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FALL 2019

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WORDS FROM THE PRESIDENT - CHANGES

Dear Colleagues,

The death of Sally Newman, a young attorney. The retirement of Judge Joe Mendelsohn, a seasoned attorney and outstanding judge. A celebration of attorneys who are veterans and a tribute to those who

served in Vietnam. The anticipation of birth at my daughter's baby shower. The embracing of Hurricane Season. Life is full of changes. Some we like. Some we despise. Some we fail to notice.

Living life as an attorney requires the acceptance of change. The acceptance of change requires flexibility. Our clients change. Laws change. Judges change. We change. Accepting change enables us to do our best today. Accepting change gives us the opportunity to become stronger and to improve, using that strength and improvement in the future. Accepting change does not mean forgetting the past or ignoring positive traditions. The past is always a part of our lives, particularly as Southerners. Positive traditions provide connection, familiarity, and unity. Accepting change does not mean forgetting our integrity, honesty, and respect. We must retain our core goodness.

Living life as an attorney means taking on the burdens of those we serve. As we take on these

burdens, we must take care of ourselves. The legal profession demands strength, endurance, patience, and determination. The demands can bring one down unless we accept change and live with flexibility. Like the Palmetto Tree, we take care of ourselves with bending and leaning as the wind swirls around us. With flexibility, we do not break. We let go of those detrimental circumstances and people that bring negativity. We seek out time and experiences that uplift us and strengthen us. We increase our encouragement of those who need optimism and joy. We work. We volunteer. We serve. We remember our legal family.

Death. Retirement. Celebration. Birth. Hurricanes. Changes surround us. Changes are not easy. When we remember the importance of change in our lives, in nature, we tend to be respectful, helpful, and reflective. And in our reflection, we see that time waits for no one. We see we are all connected. We see that positive change can come from each of us.

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ANNOUNCEMENTS

Bluestein & Douglas, LLC is pleased to announce that **Rachel Katherine Zielinski** has joined the firm as an Associate. Rachel can be reached at 266 West Coleman, Mt. Pleasant, South Carolina, 29464; telephone (843) 769-0311; Email rachel@bluesteinanddouglas.com.

YCRLAW Welcomes Three New Associates: **Michael Loignon** practices primarily in the firm's Commercial Litigation and Appeals practice group. Prior to joining **YCRLAW**, Michael worked as an attorney for the South Carolina Department of Social Services and the Charleston County Public Defender's Office where he tried numerous cases to jury verdict. **Mallory Molony** practices primarily in the firm's Trucking & Transportation practice group. Mallory served as a law clerk for the Charleston County Public Defender's Office and as a legal intern for One 80 Place. Prior to law school, Mallory worked as a realtor for Carolina One Real Estate. **Zachery Kern** practices primarily in the firm's Employment & Labor Law practice group. Prior to joining **YCRLAW**, Zach served as law clerk to the Honorable Daniel D. Hall, 16th Judicial Circuit.

Womble Bond Dickinson's Charleston office placed 29 attorneys on the 2020 Woodward/White Inc.'s *The Best Lawyers in America* rankings: **J. Marshall Allen**, Healthcare Law; **Charles J. Baker III**, Construction Litigation, Bet-the-Company Litigation, Commercial Litigation, Ethics & Professional Responsibility Law; **Laurel R.S. Blair**, Trusts & Estates Litigation, Trusts & Estates; **David M. Collins**, Admiralty & Maritime Law, Product Liability Litigation (Defendants); **David H. Crawford**, Real Estate Law, Banking & Finance Law, Corporate Law; **Morris A. Ellison**, Commercial Litigation, Banking & Finance Litigation, Real Estate Law, Real Estate Litigation; **Shawn M. Flanagan**, Tax Law, Trusts & Estates, Closely Held Companies and Family Businesses Law; **F. Cordes Ford IV**, Construction Law, Construction Litigation; **W. Foster Gaillard**, Real Estate Law, Land Use & Zoning Law, Commercial Finance Law; **C. Allen Gibson Jr.**, Construction Law, Construction Litigation, Commercial Litigation; **Henry E. Grimball**, Commercial Litigation, Insurance Law, Personal Injury Litigation (Defendants), Product Liability Litigation (Defendants); **Thomas L. Harper Jr.**, Real Estate Litigation, Real Estate Law, Banking & Finance Law; **Greg Horton**, Product Liability Litigation (Defendants), Labor & Employment Litigation, Construction Litigation, Commercial Litigation, Construction Law; **John Hawk IV**, Banking & Finance Litigation; **Sean D. Houseal**, Environmental Litigation, Personal Injury Litigation (Defendants); **Dana W. Lang**, Product Liability Litigation (Defendants); **Cynthia**

Spieth Morton, Real Estate Law, Banking & Finance Law, Commercial Finance Law, Corporate Law; **James D. Myrick**, Commercial Litigation, Insurance Law, Insurance Litigation, Personal Injury Litigation (Defendants); **Daniel Q. Orvin**, Real Estate Law; **Graeme F. Philp**, Closely Held Companies & Family Business Law, Corporate Law, Tax Law; **Elizabeth W. Settle**, Real Estate Law, Banking & Finance Law, Corporate Law; **Kenneth F. Smith**, Trusts & Estates, Tax Law; **Henry B. Smythe, Jr.**, Personal Injury Litigation (Defendants), Product Liability Litigation (Defendants); **Susan M. Smythe**, Corporate Law, Real Estate Law, Banking & Finance Law; **Matthew E. Tillman**, Product Liability Litigation (Defendants); **John H. Warren III**, Banking & Finance Law, Corporate Law, Financial Services Regulation Law, Real Estate Law, Securities/Capital Markets Law, Securities Regulation; **James E. Weatherholtz**, Construction Law, Construction Litigation, Product Liability Litigation (Defendants); **James M. Wilson**, Banking & Finance Law, Real Estate Law; **Stephanie L. Yarbrough**, Economic Development Law.

Butler Snow attorney **Kurt G. Rademacher** has been listed in Legal Week's Private Client Global Elite 2019. Rademacher is an experienced professional in international wealth transfer planning. He represents ultra-high net worth families and family-controlled businesses throughout the world on U.S. federal income, gift and estate tax issues and is regularly called upon by media outlets such as *The Wall Street Journal*, *CNBC*, the *Financial Times* and the *Economist* for expert U.S. tax commentary.

Barnwell Whaley Patterson & Helms is pleased to announce that seven attorneys: **M. Dawes Cooke, Jr.**, **B.C. Killough**, **Randell C. Stoney, Jr.**, **K. Michael Barfield**, **Christopher M. Hinnant**, **Marvin D. Infinger** and **Ernest B. Lipscomb** have been named to the 2020 "The Best Lawyers in America" list and **Dawes Cooke** is named by *Best Lawyers* as the 2020 *Bet-the-Company Litigation Lawyer of the Year*.

Seven partners from the Charleston, South Carolina office of global law firm **K&L Gates LLP** have been recognized in the 2020 edition of *Best Lawyers in America*, with one of the partners, **Mark Sharpe**, also recognized as Charleston's Lawyer of the Year in Corporate Law. The lawyers and the categories in which *Best Lawyers* recognizes them are: **James S. Bruce** (Corporate Law); **Ernie L. Cochran** (Corporate Law); **J. Walker Coleman IV** (Employment Law - Management, Litigation - Labor and Employment); **Matthew J. Norton** (Real Estate Law); **Mark S. Sharpe**

ANNOUNCEMENTS, CON'T

(Banking and Finance Law, Corporate Law-Lawyer of the Year, Litigation - Banking and Finance, Real Estate Law); **Jennifer Thiem** (Insurance Law) ; **Bryan L. Walpole III** (Banking and Finance Law, Litigation - Banking and Finance).

McAngus Goudelock & Courie, a regional insurance defense firm, is pleased to announce the inclusion of 5 of its Charleston attorneys in the 2020 edition of The Best Lawyers in America: **Mark Davis** (Workers' Compensation Law – Employers); **Carl Edwards** (Insurance; Personal Injury Litigation-Defendants); Amy Jenkins (Employment Law – Individuals; Employment Law – Management; Litigation – ERISA; Litigation – Labor & Employment); Allison Nussbaum (Workers' Compensation Law – Employers); **JD Smith** (Product Liability Litigation – Defendants).

Womble Bond Dickinson attorney **Dan Orvin** has been elected as a Fellow in the American College of Mortgage Attorneys (ACMA). Formed in 1974, the American College of Mortgage Attorneys (ACMA) is comprised of more than 400 lawyers in North America who are authorities in mortgage law. Capital Markets and Financial Institutions sector attorney **Kitt El Jebbari** has joined **Womble Bond Dickinson's** Charleston Office. El Jebbari focuses her practice on domestic and international leveraged finance transactions. She guides both borrowers and lenders in syndicated and single-lender facilities and other secured and unsecured credit facilities for public and private companies.

McAngus Goudelock & Courie has opened an office as part of its real estate practice in Summerville, SC. This is the firm's second location in Charleston and eighth location in SC. Attorney **Chris Digby**, who previously practiced in MGC's Charleston office, joins the firm's real estate practice in Summerville. **Shumaker, Loop & Kendrick, LLP** is pleased to announce that **Nicholas C. Sottile** ("Nick") and **Katie Hinson Lewis** have joined the firm's Charleston office as partners. Nick and Katie practiced with the local

firm of Sottile, Hopkins & Lewis, LLC prior to the move. Nick's practice emphasizes business formations, corporate transactions, and real estate transactions. Katie's practice emphasizes real estate and corporate transactions.

Haynsworth Sinkler Boyd is proud to announce that *Best Lawyers* has selected 12 attorneys for inclusion in *The 2020 Best Lawyers in America* and two attorneys as "Lawyer of the Year" for Charleston. **David M. Swanson** (Litigation – Real Estate) and **John R. Chase** (Trusts and Estates) have been recognized as "Lawyer of the Year" for their respective practice areas. The following Charleston attorneys are listed for the specific practice areas: **Scott Y. Barnes** (Business Organizations including LLCs and Partnerships; Corporate Law; Tax Law); **John R. Chase** (Tax Law; Trusts and Estates); **Jeremy L. Cook** (Public Finance Law); **Stephen E. Darling** (Personal Injury Litigation – Defendants; Product Liability Litigation – Defendants); **Charlton deSaussure, Jr.** (Public Finance Law); **Stafford J. McQuillin III** (Commercial Litigation); **Julie O. Medich** (Corporate Law; Mergers and Acquisitions Law); **Wm. Howell Morrison** (Commercial Litigation; Professional Malpractice Law – Defendants); **James H. Suddeth III** (Real Estate Law); **David M. Swanson** (Litigation – Real Estate; Real Estate Law); **John H. Tiller** (Personal Injury Litigation – Defendants; Product Liability Litigation – Defendants); **John Paul Trouche** (Public Finance Law).

Butler Snow has added **Charles R. Scarminach** to the firm's Charleston office. Scarminach will practice with the firm's commercial litigation practice group. Scarminach regularly represents clients in a wide range of complex disputes in state and federal courts, including matters involving business torts, real estate disputes, product liability, complex contractual disputes and construction law. He also has expertise in general appellate litigation.

IN MEMORIAM

Sally Newman – August 16, 2019

HAVE YOU RECENTLY MOVED OR CHANGED FIRMS?

Please take a few minutes to log in to the Charleston County Bar website (www.charlestoncountybar.org) and make sure all of your contact information is correct. 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.

THE HONORABLE DANIEL E. MARTIN, JR.

Family Court Judge

9th Judicial Circuit

Interview by Johnathan Rice and Kelly Barber



Home is where the heart is so you never truly leave. But for this native Charlestonian, coming back to South Carolina is a calling.

What led you to attend Howard University?

Howard's reputation and my family connections to the university made it an excellent fit for me. My father attended Howard University for undergraduate school, and my uncle graduated from Howard Law School, so I visited Howard's campus many times before it was time for me to start looking at college campuses. Howard was an environment in which many people were trained to move on after school to achieve great things. The university checked a lot of those boxes.

What was your biggest take away from Howard?

The diversity within the African American community (e.g., Caribbean, Europe, Africa)—The groups and organizations on Howard's campus represented all categories of the black community. My experience at Howard allowed me to explore people from various parts of the country. There were conservative students, young republicans, students who loved gaming, students from the West Coast, New Yorkers who often

brought new music and dances to campus and many others who lived alternative lifestyles.

After undergraduate school, you decided to come back to South Carolina for law school, what motivated you to come back?

I always wanted to make Charleston my home and appreciated it more after leaving. I loved Washington, DC., but the people outside of the college environment weren't as warm and friendly as Charlestonians. I met good people there, but it was harder to get to know people. The people that I met in DC were good people once you got to know them, but to speak to someone on the street that you didn't know often solicited a look that said, "why are you talking to me?" With Charlestonians, what you see is what you get. We are very straight forward, sometimes too much so, but we are good-hearted people that help others along the way. I have found that Charleston is a place of many races, many ages and of many backgrounds.

What was your experience like once you began attending the University of South Carolina?

The Confederate Flag was still flying at the top of the State House when I attended USC. After speaking with fellow students, I found that some of the students who attended USC at that time did not feel as if some of the students of African descent were there based upon his or her merits. Students of color were under a microscope and often challenged to prove that they were worthy. For me, this made me feel uncomfortable after attending Howard. However, the USC faculty made the students of color feel more comfortable, and I never experienced any hostility amongst the faculty or the students. Overall, I had a good experience at USC.

I know that in your first years as an attorney, you worked with your father, what motivated you to make that decision?

My plan was always to come back and practice at my father's firm. His practice was well established before I went to law school. He was an Assistant Solicitor here in Charleston, and the first African American Assistant Solicitor in the state. Later, he was elected to the Circuit Court and left our practice. After stepping down, my father came back to the firm and we began practicing together again.

Do you feel as if your father's decision to pursue a career in law motivated you to do the same?

COLLOQUY – FROM THE BENCH, CON'T

Absolutely. My father's brother attempted to be the first attorney in our family in the 1950s. He attempted to attend the South Carolina School of Law, but he was rejected. It was for that reason that my father decided to become a lawyer. All of my young life I had been the son of a lawyer, who had his own law firm and had been an Assistant Solicitor. The father that I knew was always working within our community, most times for little pay. I remember him answering calls at all hours of the night. He took me to work with him on occasion. I felt like he was always able to be his own person while serving the community.

Was the option of becoming a judge something that has always been on your radar?

It was never on my radar. Shortly after graduating from law school, I was appointed to serve as a Magistrate Judge in Charleston County; I served for three or four years. I enjoyed being a Magistrate Judge, but I could not advocate for people. That is why I eventually gave up my seat as a magistrate judge and began to practice on my own until I decided to move on to become a family court judge. I knew that becoming a Family Court Judge would require giving up my flourishing practice, but I concluded that I would be able to help more people as a family court judge. I would be allowed to administer the law in a fair way. Before making my decision, I remembered being encouraged to run a few years prior by the former Mayor of North Charleston. He told me that one day I would be called to do something and that it would require me to leave what I was comfortable doing. He explained that it would be something that I needed to do for others and that it would require me to sacrifice some things. That was several years before this seat became available, but it was a conversation that was always in the back of my mind.

Why did you decide that family law was an area that you wanted to explore?

My practice always consisted of domestic law. Most of my time in court was spent in family court. In domestic disputes, people often come to you because they have a very personal problem that they need help with. During those cases, a person shares things with you that they would probably only tell their priest or their doctor. You have to be there for them because there is no set time frame in which they may need you. Family law is an area of law that you must love in order to practice it, if not you may not want to practice law thereafter. Nonetheless, it is something that I always wanted to do.

I read that you are a member of Mother Emmanuel AME Church. How were you affected by the incident that occurred there in 2015?

It was devastating. I knew all of the victims. I attended all but two of the funerals; my wife attended all of the funerals. My mother was in the church earlier that day. When I ran to be a judge Reverend Pickney (one of the nine victims of the incident) had recently been assigned to Mother Emmanuel, and he provided as much support as he could; He was one of the strongest advocates for my candidacy at the time. To know that someone targeted people of color solely because they were black was painful. This place that was here to make us feel safe no longer seemed that way.

The community was largely impacted by it. We hoped that this would be the last time that we saw something like this happen but it continues, most recently in El Paso. It was a problem, and it still is a problem. The people within my church are still recovering from it.

Congratulations to Yarborough Applegate on becoming the 2019 Champions of the CCBA Lawyer Softball League!

This co-ed, summer softball league—which is organized and run by CCBA members—has been operating for more than 30 years! The annual season runs from May to August, and games are played on Thursday nights at 7:00PM at the Jones Center in Mt. Pleasant off Egypt Road (across from Belle Hall). All the games are played at the same time and location, so it provides a great opportunity for networking, fellowship, and competitive camaraderie within the profession. Families and friends are welcome and encouraged to join. Win, lose, or draw, most teams meet up for post-game dinner at a nearby sports bar.

The league is always looking to add new teams, so if your law firm (or a collaboration of colleagues in the profession) is interested in participating, please contact Michael Allen (mallen@popeflynn.com).

All players do not need to be lawyers, although there are minimum requirements. See you on the field next summer!





LIAM DUFFY

YARBOROUGH APPLGATE

Interview by Beverly Bolyard

He's in a place of learning and facing new challenges, but this young trial lawyer thinks it is exactly where he needs to be.

Let's start at the beginning. What experiences in law school helped prepare you for the reality of the legal world?

When I got to law school, I finally had the maturity to commit to going all in. I can't say the same for my college experience, but if you don't go all in, you're doing yourself a disservice. I was fortunate enough to end up on the Charleston Law Review and the Moot Court Board. Both of those experiences were rewarding, and I had some wonderful teachers, professors, and mentors along the way. As far as which skills were more applicable to my practice, strong research and writing skills are really just the baseline. I also think getting involved and developing some leadership abilities from being in those groups

(or others) is just as important, and that has served me well in my current roles with the Young Lawyers Division and other organizations.

You believe you got a great legal education at Charleston School of Law. What is it like to see negative publicity about the school that has obviously been so beneficial to you?

That's a tough one to answer. When I was in school, all that turmoil was more active. I always felt confident that some of the students I went to school with could succeed on any level, at any law school, in any market, and in any job, so I didn't give much thought to the negative coverage. But I am proud to see that the current students, alumni, and new leadership have clearly taken the initiative to say, "Look, we are going to be a great law school. We're not going anywhere." I think that is a point of pride for anyone affiliated with CSOL and I'm optimistic for the school's future.

Do you have any advice for students right now? There's so

much emphasis on passing the Bar. The Bar is a hurdle but it's not the end of the road.

Oh, it's just the beginning of the road. I think my advice would be to focus only on what's within your control. All you can control is the effort you put in. You don't even need to necessarily focus on the end product because if you put the effort in, you should trust that you'll get the desired outcome. I was just listening to a podcast along those same lines, but in the context of preparing for trial. At the end of the day you can put up a great case—your very best case—and you may not win at trial. The opposite is equally true. Because the result is ultimately out of your control. I always go back to sports analogies for reference. The Nick Sabans and the Bill Belichick's and great sports leaders of the world are famous for saying, "We focus on the process and not the product." If you focus on the process, the product will come. I hope that everybody thinks that way in life. Focus on what you can control, and everything else is out of your power. That's wasted effort, wasted energy, and wasted thought.

Before you started working at Yarborough Applegate you practiced in a different litigation firm here in Charleston. What was that like?

I really can't say enough about my mentors and former partners at my old firm (Rosen Hagood). Number one, they took a chance on me. They were the first people to give me a job out of law school, and for that I'm grateful. They are some of the best lawyers and people I know. I got a valuable and broad introduction to the practice of law, and specifically the world of high-stakes litigation. As a young

lawyer, you don't necessarily know what you're passionate about or want to do, so that was good for me. I did everything from construction litigation to some personal injury work to trusts and estates litigation. I had a great three and a half years there, and it was a difficult decision to leave for a new opportunity.

Tell us more about the difficulty of leaving for a new opportunity.

One of the best things about my old firm is that I had the opportunity to go out and take on meaningful roles in cases, which meant taking depositions, arguing motions, trying cases as first chair. A lot of young lawyers don't get that opportunity; but that's the only way we're going to be able to, as young lawyers, get better. It's also an opportunity to show our partners, "I can really do this, and I can do it well if you give me the latitude to do it. Trust that I will put in every ounce of energy toward preparation." A new opportunity means a new start, which is great, but for a young lawyer it also means you've got to re-prove your worth and develop that trust again. So that was part of the difficulty.

What motivated the change from your starting point to what you do now?

I worked at Yarborough Applegate in law school, so I knew what the whole team over here was capable of and the caliber of lawyers and staff that we have. It truly is an uncommon professional family. Plus, I had that desire to be a trial lawyer, and so why not learn from and team up with my partners who are some of the very best in South Carolina? I couldn't pass up that chance. I think the calling as a trial attorney is working to make the world (or just your community) a better and safer place in some

way. That of course sounds cliché but in many respects it's true. Without trial lawyers and tort law we might not have seatbelts or airbags or countless other things that make our society safer, more just, and more transparent.

Change is hard when you're comfortable. You were in a good place at your last firm; you'd been there for a while. What gave you the courage to switch and chase what you want, that goal of being a trial lawyer?

That's a great question, and it does sort of capture what I experienced. After about three years at my old firm I was still a young associate, but I had begun to garner the confidence of my partners. It takes time to build trust of your partners, of your co-workers. Leaving was a big risk and wasn't something I undertook lightly. It was scary. When you do a lot of soul searching and think about what does the future of my life look like, you realize you have to take risks in order to grow. You have got to get outside of your comfort zone, and that was really outside of my comfort zone because naturally I'm sort of a risk-averse person. It really took me pushing myself beyond those boundaries to say "this is going to ultimately pay off from a standpoint of doing something I love and making a difference in the lives of others."

Also, deep down don't you really want to know if you can do it?

It was a little bit of that. Let's see what I'm really made of because I think I can. In my mind I know I can, but of course we all have self-doubt. I'll just say part of the change, which has been kind of fun, is going back to the classroom, so to speak. That's something I've had to do because now I'm in a plaintiffs-only practice. At my old

firm I did some of that work, and obviously was involved in lots of litigation, but the practice skills and tools are a little different. There are so many great trial lawyers out there. I've just been absorbing as much as I can, whether it's reading books, listening to podcasts, or talking to mentors. I have overwhelmed myself with new material in an effort to shorten the learning curve of a new practice, which has been fun and challenging at the same time. So I guess one other piece of advice I would give to law students who are just entering the profession is simply to never stop studying and learning and growing.

In studying litigation and law, it is apparent that the field has changed so much over time. That includes the number of women in practice now. Are you cognizant of that change? Does it hold any particular meaning for you?

I don't know for sure, but I imagine it's definitely different for me than prior generations. When other generations were practicing, there were probably a few thousand members of the Bar, and they were mostly white males. My law school class was fairly diverse, and some of the absolute best lawyers I know are women and/or minorities. To me, it's a critical part of the practice that we have lawyers representing the diverse make-up of the communities that they themselves represent as advocates. Obviously, there is still work to do in that respect; but I think it's really important that the legal profession is a reflection, at least in terms of the demographics, of the communities we represent. It's also a critical part of ensuring public trust in the profession, which we all know is not very high to begin with.

JURY VERDICTS

CHARLESTON COUNTY COURT OF COMMON PLEAS

(Information supplied by Clerk of Court's Office)

2018-CP-10-00666: *Therese Hood v. USAA*

Attorneys: Plaintiff: Eric Marc Poulin
Roy T. Willey, IV
Alexis Wimberly McCumber
Matthew L. Nall
Defendant: Robert William Whelan

Cause of Action: Personal Injury/Other

Verdict: For the Plaintiff in the amount of \$49,052.20 in actual damages
For the Plaintiff in the amount of \$250,000 in punitive damages

2017-CP-10-05693: *Edward Moore v. Harvetta Sineath*

Attorneys: Plaintiff: Randell Croft Stoney III
Defendant: David Starr Cobb

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$225,000

2016-CP-10-05082: *Juan Jose Arnaiz Cot v. University of South Carolina, et al.*

Attorneys: Plaintiff: Timothy O'Neill Lewis
Francis X. McCann
Defendant: Bob J. Conley
Emmanuel Joseph Ferguson Sr.

Cause of Action: Use Empl 180

Verdict: For the Defendant

2018-CP-10-00607: *Esau Jenkins v. Aguilar Hernandez*

Attorneys: Plaintiff: Jeffrey Wayne Buncher, Jr.
Defendant: Trey Matthew Nicolette

Cause of Action: MVA

Verdict: For the Defendant

FEDERAL DISTRICT COURT – CHARLESTON DIVISION

22:16-cv-00655-BHH: *Akiliou Smith v. Charleston County, et al.*

Attorneys: Plaintiff: Colin V. Ram
David Ellis Roberts
Jacqueline LaPan Edgerton
Michael T. Cooper
W. Mullins McLeod, Jr.

Defendants: Robin Lilley Jackson
Andrew F. Lindemann
Kevin Michael DeAntonio

Cause of Action: 1983 Civil Rights Act

Verdict: For the Plaintiff in the amount of \$50,000 actual damages
For the Plaintiff in the amount of \$500,000 punitive damages
[Per clerk, judgment will be entered once there is a ruling on the motion for new trial.]

COURT ROSTERS

Simply click the links below to be taken to the respective roster. Please note that court schedules are changing constantly; please verify current information through S.C. Court Administration or by checking the South Carolina Judicial Department website at https://www.sccourts.org/clerks/roster_map.cfm.

CIRCUIT COURT ROSTERS

[CHARLESTON](#)

[BERKELEY](#)

[DORCHESTER](#)

FAMILY COURT ROSTERS

[CHARLESTON](#)

[BERKELEY](#)

[DORCHESTER](#)

PRO BONO MOMENTS

By: Alissa C. Lietzow, Esq.
Rachel Stewart, Charleston School of Law
Charleston Pro Bono Legal Services

For the 7th consecutive year Travel + Leisure named Charleston the #1 city in the United States. While we celebrate this award, just next door, the City of North Charleston was ranked #1 for number of evictions filed based on a multiyear study by Princeton University's Eviction Lab. What does that mean for our community? Evictions lead to increased likelihood of homelessness, instability for children, and lives disrupted.

Legal aid services for many low-income residents of Charleston County, including those who are facing eviction, can be difficult to find. Navigating the system, including eligibility determination, for services at any number of nonprofits can be overwhelming, especially when facing the prospect of losing one's home.

This excerpt from Matthew Desmond's Evicted: Poverty and Profit in the American City, is especially pertinent to showing the impact of legal aid on achieving financial stability, specifically in regards to obtaining affordable housing: "Legal aid to the poor has been steadily diminishing since the Reagan years and was decimated during the Great Recession ... Low-income families on the edge of eviction have no right to counsel. But when tenants have lawyers, their chances of keeping their homes increase dramatically. Establishing publicly funded legal services for low-income families in housing court would be a cost-effective measure that would prevent homelessness, decrease evictions, and give poor families a fair shake."

Tackling this epidemic head-on, there will be a new Housing Court Pilot Project to provide representation to low-income residents who are facing an eviction in Charleston County. Charleston Pro Bono Legal Services, along with other non-profit legal service agencies, magistrate court judges, and *pro bono* advocates including law firms like Nelson Mullins and the Charleston School of Law, formulated a program that would provide legal representation to qualifying tenants facing eviction.

As quoted in the Administrative Order signed by Chief Justice of South Carolina, Donald W. Beatty, on May 24, 2019—

"The South Carolina Access to Justice Commission has petitioned the Supreme Court of South Carolina to create a pilot program establishing a Housing Court in the County of Charleston Magistrate Court to create an eviction docket on specific days in three specific Magistrate Courts in Charleston County. There is significant need to provide access to legal representation to tenants in Charleston County facing eviction. Increased representation can ensure that the eviction is lawful, defenses are effectively asserted, and secure other relief that may help prevent homelessness."

This Pilot Program is truly the result of collaborative efforts, including Charleston County Magistrate Courts, One80 Place Legal Services, Charleston Legal Access, Charleston Pro Bono Legal Services, South Carolina Legal Services, Charleston School of Law, S.C. 211 Hotline, Trident Urban League, and local law firms. We are all hopeful and optimistic that the Housing Court Pilot Project will provide a lasting impact and extend legal representation to a variety of individuals in Charleston County who are facing eviction. But, we need your help!

If you'd like to learn more or become involved in the Housing Court Pilot Project, please let us know. We will provide all necessary training, materials, and on-site support. There are not many opportunities where utilizing your legal knowledge one morning a month could mean the difference between a family going back home or ending up on the streets. Will you help? E-mail ALietzow@charlestonprobono.org for more information.



CHARLESTON PRO BONO

LEGAL SERVICES, INC.

Law Firm: _____

Contact Person: _____

Address: _____

Enclosed is our gift of \$_____.

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