



ISSUE #37

Website: <http://www.charlestoncountybar.org>

SPRING 2017

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FROM THE PRESIDENT



Dear Colleagues,

A few years ago, I was placed on a CLE agenda to speak immediately following Gedney Howe. I struggled mightily to find an excuse to rearrange the agenda order so that I did not have to follow one of the greatest speakers in all of Charleston history. However, for the same reason as I had, nobody wanted to

follow Gedney, and I was outranked. I remember walking across the stage to the podium, with Gedney's applause still ringing in my ears, and asking myself, "How in the world do I follow THAT?" I have a similar feeling today, following Brian Duffy and Jim Myrick as Presidents of the Charleston County Bar Association, both of whom have been superstars in this role. Humbly—but with much excitement—I embrace this opportunity to serve with you and for you.

The Executive Committee, Peter Shahid (President-Elect), Debra Gammons (Secretary-Treasurer), Brian Duffy, and our many incredible Committee members have plans that include every one of you. We want to help you and want you to participate in the many activities planned for the coming year:

The Charleston Forum: This is a signature event that will be held on June 16 at the Charleston Music Hall to further our city's healing following the Mother Emanuel massacre and strengthen the bonds that unite us as a city and as a country. The forum will include a diverse and exciting lineup of speakers and musicians in an effort to explore differing views on social issues to overcome divisiveness and promote progress on the racial issues that have divided our country.

Street Law: Charleston lawyers across many practice areas will serve on teaching teams at Stall High School in the coming months, culminating in a field trip to Harborside East where students, lawyer teaching teams, and other area CCBA members will apply the lessons learned in class by conducting mock negotiations and litigation exercises. We hope to educate these students not only on the substantive law, but also introduce them to careers in the legal field and engage them in a dialogue about the importance of the rule of law.

Cocky's Reading Express: We will go into elementary schools in the fall to read and promote literacy to children who may have never owned their own book. This program, which was founded by Charleston County Bar member Tommy Preston, is exhilarating to the students and readers alike and will send children home with their own book to read with their families.

Committees: Several CCBA Committees need your help. They include CLE, Community Outreach, Inclusion & Diversity, Memorials, Mentor, Pro Bono, Real Estate, Records, and Technology. Please contact me to get involved: scott.moise@nelsonmullins.com.

Upcoming events: Under the direction of Natalie Bluestein, a one-woman tour de force, we will have our annual Spring Social, a fall Barbeque honoring our Judiciary, the annual Holiday Party at the SC Aquarium on December 7, and the Annual Meeting. You will receive more information on these events in the following months.

We want your involvement this year. Please visit our website (www.charlestoncountybar.org) and read our weekly e-mails (Tuesday Talk), and quarterly newsletters for more details.

Very truly yours,

Scott Moise

ANNOUNCEMENTS

Manaker Cipolla and Associates is now known as **Cipolla Cox, LLC**, with the addition of associate **J. Thomas Cox, III** as a named partner with the firm. The firm's addresses and telephone numbers will remain the same.

Smith Moore Leatherwood LLP is pleased to announce that **Mary B. Ramsay** was recently honored as one of Charleston Regional Business Journal's "Forty Under 40." Ramsay is a member of the firm's litigation practice group. She handles a variety of cases in state and federal court, including general insurance law, contract disputes, products and premises liability actions, and life insurance and financial services litigation, including ERISA. Additionally, she practices in the regulatory and administrative arena in the areas of healthcare provider licensing, facility licensing and certificate of need.

Parham Smith and Archenhold, LLC, a personal injury and medical negligence firm, is expanding its presence in the State of South Carolina by merging with **Spears and Wicker, PA**, a law firm that shares the same focus in its litigation practice. The new firm, **Parham Smith and Archenhold, LLC**, retains its name while having offices statewide, including Greenville, Spartanburg and Charleston. The merger will result in the firm having six lawyers focused upon significant personal injury litigation including medical malpractice, products liability, nursing home negligence and similar types of cases. The lawyers include **S. Blakely Smith**, Managing Partner, **Brooke Archenhold**, **Robert Jones**, **Ashlee Winkler**, **Grey Wicker** and **Michael Spears**, who is Of Counsel to the firm.

Please take a few minutes to log in to the Charleston County Bar website (www.Charlestoncountybar.org) and check to be sure that all of your contact information is correct. We are finding that the information on the South Carolina Bar website and the Charleston County Bar website is not always identical. It is very important that we have correct information from each of you in order to have accurate records. This will only take a few minutes of your time and we would very much appreciate each of you doing this.

SOUTH CAROLINA LAWYERS WEEKLY

August 4, 2013 | VOL. 18, NO. 5 | www.lawyersweekly.com | 843.783.6300

Despite settlement, defendant still on hook for restitution

Seller beware

Commonly used arbitration clause in home contracts 'unconscionable'

Family of man killed in trench can sue city

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**City of Charleston Municipal Court
Administrative Judge Alesia Rico Flores**

By: Andrew T. Smith, Charleston School of Law, Class of 2017

Born: Judge Rico Flores was born in Woodruff, SC, and grew up in Laurens County, SC.

Appointed: 2012

Education: B.S., University of South Carolina; University of Tulsa College of Law, J.D., 2000

Career: Judge Rico Flores began her career as a certified legal intern at the Miami-Dade County Assistant State Attorney's office working in the Domestic Violence, Juvenile, and Felony Division. She then worked for DSS in Clarendon County before moving into private practice and later becoming a contract prosecutor for the City of Charleston. While in private practice, Judge Rico Flores worked on criminal, immigration, and personal injury matters.

Family: Husband, Marco Rico Flores; Sons, Xavier and Gael.

1. **What the bar would be surprised to learn:** Judge Rico Flores loves to travel and explore different cultures and religions. In fact, she has her Master of Arts in theology from seminary. Judge Rico Flores recently visited France, the Netherlands, and the Bahamas.
2. **Personal life away from the bench:** Judge Rico Flores enjoys spending time with her family and participating in community service for local schools. She also noted that she enjoys serving on the church vestry.
3. **Best part about being a judge:** Judge Rico Flores explained that the best part about being a judge is "being fortunate enough to have a hand in achieving justice and reforming the criminal justice system through participating in programs like the Homeless Court and organizations like the Criminal Justice Coordinating Council." She also enjoys meeting interesting people and working with her phenomenal staff.
4. **Hardest part about being a judge:** The hardest part about being a judge for Judge Rico Flores is "the second guessing of a decision." She also explained that it is difficult to watch pro se defendants represent themselves.
5. **In your courtroom, DO:** Judge Rico Flores made clear that it is important to treat the Municipal Court with the same level of respect as any other court in the state. In addition, she noted that it is important to be respectful and prepared in her courtroom.
6. **In your courtroom, DON'T:** "Don't become complacent. Approach every case with zeal, commitment, and a willingness to learn and grow professionally."
7. **Advice to young lawyers:** Judge Rico Flores explained that it is important "when you make a mistake, learn from it and move on." She also stated that young lawyers should fiercely guard their reputations and conduct themselves with the utmost integrity.
8. **What experience best prepared you for the bench?** Judge Rico Flores noted that working as both a prosecutor and a defense attorney best prepared her for her time on the bench. She has worked on both sides and understands the responsibilities, obligations, and challenges of each.
9. **What would you change about the American Judicial System?** Judge Rico Flores explained that additional funding should be allocated to hire more public defenders and prosecutors at all levels of court to ensure that indigent defendants and victims receive the high levels of attention that they deserve. In addition, she stated that the American Judicial System should continue to work towards criminal justice reform in several areas.

BEWARE OF CHECK SCAM TARGETING LAW FIRM ACCOUNTS

A South Carolina law firm has reported a scam involving their petty cash account which it uses for Probate Court, RMC and SC Secretary of State for filing fees and the like. Someone got all of the information off of one of the firm's checks, created more checks, and sent them out with a story about the recipient being chosen to be a secret shopper and asking them to go to XYZ restaurant or store and report back their experience. In addition the letter requests that the individual send \$550 of the funds represented by the enclosed check on to Mr. ABC. The victim deposits (or cashes) the check, and sends funds to Mr. ABC. The checks are routed back to the firm's bank, which determines they are fraudulent (by virtue of the look of them and the amounts [around \$1,500]) and dishonors them. At this point, the victim's account is charged back for the amount of the check and a bad check fee, and that poor person is out the funds sent to Mr. ABC. The law firm reporting the scam advises that to date it has had two fake checks returned by their bank, and both victims have called the firm asking why the firm stopped payment on their checks based upon the misconception that the law firm is representing the merchant who they were asked to visit as a secret shopper. Typically, the victims are not the type that can afford to lose \$550.

This message is being provided so that other firms can make sure their banks are aware of petty cash type accounts with typically small checks coming through, so the bank will be able to pick out checks which are inconsistent with the account's purpose. The law firm reporting this scam to us was forced to close their account and open a new one and provided this notice in order that it may help prevent such an occurrence for others.

COURT SCHEDULES

(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>.)

CIRCUIT COURT - NINTH JUDICIAL CIRCUIT

April 3		April 10		April 17		April 24	
AW	- Jefferson	9 th CPNJ	- Young	9 th CPNJ/PCR	- Goldsmith	9 th CPNJ	- Nicholson
9 th GSNJ	- Dennis	Chas CP/NJ	- Jefferson	Chas CP/NJ	- Nicholson	9 th GSNJ	- Dennis
Chas CP/NJ	- Mullen	Chas GS	- Couch	Chas GS	- Couch	Chas CP/NJ	- Hughston
Chas CP/NJ	- Hyman	Chas GS	- Hughston	Chas GS	- Dennis	Chas CP/NJ	- Jefferson
		Chas GS	- Dennis	Chas GS	- Young, R.	Chas CP/NJ	- Young, R.
		Berk CP/NJ	- Harrington	Berk GS	- Harrington	Berk CP/NJ	- Harrington

May 1		May 8		May 15		May 22	
		9 th GSNJ	- Dennis	9 th CPNJ	- Harrington	9 th CPNJ	- Young, R.
		Chas CP/NJ	- Hughston	Chas CP/NJ	- Goldsmith	Chas CP/NJ	- Nicholson
		Chas CP/NJ	- Jefferson	Chas CP/NJ	- Nicholson	Chas CP/NJ	- Keesley
		Chas CP/NJ	- Harrington	Chas GS	- Couch	Chas GS	- Couch
				Chas GS	- Dennis	Chas GS	- Dennis
				Chas GS	- Hyman	Chas GS	- Jefferson
				Berk CP/NJ	- Young, R.	Berk CP/NJ	- Harrington

May 29		June 5		June 12		June 19	
9 th GSNJ	- Dennis	9 th GSNJ	- Dennis	9 th CP/NJ	- Nicholson	9 th CPNJ	- Young, R.
Chas CP/NJ	- Young, R.	Chas CP/NJ	- Jefferson	Chas GS	- Couch	Chas CP/NJ	- Newman
Chas CP/NJ	- Nicholson	Chas CP/NJ	- Young, R.	Chas GS	- Dennis	Chas GS	- Couch
Chas CP/NJ	- Buckner	Chas CP/NJ	- Nicholson	Chas GS	- Hyman	Chas GS	- Dennis
Berk GS	- Murphy	Berk CP/NJ	- Harrington	Berk CP/NJ	- Young, R.	Chas GS	- Jefferson
Berk GS	- Harrington			Berk GS	- Jefferson	Berk CP/NJ	- Harrington

June 26	
9 th GSNJ	- Dennis
Chas CP/NJ	- Early
Chas CP/NJ	- Goldsmith
Chas CP/NJ	- Jefferson
Berk GS	- Harrington

CIRCUIT COURT - FIRST JUDICIAL CIRCUIT

April 3		April 10		April 17		April 24	
1 st CPNJ	- Newman	1 st CPNJ	- Goodstein	Dor CP/NJ	- Goodstein		
Dor GS	- Murphy	Dor GS	- Dickson				

May 1		May 8		May 15		May 22	
		Dor GS	- Goodstein	Dor GS	- Murphy	1 st CPNJ/PCR	- Hood

May 29		June 5		June 12		June 19	
1 st GSNJ	- Goodstein	Dor GS	- Mullen	Dor GS	- Goodstein	Dor CP/NJ	- Murphy
Dor CP/NJ	- Mullen						

June 26	
1 st CPNJ	- Goodstein

FAMILY COURT - NINTH JUDICIAL CIRCUIT

April 3		April 10		April 17		April 24	
Chas	- Wylie	Chas	- Cate	Chas	- Fraley	Chas	- Richter (24-25)
Chas	- Landis	Chas	- Martin	Chas	- Cate		
Chas	- Holt	Chas	- Forsythe	Chas	- Richter		
Chas	- Forsythe	Berk	- Landis	Berk	- Creech		
Berk	- Creech	Berk	- Sinclair	Berk	- Morris		
Berk	- Martin						

May 1		May 8		May 15		May 22	
Chas	- Wylie	Chas	- Fuge	Chas	- McLin	Chas	- Cate
Chas	- Cate	Chas	- Martin	Chas	- Cate	Chas	- Morris (22-25)
Chas	- Martin	Chas	- Ballenger	Chas	- Long	Chas	- Richter
Chas	- Brigman	Chas	- Richter	Chas	- Newton	Chas	- Forsythe
Chas	- Richter	Chas	- Forsythe	Chas	- Richter	Berk	- Norton
Chas	- Forsythe	Berk	- Creech	Chas	- Forsythe	Berk	- Robertson
Berk	- Creech	Berk	- Landis	Berk	- Creech		
Berk	- Landis	Berk	- Cate	Berk	- Landis		
Berk	- McGee			Berk	- McGee		

May 29		June 5		June 12		June 19	
Chas	- Bromell Holmes	Chas	- Landis	Chas	- McLin	Chas	- Cate
Chas	- Pogue	Chas	- Fuge	Chas	- Cate	Chas	- Martin
Chas	- Martin	Chas	- Richter	Chas	- Martin	Chas	- Richter
Chas	- Richter (30-1)	Chas	- Forsythe	Chas	- Forsythe	Chas	- Forsythe
Berk	- Creech	Berk	- Creech	Berk	- Creech	Berk	- Landis
Berk	- Landis	Berk	- Kinlaw	Berk	- Guyton	Berk	- Bromell Holmes

June 26	
Chas	- Fraley
Chas	- Cate
Chas	- Long
Chas	- Martin
Berk	- Creech
Berk	- Landis

FAMILY COURT - FIRST JUDICIAL CIRCUIT

April 3		April 10		April 17		April 24	
Dor	- McLin	Dor	- McLin	Dor	- Martin		
		Dor	- Wylie	Dor	- McGee		

May 1		May 8		May 15		May 22	
Dor	- Armstrong	Dor	- McLin	Dor	- Wylie	Dor	- McLin
Dor	- Jones	Dor	- Pincus	Dor	- Martin		

May 29		June 5		June 12		June 19	
Dor	- McLin	Dor	- Wylie	Dor	- Jones	Dor	- McLin
Dor	- Jones			Dor	- Richter	Dor	- Wylie

June 26	
Dor	- Wylie



THE CHARLESTON FORUM

Your Charleston County Bar Association began work on The Charleston Forum in the aftermath of the massacre at Mother Emanuel. The horrific events, the reactions of the families, and the response of our community had a powerful impact on people all across our country. They also set the table for a discussion about racial issues in society with more of a passion for progress and unity. The Charleston Forum is facilitating that discussion.

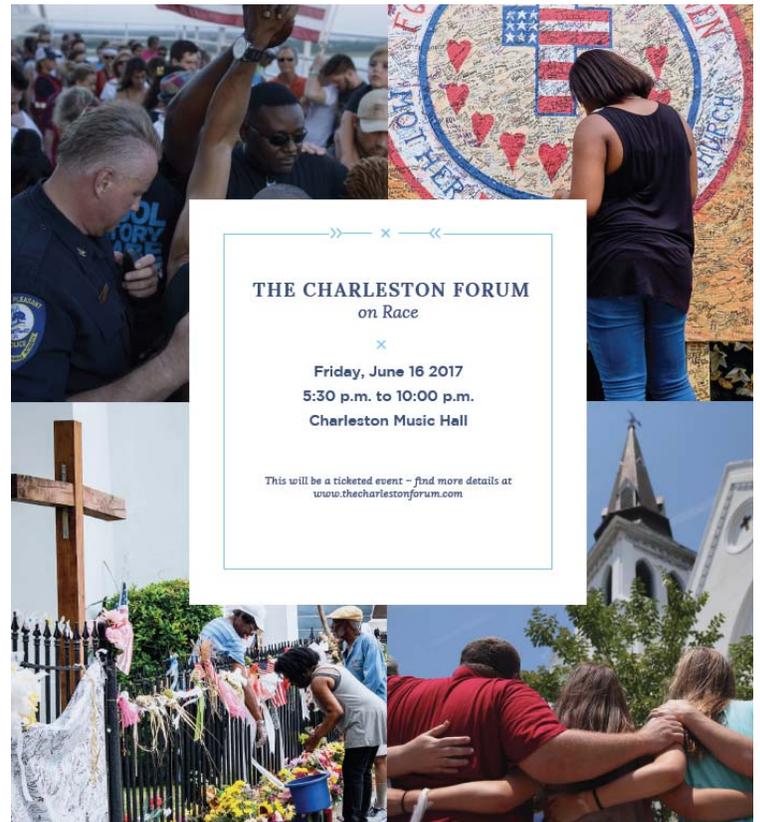
As we see every day in the practice, no one changes his or her mind on divisive issues until they have opened their mind to another perspective and had a chance to offer their own, or at least to see someone else articulating his or her perspective. We have a unique opportunity at this moment in Charleston where we will offer different perspectives while people are willing to listen, and a companion online forum will post videos from the forum and enable further discussion about ways to move forward on certain issues.

The Charleston Forum will begin with an event the evening of Friday, June 16 at the Charleston Music Hall. The presenters and panelists will target racial divides in the context of a few subject areas: economics and education; policing and criminal justice; the future of the past; and the Charleston Experience. We are proud to have Marcus Amaker, Poet Laureate of Charleston, and Charlton Singleton, artist in residence at the Gaillard Auditorium, providing the artistic touches to the evening.

The Charleston Forum on Race will be an official part of the commemoration events of Mother Emanuel and the City of Charleston. In addition to the support from Mother Emanuel, we are pleased to have the support of the Reverend Clementa Pinckney Foundation and the Cynthia Graham Hurd Foundation, as well as the Charleston Police Fund, The Citadel College of Arts & Sciences, and many, many more. Our growing list of presenters for the evening are included on the website: <https://www.thecharlestonforum.com/>

Tickets will cost \$10 and will be available online beginning in late April. Please plan to attend.

Please contact Brian Duffy (bduffy@duffyandyoung.com or 843-720-2044) if you have an interest in being a sponsor.



THE CHARLESTON FORUM
on Race
×
Friday, June 16 2017
5:30 p.m. to 10:00 p.m.
Charleston Music Hall

This will be a ticketed event - find more details at
www.thecharlestonforum.com

The Charleston Forum will host a discussion on the many issues currently facing Charlestonians, South Carolinians, and citizens all across the United States. As part of the official commemoration events of the losses suffered at Mother Emanuel in 2015, The Charleston Forum will shine a spotlight not only on the different perspectives on race dividing our country today but also on proposed steps forward.

Although conversation on race is not new, the conversations too often take place only among people who already share the same agenda. The Charleston Forum's dialogue is a step together, with no pre-set agenda but with a common purpose. Our discussions will address economics and education, policing and criminal justice, the future of the past, and the Charleston experience.

Notice of Special Grant Opportunities Through the SC Bar Foundation

Pursuant to a settlement agreement between Bank of America and the U.S. Department of Justice, the South Carolina Bar Foundation has received funding for community redevelopment legal assistance and foreclosure prevention legal assistance. If you are interested in learning more, please see this link to the RFP guidelines and application. <http://sctbarfoundation.org/grants/bank-of-america-grant-application/>

By: Cherie W. Blackburn

In May of last year, Congress enacted the Defend Trade Secrets Act of 2016 ("DTSA"), Pub. L. No. 114-153 (May 11, 2016), giving trade secret owners the ability to bring a cause of action for misappropriation of trade secrets in federal court. The DTSA is an amendment to the Economic Espionage Act of 1996, 18 U.S.C. §1831, et seq., which was previously limited to trade secrets related to products and services used in or intended for foreign commerce and provided for only criminal sanctions. The DTSA expands this law to cover goods and services used in or intended for interstate commerce and provides for various civil remedies.

Historically, trade secret protection has been governed primarily by state law. Most state statutes follow the language of the Uniform Trade Secrets Act ("UTSA"), an act published by the Uniform Law Commission in 1979, and amended in 1985. The purpose of the UTSA was to provide a unified legal framework that states could adopt to protect trade secrets. South Carolina adopted the UTSA and enacted the South Carolina Trade Secrets Act, S.C. Code Ann. §39-8-10 et seq. ("SCTSA"), in 1997.

Despite some uniformity provided by the UTSA, the laws of each state vary, and their judicial systems are autonomous, resulting in the different interpretations of what information constitutes trade secrets, what action constitutes misappropriation and the overall requirements for protection of trade secrets. With the enactment of the DTSA, trade secret owners, particularly companies with offices, affiliates and employees in more than one state, will have a more uniform process for pursuing claims for misappropriation and will have the additional option of federal question jurisdiction, opening the door to filing suit in federal court. Although there are other federal laws that may protect trade secrets, their applicability is limited to narrow facts and circumstances. The DTSA provides broader protection of trade secrets than any other federal law and expressly provides that it does not preempt state law.

The DTSA provisions are in many ways similar to the SCTSA. Both laws require a two-prong test for information to fall within the definition of "trade secret": (1) the owner has taken reasonable measures to keep the information secret; and (2) the owner derives independent economic value, actual or potential, from the information not being generally known to, or readily ascertainable by proper means by, any person who can obtain economic value from its disclosure or use. Both laws prohibit misappropriation and provide for civil remedies upon a finding of misappropriation. Like the SCTSA, the remedies available under the DTSA include injunctive relief, exemplary damages in an amount double the actual damages awarded where the trade secret is willfully and maliciously misappropriated, and attorney fees where the misappropriation or claim of misappropriation was made in bad faith.

There are, however, certain provisions in the DTSA that are not found in the SCTSA and that employers, in particular, need to be made aware of. Under the DTSA, an employee cannot be enjoined from employment based on information he or she knows. Any conditions on employment must be based on evidence of threatened misappropriation. Thus, to the extent an employer attempts to prevent an employee from working with a competitor because in doing so the employee will inevitably disclose trade secrets, this argument is not available under the DTSA. The Act also provides that any injunction issued cannot conflict with applicable state law provisions prohibiting restraints on the practice of a lawful profession, trade, or business.

Another important aspect of the DTSA is the notice of immunity provision, which an employer needs to include in any contract or agreement with an employee that governs the use of a trade secret or other confidential information. If an employer does not comply with the notice requirement it may not be awarded exemplary damages or attorneys' fees in an action against an employee to whom notice was not provided. The term "employee" is defined to include any individual performing work as a contractor or consultant for an employer. The required immunity provision states as follows: "An individual shall not be held criminally or civilly liable under any Federal or State trade secret law for the disclosure of a trade secret that (A) is made (i) in confidence to a Federal, state or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or (B) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal." The immunity provision requirement applies to contracts and agreements that are entered into or updated after May 11, 2016. Employers may satisfy the notice requirement by cross referencing a policy document containing the immunity provision and giving it to the employee, provided the document sets forth the reporting policy for a suspected violation of the law.

Although not part of the immunity provision, the DTSA also provides that an individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to his or her attorney and use the trade secret information in the court proceeding, as long as the individual files any document containing the trade secret under seal and does not disclose the trade secret, except pursuant to court order.

Finally, the DTSA makes available ex parte seizure orders, not only as a remedy but also to preserve evidence. The trade secret owner must show that it will suffer immediate and irreparable injury without the seizure and that Rule 65 of the Federal Rules of Procedure, which

provides for injunctive relief, is inadequate because the other party would evade, avoid or otherwise not comply with the injunction. Although the burden for relief is high, this additional remedy makes violation of the DTSA the preferred cause of action when certain facts are present.

Although it is too soon to tell how the courts will apply the DTSA and the effect it will have on the body of trade secret law, companies need to be aware of its provisions and include the required immunity language in contracts with employees, contractors and consultants so that they will be able to take advantage of all remedies available under the DTSA. Practitioners should consider the DTSA as an additional avenue when evaluating and asserting claims for trade secret misappropriation.

Cherie Blackburn is a member with Nexsen Pruet, LLC. She practices primarily in the area of employment law and regularly represents companies in cases involving restrictive covenants and trade secret protection, as well as other employment related claims, trademark infringement and business disputes. She has over 25 years' experience drafting restrictive covenants and is the author of "Covenants Not to Compete and Other Restrictive Covenants," a chapter in Labor and Employment Law for South Carolina Lawyers, a publication of the South Carolina Bar.

SAVE THE DATES

May 18, 2017
Spring Social
Washington Park

September 7, 2017
Fall Judges' BBQ
Founders Hall, Charles Towne Landing

December 7, 2017
CCBA Holiday Party
Charleston Aquarium

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JURY VERDICTS

CHARLESTON COUNTY COMMON PLEAS

(Information supplied by Clerk of Court's Office)

2014-CP-10-3893 Yolanda Nicole Gladden, as PR of The Estate of Sandra Gladden vs. Charleston E.N.T. Associates, et al.

Attorneys:

Plaintiff: Robert Ransom and Alex Apostolou
Defendants: Jamie Hood, Collier Jones, Joseph Tierney, and Christine Toporek

Cause of Action: Medical Malpractice

Verdict: For the Defendant.

2015-CP-10-0393 Richard D. La Roche vs. State Farm Mutual Automobile Ins. Co.

Attorneys:

Plaintiff: William Scott
Defendant: Charles Norris

Cause of Action: Breach of Contract/Bad Faith

Verdict: For the Defendant.

2015-CP-10-3550 Richard Ralph and Eugenia Ralph vs. Paul Dennis McLaughlin and Susan Rode McLaughlin

Attorneys:

Plaintiff: Ainsley Tillman
Defendants: George O'Kelly

Cause of Action: Real Property/Other

Verdict: For the Plaintiff in the amount of \$1,000.00 nominal damages.

2015-CP-10-4322 Maureen Hallman vs. Kathryn Murray

Attorneys:

Plaintiff: Donald Howe
Defendants: Jeffrey Crudup

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$5,948.00 actual damages.

2015-CP-10-4335 Stephen Denby, Individually and as Class Representative, et al. vs. John Wieland Homes and Neighborhoods of the Carolinas, Inc.

Attorneys:

Plaintiff: John C. Hayes, Keith McCarty, and Mary Margaret Noland
Defendants: Theodore Manos, Andrew Haselden, and Justin Novak

Cause of Action: Construction

Verdict: For the Plaintiff in the amount of \$200,000.00 with set-off of \$200,000.00.

FEDERAL DISTRICT COURT - CHARLESTON DIVISION

(There were no Federal Court Verdicts for this period)

2016-2017 CHARLESTON COUNTY BAR ASSOCIATION EXECUTIVE BOARD

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The Charleston County Bar newsletter is now accepting classified ads for just \$1 per word. For information on placing your ad in our next newsletter, please contact Karen Fetter at Tel. (843) 881-6666 or by E-mail: secretary@charlestoncountybar.org

By: Alissa C. Lietzow, Esquire

Director of (Charleston) Pro Bono Legal Services, Inc.

I recently attended a summit for nonprofit organizations in South Carolina. As you can imagine, being surrounded by 500 service-minded professionals was energizing and empowering. And while I took away many tips and tricks for strengthening Charleston Pro Bono as an organization, one concept really stuck with me: collaboraction. Yes, I realize this is not an actual word, which is why I referred to it as a concept. But, it's an important one, nonetheless. Often times nonprofits can get so wrapped up in their mission, their statistics, and their individual impact that the focus ends up on the tree and not the forest. The idea is that rather than just talking with our fellow nonprofit leaders about problems, we set in place a plan of action and actually get the work done. Coming into the Executive Director role last year, I peripherally understood the importance of our outreach work. This new insight has expanded my vision for the role of Charleston Pro Bono within the Charleston community in 2017, increasing our role a collaborative partner to ensure the best services possible to our community.

Charleston Pro Bono provides educational seminars on topics such as bankruptcy, expungements, and family law. We also host direct service clinics where volunteer attorneys provide advice and counsel, and also help prepare documents. In the first quarter of this year, we evaluated existing outreach programs and worked on establishing new partnerships. Below is a brief list of our new outreach initiatives and how you as a Charleston County Bar Association member can get involved.



Volunteer Attorneys at Immigration Seminar

SC Bar Pro Bono Charleston Delegation: As a group, we decided that one of the legal issues we wanted to tackle was landlord-tenant defense. We agreed that in order to promote and encourage attorneys to accept a pro bono

case, they would need training. To that end, with the help of a grant from Trident United Way and our Board Member Dexter O'Connell, we hosted a Landlord-Tenant CLE in February with 118 attorneys and judges. From that CLE, dozens of attorneys have offered help with our pro bono efforts.

Father to Father: This organization offers education and services uniquely tailored for fathers trying to rebuild their lives and their families. We are excited to work with them by offering both educational sessions on fathers' rights and follow-up clinics to provide one-on-one advice. Attorney Justin McGee is scheduled to conduct our first outreach program with them later this month.

HALOS: This organization provides support and advocacy to abused and neglected children and their kinship caregivers. In March, attorney Dana Adkins provided an educational seminar covering custodial rights, guardianship, and mediation to HALOS participants and volunteers. We're planning on continuing this effort throughout the year.

Next Steps: This self-help program promotes dignity and self-reliance. Earlier this year, with the help of attorneys Dana Fields, Stephanie Nodine, and Nina Cano Richards, Charleston Pro Bono hosted an educational seminar to almost 50 attendees covering recent changes to immigration policies. We also have two clinics in the works for late April where volunteer attorneys will provide no-cost legal services by preparing Power of Attorney documents, Health Care Powers of Attorney, and Wills.

SC Strong: This residential community teaches academic and vocational skills to assist in the rehabilitation of criminals. Attorney David Aylor recently taught an expungement clinic to some of their participants. We're looking forward to continued outreach programs there to include family law.

Of course, Charleston Pro Bono will continue our work with Ansonborough House, Ryan White Wellness Center, East Cooper Community Outreach, and Habitat for Humanity. No matter your practice area, we can find the right fit for you to join in our efforts and make an impact. Are you ready for some collaboraction?

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The South Carolina Historical Society announces digitization and internet access to the incredible collection of papers held by the SCHS on Charles Cotesworth Pinckney. Years in the making, the SCHS collaborated with University of Virginia Press, with funding from the National Endowment of the Arts, and editing by USC's Connie Schultz. These resources are added to the SCHS's papers of Eliza Lucas Pinckney and Harriot Horry Pinckney, http://rotunda.upress.virginia.edu/founders_registration/fee is required for accessibility.

These rich resources on our nation's founding fathers and mothers show how the remarkable members of this family impacted not only the Palmetto State but the world.

Newly Released: The Papers of the Revolutionary-Era Pinckney Statesmen

One of the leading families of colonial South Carolina and the early republic, the Pinckneys of Charleston were witnesses to—and often active participants in—many of the defining customs and transforming events of the early national South. This digital resource collects, for the first time, the papers of three of the most notable Pinckneys: brothers Charles Cotesworth Pinckney (1746–1825) and Thomas Pinckney (1750–1828) and their cousin Charles

Pinckney (1757–1824). They served variously as young officers during the American Revolution, governors of the state of South Carolina, delegates to the Constitutional Convention, leading lawyers and businessmen in Charleston, and diplomats to England, France, and Spain.

Eventually comprising over 3,000 documents, this publication is fully searchable and interoperable with the other titles in Rotunda's American Founding Era collection and includes the complete contents of the previously released The Papers of Eliza Lucas Pinckney and Harriot Pinckney Horry.

For those interested in further study, please visit the SCHS Resources and Research Guides at WWW.SChistory.org within the Research Tab where we have included the Carologue articles:

"South Carolina and the Presidency" by Brent Breedin (Fall 2008) – South Carolina's leadership role associated with the US presidency (1773–2008).

"He Gave His Word: Charles Cotesworth Pinckney and the Presidential Election of 1800" by Steve C. Griffith Jr. (Fall 2012) – Charles Cotesworth Pinckney's involvement with the election of 1800.

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