and a Juris Doctor degree from that same institution in 1988. She was introduced to the Charleston Bar as a law clerk to the Honorable C. Weston Houck, where she served with distinction from 1988 to 1991. At that time, she accepted a position with Holmes & Thomson and she remained there until 1999. Mia then transferred to the Law Office of Mark Tanenbaum, PA. She left that firm in 2005 to accept a partnership with Kernodle, Taylor & Root, but she returned to the Tanenbaum firm in 2007 and she has remained there ever since. While building her career, Mia also built a solid reputation as a vigilant, ethical advocate of the highest caliber.

Mia had greatness thrust upon her when she succeeded Danny Mullis as the editor of this newsletter. She was officially listed as the editor in the spring 1997 edition. However, prior to that Mia provided a significant contribution to the newsletter during her apprenticeship with Danny. Mia had the following to say when we asked her about her tenure as editor:

> Our newsletter is a wonderful resource for keeping up with the Charleston legal community and courts. Because I had to read everything that went into it, there's not much that's happened over the years that's gotten by me. Although at times it has been a lot of work, editing the newsletter has given me a strong sense of this community and the way that juries behave in this jurisdiction. It's been a good trade off for me and I hope my contribution to the newsletter has benefited the bar.

While we hate to see Mia's time as editor come to an end, we are thankful for her service and all that she has done for the Charleston County Bar Association. After more than fifteen years of faithful service, she has more than earned a break. She has also earned our respect and admiration.

JUDICIAL NOTICE

Foreword by Brian Duffy

Sixty years ago this June 21st, The Honorable J. Waties Waring issued the most notable opinion in the history of our four corners of law. As the dissenter on a three-judge panel that rejected a challenge to the constitutionality of South Carolina's segregated school system in Briggs v. Elliot, 98 F. Supp. 529 (E.D.S.C. 1951), Judge Waring became the first jurist to declare that segregation itself was unconstitutional, irrespective of the relative quality of the separate school systems.

The significance of Judge Waring's dissent, the expert testimony received in the ceremonial courtroom of our federal courthouse, and the courage of the Clarendon community that pressed this action was revisited recently in compelling fashion in that very courtroom during a colloquium presented (and videotaped) by the South Carolina Supreme Court Historical Society on May 20.

In further reflection on that moment in our history, we reprint selected portions of Judge Waring's emphatic opinion below:

DISSENTING OPINION

This case has been brought for the express and declared purpose of determining the right of the State of South Carolina, in its public schools, to practice segregation according to race.

. . .

It is alleged that the defendants are acting under the authority granted them by the Constitution and laws of the State of South Carolina and that all of these are in contravention of the Constitution and laws of the United States. The particular portions of the laws of South Carolina are as follows:

Article XI, Section 5 is as follows:

> 'Free public schools.- The General Assembly shall provide for a liberal system of free public schools for all children between the ages of six and twenty-one years * * *.'

Article XI, Section 7 is as follows:

> 'Separate schools shall be provided for children of the white and colored races, and no child of either race shall ever be permitted to attend a school provided for children of the other race.'

Section 5377 of the Code of Laws of South Carolina is as follows:

> 'It shall be unlawful for pupils of one race to attend the schools provided by boards of trustees for persons of another race.'

. . .

The case came on for a trial upon the issues as presented in the complaint and answer. But upon the call of the case, defendants' counsel announced that they wished to make a statement on behalf of the defendants making certain admissions and praying that the Court make a finding as to inequalities in respect to buildings, equipment, facilities, curricula and other aspects of the schools provided for children in School District 22 in Clarendon County and giving the public authorities time to formulate plans for ending such inequalities. In this statement defendants claim that they never had intended to discriminate against any of the pupils and although they had filed an answer to the complaint, some five months ago, denying inequalities they now admit that they had found some; but rely upon the fact that subsequent to the institution of this suit, James F. Byrnes, the Governor of South Carolina, had stated in his inaugural address that the State must take steps to provide money for improving educational facilities and that thereafter, the Legislature had adopted certain legislation. They stated that they hoped that in time they would obtain money as a result of the foregoing and improve the school situation.

This statement was allowed to be filed and considered as an amendment to the answer.

By this maneuver, the defendants have endeavored to induce this Court to avoid the primary purpose of the suit. And if the Court should follow this suggestion and fail to meet the issues raised by merely considering this case in the light of another 'separate but equal' case, the entire purpose and reason for the institution of the case and the convening of a three-judge court would be voided. The 66 plaintiffs in this cause have brought this suit at what must have cost much in effort and financial expenditures. . . . And in addition to all of this, these 66 plaintiffs have not merely expended their time and money in order to test this important Constitutional question, but they have shown unexampled courage in bringing and presenting this cause at their own expense in the fact of the long established and age-old pattern of the way of life which the State of South Carolina has adopted and practiced and lived in since and as a result of the institution of human slavery.

If a case of this magnitude can be turned aside and a court refused to hear these basic issues by the mere device of admission that some buildings, blackboards, lighting fixtures and toilet facilities are unequal but that they may be remedied by the spending of a few dollars, then, indeed people in the plight in which these plaintiffs are, have no adequate remedy or forum in which to air their wrongs. If this method of judicial evasion be adopted, these very infant plaintiffs now pupils in Clarendon County will probably be bringing suits for their children and grandchildren decades or rather generations hence in an effort to get for their descendants what are today denied to them. If they are entitled to any rights as American citizens, they are entitled to have these rights now and not in the future. And no excuse can be made to deny them these rights which are theirs under the Constitution and laws of America by the use of the false doctrine and patter called 'separate but equal' and it is the duty of the Court to meet these issues simply and factually and without fear, sophistry and evasion. . . .
We should be unwilling to straddle or avoid this issue and if the suggestion made by these defendants is to be adopted as the type of justice to be meted out by this Court, then I want no part of it.

And so we must and do face, without evasion or equivocation, the question as to whether segregation in education in our schools is legal or whether it cannot exist under out American system as particularly enunciated in the Fourteenth Amendment to the Constitution of the United States.

. . .

The Fourteenth Amendment to the Constitution of the United States is as follows: 'Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'

It seems to me that it is unnecessary to pore through voluminous arguments and opinions to ascertain what the foregoing means. And while it is true that we have had hundreds, perhaps thousands, of legal opinions outlining and defining the various effects and overtones on our laws and life brought about by the adoption of this Amendment, one of ordinary ability and understanding of the English language will have no trouble in knowing that when this Amendment was adopted, it was intended to do away with discrimination between our citizens.

The Amendment refers to all persons. There is nothing in there that attempts to separate, segregate or discriminate against any person because of their being of European, Asian or African ancestry. And the plaintiff intendment is that all of these persons are citizens. And then it is provided that no State shall make or enforce any law which shall abridge the privileges of citizens nor shall any state deny 'to any person within its jurisdiction the equal protection of the laws.'

. . .

Let us now come to consider whether the Constitution and Laws of the State of South Carolina which we have heretofore quoted are in conflict with the true meaning and intendment of this Fourteenth Amendment. The whole discussion of race and ancestry has been intermingled with sophistry and prejudice. What possible definition can be found for the so-called white race, Negro race or other races? Who is to decide and what is the test? For years, there was much talk of blood and taint of blood. Science tells us that there are but four kinds of blood: A, B, AB and O and these are found in Europeans, Asiatics, Africans, Americans and others. And so we need not further consider the irresponsible and baseless references to preservation of 'Caucasian blood'. So then, what test are we going to use in opening our school doors and labeling them 'white' and 'Negro'? The law of South Carolina considers a person of one-eighth African ancestry to be a Negro. Why this proportion? Is it based upon any reason: anthropological, historical or ethical? And how are the trustees to know who are 'whites' and who are 'Negroes'? If it is dangerous and evil for a white child to be associated with another child, one of whose great-grandparents was of African descent, is it not equally dangerous for one with a one-sixteenth percentage? And if the State has decided that there is danger in contact between the whites and Negroes, isn't it requisite and proper that the State furnish a series of schools one for each of these percentages? If the idea is perfect racial equality in educational systems, why should children of pure African descent be brought in contact with children of one-half, one-fourth, or one-eighth such ancestry? To ask these questions is sufficient answer to them. The whole thing is unreasonable, unscientific and based upon unadulterated prejudice. We see the results of all of this warped thinking in the poor under-privileged and frightened attitude of so many of the Negroes in the southern states; and in the sadistic insistence of the 'white supremacists' in declaring that their will must be imposed irrespective of rights of other citizens. This claim of 'white supremacy', while fantastic and without foundation, is really believed by them for we have had repeated declarations from leading politicians and governors of this state and other states declaring that 'white supremacy' will be endangered by the abolition of segregation. There are present threats, including those of the present Governor of this state, going to the extent of saying that all public education may be abandoned if the courts should grant true equality in educational facilities.

. . .

In the instant case, the plaintiffs produced in large number of witnesses. It is significant that the defendants brought but two. These last two were not trained educators. One was an official of the Clarendon schools who said that the school system needed improvement and that the school officials were hopeful and expectant of obtaining money from State funds to

improve all facilities. The other witness, significantly named Crow, has been recently employed by a commission just established which, it is proposed, will supervise educational facilities in the State and will handle monies if, as and when the same are received sometime in the future. Mr. Crow did not testify as an expert on education although he stated flatly that he believed in separation of the races and that he heard a number of other people say so, including some Negroes, but he was unable to mention any of their names. Mr. Crow explained what was likely and liable to happen under the 1951 State Educational Act to which frequent reference was made in argument on behalf of the defense.

. . .

On the other hand, the plaintiffs brought many witnesses, some of them of national reputation in various educational fields. It is unnecessary for me to review or analyze their testimony. But they who had made studies of education and its effect upon children, starting with the lowest grades and studying them up through and into high school, unequivocally testified that aside from inequality in housing appliances and equipment, the mere fact of segregation, itself, had a deleterious and warping effect upon the minds of children. These witnesses testified as to their study and researches and their actual tests with children of varying ages and they showed that the humiliation and disgrace of being set aside and segregated as unfit to associate with others of different color had an evil and ineradicable effect upon the mental processes of our young which would remain with them and deform their view on life until and throughout their maturity. This applies to white as well as Negro children.…

From their testimony, it was clearly apparent, as it should be to any thoughtful person, irrespective of having such expert testimony, that segregation in education can never produce equality and that it is an evil that must be eradicated. This case presents the matter clearly for adjudication and I am of the opinion that all of the legal guideposts, expert testimony, common sense and reason point unerringly to the conclusion that the system of segregation in education adopted and practiced in the State of South Carolina must go and must go now.

Segregation is per se inequality.

. . .

To me the situation is clear and important, particularly at this time when our national leaders are called upon to show to the world that our democracy means what it says and that it is a true democracy and there is no under-cover suppression of the rights of any of our citizens because of the pigmentation of their skins. And I had hoped that this Court would take this view of the situation and make a clear cut declaration that the State of South Carolina should follow the intendment and meaning of the Constitution of the United States and that it shall not abridge the privileges accorded to or deny equal protection of its laws to any of its citizens. But since the majority of this Court feel otherwise, and since I cannot concur with them or join in the proposed decree, this opinion is filed as a dissent.

Charleston Lawyer's Minimum Fee Schedule

By: Ruth W. Cupp

Between the years 1790 to 1972, the Charleston Bar Association had a mutual minimum fee agreement between its members.

This agreement came to an end when an action was filed against every member of the Fairfax County, Virginia bar association alleging that their minimum fee schedule constituted price-fixing in violation of the Sherman Antitrust Act of 1890.

That suit, like the first shot at Fort Sumter, was heard around the world, at least around the insular world of the American legal profession. The Charleston Bar hastily called a meeting to consider how to respond to a similar action.

Harvard educated attorney, Robert Hollings raised the legal theory of "conscious parallelism." He explained that members who, continued to use the fee schedule informally after it was abolished might be individually liable for violating the antitrust act.

Whereupon, the great lawyer Gedney M. Howe, Jr. stood and made a motion that the Charleston Bar never has had a minimum fee schedule. Every lawyer knew that the motion was bunkum, but it put a smile on everyone's face. The Bar unanimously passed Howe's motion and the meeting was adjourned.

The United States Supreme Court took *certiorari* jurisdiction of the Virginia case and rendered a unanimous opinion against the Bar in *Goldfarb et al v. Virginia State Bar et al (1975.)* The issue before the court involved a prescribed minimum fee for examination of a real estate title.

The US Supreme Court considered the argument that minimum fee schedules were exempt from the antitrust act because they involved a "learned profession." Chief Justice Warren Burger, writing the opinion of the court said,

> "The exchange of such service for money is 'commerce' in the most common use of the word. It is no disparagement of the practice of law as a profession to acknowledge that it had the business aspect."

This decision affected the income from the practice of law. Clients began calling law offices shopping for lower fees.

Irvin J. Slotchiver, a Charleston .tax attorney has preserved his copy of the Chas. Bar Association's last minimum fee schedule. "At a meeting of the Charleston Bar Association held July 2, 1970, it was resolved by the members present that the within Schedule on Minimum Fees be approved and adopted, effective \August 3, 1970, Coming Ball Gibbs, Jr. Secretary."

Fees for 62 professional services were grouped under the following title: Admiralty, collections, contracts, corporations, criminal law, depositions, domestic relations, estates, general matters, litigation, personal injury claims, and actions and real estate. Sample fees included:

*Trial of crime involving death penalty: twelve months earning, but no less than $2,500.00
*Drawing simple will: $35.
*Divorce or annulment, uncontested: $250
*Personal injury actions, the plaintiff on contingency: 33%
*Drawing simple deed: $35.
*Drawing Note and Mortgage: $25.

To understand the real value of these fee rates, it is worth knowing that in 1970, coffee sold for 69 cents per pound, twenty-five pounds of grits sold for $1.98. A Hoover vacuum cleaner costs $159.95.

Ten dollars in 1970 had the buying power of $49.20 in 2004.

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.

PRO BONO MOMENTS

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

Charleston Pro Bono Legal Services facilitates pro bono work by Charleston's private attorneys and is at a critical juncture in its existence.

The Charleston Bar has, for the last five years, been in the unique position of creating then supporting a legal services program primarily based on pro bono service by its members. There is no other County Bar in South Carolina or in the Region which has such a program.

The one-time Federal grant which has primarily sustained Charleston Pro Bono since 2005 was exhausted in 2011.

Over the last five years, Charleston Pro Bono has developed supplementary funding from city and county government, private foundations and individual law firms and attorneys. We have also received significant support and funding from the Charleston County Bar Association which has committed to continue its support and has established a permanent committee under President John Massalon to address the future of this program.

We have received great results in service: over 800 cases referred to the private bar; more than 350 volunteer attorneys and more that 2200 cases of direct service by staff. During these years, we have also been a source of practical experience and mentorship for more than a hundred Charleston School of Law students working in our office as volunteers, externs and through paid Ackerman Fellowships.

Despite all our success, we remain in dire need of funding to continue operating in 2012. Pro Bono Legal Services is an agency that is vital to our community's justice system. I believe you agree that we should not allow such an important service asset to become defunct or to continue in any less robust format.

We are asking the major law firms in Charleston to make substantial contributions to keep the program going in 2012 and to commit to its future.

As we have for the past four years, Charleston Pro Bono will present two seminars for Summer Law Interns working for Charleston law firms.

The half-day sessions are at Charleston School of Law on the mornings of June 10 and July 22 and will be presented as five half-hour talks on subjects related to practice skills not likely to be learned at law school.

Chief Justice Jean Toal to Preside Over RiverDogs CLE Night July 21

CHARLESTON, SC - Recognized nationally as one of the most creative groups in professional baseball, the Charleston RiverDogs are taking it to the bench for another unique night at Joseph P. Riley, Jr. Park.

Not the dugout bench, mind you, but the judges bench.

On Thursday, July 21, at Joseph P. Riley, Jr. Park, Lowcountry lawyers will take part in the Charleston RiverDogs annual Continuing Legal Education (CLE) Night at the Park.

Beginning at 4:00 p.m., area attorneys will be earning credit hours for attending a presentation by South Carolina Supreme Court Chief Justice Jean Toal and the group will then enjoy the regularly-scheduled South Atlantic League contest between the RiverDogs and the Lexington Legends.

First pitch is set for 7:05 p.m. Chief Justice Jean Hoefer Toal began her service as an Associate Justice on the Supreme Court of South Carolina on March 17, 1988. She was re-elected in February of 1996 and was installed as Chief Justice on March 23, 2000 for the balance of the term of her predecessor, which expired June 30, 2004. She was re-elected again in February of 2004 and was installed as Chief Justice on June 9, 2004, for a 10-year term.

Chief Justice Toal received her B.A. degree in philosophy in 1965 from Agnes Scott College where she served on the Judicial Council, National Supervisory Board of U. S. National Student Association and played goalie for the field hockey team. She received her J.D. degree in 1968 from the University of South Carolina School of Law where she served as Managing Editor, Leading Articles Editor and Book Review Editor of the South Carolina Law Review. She is a member of the Order of the Coif, Mortar Board and Phi Beta Kappa.

Cost for CLE Night is $55 per person and includes the CLE seminar, ballpark-style picnic and reception and a ticket to the baseball game. Additional game tickets for family members are $7 each.

For information please call Melissa Azevedo at 843/577-DOGS or log on to www.RileyParkEvents.com.

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.)

July 4	**July 11**	**July 18**	**July 25**
	Chas AW - Harrington Chas CP - Dennis Chas CP - Hughston Chas GS - Jefferson Berk GS - Young	9th CPNJ/ - Dennis PCR 9th CPNJ - Jefferson Chas CP - Young Chas CP - McDonald Chas GS - Nicholson Chas GS - Hughston	9th CPNJ - Young 9th CPNJ - Nicholson Chas CP - Jefferson Chas CP - Hughston Berk GS - Dennis Berk CP - Harrington
August 1	**August 8**	**August 15**	**August 22**
9th CPNJ - Dennis Chas CP - Harrington Chas CP - Young Chas GS - Hughston Chas GS - Jefferson	Chas CP - Young Chas CP - Hughston Chas GS - Young Chas GS - Jefferson		9th CPNJ. - Jefferson 9th CPNJ - McDonald Chas CP - Dennis Chas CP - Harrington Chas GS - Nicholson Chas GS - Young
August 29	**September 5**	**September 12**	**September 19**
9th CPNJ - Nicholson Chas CP - Harrington Chas CP - Young Chas GS - Jefferson Chas GS - McDonald Berk GS - Dennis	9th CPNJ - Dennis 9th CPNJ - Young Chas CP - Harrington Chas CP - Hughston Chas GS - Nicholson	9th CPNJ - Jefferson PCR 9th CPNJ - Nicholson Chas CP - McDonald Chas CP - Dennis Chas GS - Hughston Chas GS - Young	Chas CP - Harrington Chas CP - Hughston Chas GS - Dennis Chas GS - Jefferson Chas GS - Young
September 26			

CIRCUIT COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

July 4	**July 11**	**July 18**	**July 25**
	Dor GS - Goodstein	Dor GS - Goodstein	Dor CP - Goodstein
August 1	**August 8**	**August 15**	**August 22**
1st CPNJ - Dickson	Dor GS - Dickson		Dor GS - Dickson
August 29	**September 5**	**September 12**	**September 19**
1st CPNJ - Dickson PCR		Dor GS - Goodstein	Dor GS - Goodstein
September 26			

FAMILY COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

July 4	July 11	July 18	July 25
	Chas - McMahon Chas - Garfinkel Chas - Martin Berk - Landis Berk - Creech	Chas - McMahon Chas - Martin Chas - Garfinkel Berk - Creech	Chas - McMahon Chas - Creech Chas - Garfinkel Chas - Martin Berk - Cate Berk - Landis`
August 1	**August 8**	**August 15**	**August 22**
Chas - Garfinkel Chas - Landis Chas - Cate Chas - Marti Berk - McMahon Berk - Creech	Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Holt Berk - Landis Berk - Creech		Chas - McMahon Chas - Morehead Chas - Garfinkel Chas - Cate Chas - Martin Berk - Creech Berk - Landis
August 29	**September 5**	**September 12**	**September 19**
Chas - McMahon Chas - Morehead Chas - Garfinkel Chas - Cate Chas - Martin Berk - Creech Berk - Landis	Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Martin Berk - Creech Berk - Landis	Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Vinson Chas - Martin Berk - Creech Berk - Landis	Chas - McMahon Chas - Jenkinson Chas - Martin Chas - Garfinkel Chas - Landis Berk - Creech
September 26			

FAMILY COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

July 4	July 11	July 18	July 25
	Dor - McLin Dor - Jenkinson	Dor - Wylie	Dor - McLin Dor - Wylie
August 1	**August 8**	**August 15**	**August 22**
Dor - Wylie Dor - McLin	Dor - Wylie Dor - McLin		Dor - Wylie
August 29	**September 5**	**September 12**	**September 19**
Dor - McLin	Dor - Wylie Dor - Jones	Dor - McLin	Dor - Wylie
September 26			

CHARLESTON COUNTY COMMON PLEAS JURY VERDICTS

(Information supplied by Clerk of Court's Office)

CORRECTION TO FOLLOWING VERDICT PRINTED IN WINTER, 2011 NEWSLETTER

The Plaintiff's attorney was incorrectly typed as Malcolm M. Crosland, when it should have been David G. Pagliarini

08-CP-10-3392	Town of Mt. Pleasant, South Carolina vs. Patrick E. Talbott, Landowner, and Howell and Associates, LLC, Estate of Ronald Boals, and East Cooper Investments	
Attorneys:	Plaintiff:	David G. Pagliarini
	Defendants:	Ellison D. Smith, IV
Cause of Action:	Condemnation	
Verdict:	For the Defendant Patrick E. Talbott, Landowner, in the amount of $1,150,000.00 actual damages.	

08-CP-10-3061	Eric Unger and Richard Unger vs. Richard H. Coen	
Attorneys:	Plaintiffs:	William A Scott
	Defendants:	Hugh W. Buyck
Cause of Action:	Negligence, Fraud, Unfair Trade Practices, Violation of Interstate Land Sales Full Disclosure Act	
Verdict:	For the Defendant.	

2008-CP-10-4259	Marie Adams vs. South Carolina Department of Transportation, City of Charleston and BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina	
Attorneys:	Plaintiff:	W. E Jenkinson, III, Amanda H. Shuler, and Gerald Templeton
	Defendants:	Elliott T. Halio, James A. Stuckey, Jr. and Jennifer S. Ashburn
Cause of Action:	Personal Injury	
Verdict:	In favor of Defendant AT&T; in favor of Plaintiff against City of Charleston in the amount of $412,000.00 after reduction of 25% due to 25% comparative negligence by Plaintiff. Pursuant to Trot Claims Act, and by consent of the parties, total judgment against City of Charleston further reduced to $300,000.	

2008-CP-10-6256	Pamela L. Vaughn vs. Reverie on the Ashley LLC and Buist, Byars, Pierce & Taylor, LLC	
Cause of Action:	Negligent Misrepresentation	
Attorneys:	Plaintiff:	Frank M. Cisa
	Defendants:	Adam E. Barr and George Hamlin O'Kelley, III

Verdict:	For the Plaintiff in the amount of $142,400 actual damages against Defendant Reverie on the Ashley, LLC
2009-CP-10-6476	Heidi McKenzie vs. Herman Winter
Attorneys:	Plaintiff: Thomas C. Nelson Defendant: Michael J. Ferri
Cause of Action:	Motor Vehicle Accident
Verdict:	For the Defendant.
2009-CP-10-7488	Elizabeth Grimes vs. Travis Westervelt
Attorneys:	Plaintiff: O. Benjamin Peeples, Jr. Defendant: Steven D. Murdaugh
Cause of Action:	Debt Collection
Verdict:	For the Plaintiff in the amount of $33,749.67 actual damages.
2010-CP-10-0163	Lynn Mabry, individually and as Guardian for Brooke Mabry, a minor vs. James Island Public Service District
Attorneys:	Plaintiff: J. Kevin Holmes Defendant: Robin L. Jackson
Cause of Action:	Motor Vehicle Accident
Verdict:	For the Plaintiff in the amount of $9,000 actual damages.
2010-CP-10-145	Crystal Thomas vs. Robert Register
Attorneys:	Plaintiff: Jeffrey W. Buncher, Jr. Defendant: Max G. Mahaffee
Cause of Action:	Motor Vehicle Accident
Verdict:	In favor of the Plaintiff in the amount of $2,700.00 actual damages.

FEDERAL COURT JURY VERDICTS

(Information provided by the Clerk o Court's Office)

2:09-cv-03152-DCN	RS Services of North America LLC, f/k/a Universal Solutions North America, LLC vs. Boyles Moak Brickell, Marchetti Insurance, Inc., Boyles Moak Brickell Insurance, Inc., Boyles Moak & Stone, Inc., and Boyles Moak Insurance Services
Attorneys:	Plaintiff: Sean K. Trundy Defendants: Warren C. Powell, Jr. and Brian P. Robinson
Cause of Action:	Breach of fiduciary duty and negligence by an insurance broker
Verdict:	For the Plaintiff in the amount of $315,678.00.