



ISSUE #43

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

FALL 2018

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FROM THE PRESIDENT



Dear Colleagues,

The first edition of the Charleston County Bar Association newsletter was published in the Fall of 1982 by our Association president, J.W. Cabaniss and editor David C. Norton. How do I know this bit of trivia? Emmanuel Ferguson and Mark Joyce organized the first 50+ members luncheon on

September 25th. Emmanuel identified 51 members of the Charleston County Bar who have been licensed for 50 plus years. The luncheon drew about 25 of those 51 members of this elite group. Featured in our October 2nd "Tuesday Talk" is a collage of photographs of our colleagues enjoying their society. It is hoped that we will be able to re-congregate these lawyers for other social events later this year.

By the way, the above identified editor of this first publication sent to members of the Association a memorandum following the first publication of the newsletter. He outlined to the members that the executive committee intended to publish an edition on a quarterly basis and welcomed members to provide him with general law related announcements to be included in these publications. The editor shared the following observation in his memorandum: "The first newsletter was relatively well received, if one were to subtract all the snide comments about the qualifications of the Editor from the letters of criticism." In case you have not noticed, the then editor is none other than United States District Judge David Norton.

On the opposite side of the experience scale our Engagement Committee held its first quarterly luncheon for young lawyers with circuit and family court judges on June 26th at the Law Office of Moore and Van Allen. Over two dozens lawyers with less than 5 years experience enjoyed the opportunity to meet with several judges and engage in an informal discussion on

the ins and outs of court room presence, preparation and success. The second of these luncheons will host staff members from the Office of the Clerk of Court at the courthouse later this month.

The second Charleston Forum was held at the Charleston Forum on June 21st. The theme of this year's forum was the huge economic disparity among the residents of Charleston and the effects of this disparity. The Avery Institute commissioned a comprehensive study documenting the wide gap existing with minorities, which denies large segments of our society from advancing outside of poverty. Our former Association president, Brain Duffy is to be congratulated for organizing this year's successful forum.

On June 30th the Association partnered with the Centers for Heirs Property and conducted an education seminar for simple wills and basic estate planning. This seminar was followed by a wills clinic hosted by the Charleston Pro Bono Program on August 18th. Over 100 citizens were provided free legal services and executed their wills and other succession documents. Our deep appreciation to Alissa Lietzow in organizing this clinic and those attorneys who gave up their Saturday to provide this needed legal service to our citizens.

We are in the process of planning a Fall social for November 15th to recognize our newly admitted members of the Bar. Details will be posted in Tuesday Talk and on the website calendar when they become available. I hope you will join the members of the executive committee in welcoming our newest colleagues.

On January 25, 2019 a mental health first responder training for lawyers helping lawyers will be held at the law offices of Nelson Mullins. This session is being sponsored by Marie-Louise Ramsdale. Information on this training is located at www.mentalhealthfirstaid.org. We need to be cognizant of the mental health issues facing many of our fellow lawyers. This program is an opportunity to prepare us to respond to those members of our profession who maybe experiencing some level of mental health problems affecting their practice.

We expect to launch our CCBA App in the near future. We have reviewed the first edition of this App and are working on fine tuning some of the unique details. As reported in my prior edition this App will be available to the public for free; however, access to specialized information will be restricted to members of the Charleston County Bar Association. This communication tool will contain the CCBA directory, the calendar and push notifications so that you can be reminded of upcoming events. Look for details in Tuesday Talk when the App will be available and the many benefits afforded to our members.

Thanks to the efforts of Immediate Past President Scott Moise, the Community Outreach Committee is excited to announce that we will be partnering with Cocky's Reading Express™ to visit Memminger Elementary School. Cocky's Reading Express™ is the University of South Carolina's literacy outreach program. Volunteers join USC's mascot, Cocky, to visit elementary schools across South Carolina. Volunteers read to the students and Cocky makes a surprise appearance to help the students understand the importance of life-long reading! This opportunity promises to be a fun way to engage in service with your fellow CCBA members.

We are scheduled to appear at Memminger Elementary School, 20 Beaufain Street, Charleston, on October 19th at 12:45. Please contact Julie Moore at: jmoore@duffyandyoung.com or 720-2044 with any questions. To sign up, please log in to the CCBA website: <http://charlestoncountybar.org/login/>. Once you are logged in, please scroll over to the "Attorney Resources" heading, click on "Calendar" and locate October 19, then click on "Book Event" to register.

President Elect Debra Gammons and I appeared with members of the Mentoring Committee, Matt Dillon, Seal Houseal and Brian Bevon at the Charleston School of Law Professional Series on October 4th. We shared with aspiring attorneys matters of civility and the importance of joining and being an engaged member of the CCBA.

I have not mentioned the wonderful work of our CLE Committee and would encourage you to visit the calendar on our website for upcoming scheduled continuing legal educations seminars which are free to all CCBA members. We are an active association fulfilling our mission to you in providing activities that assist you in our profession, in promoting the administration of justice and protecting the respect for the legal system.

In order to maintain the level of the social activities we have come to expect and enjoy, to provide donations to worthy causes consistent with our mission, and to produce quality CLEs, the Executive Committee voted to increase our annual membership dues from \$100.00 to \$115.00. With a base number of members around 2,000, this increase will add to our overall income in the general fund an additional \$30,000. This sum is the

approximate amount we spend just for the Holiday social. Considering all of the benefits afforded to our members, this is a modest increase to cover just the increase in the expense for venue rentals and food.

Please take advantage of the many services provided to you and volunteer opportunities to serve our community.

Peter

SAVE THE DATES

Thursday, October 18, 2018

Fundamentals of the Practice of Law CLE
Charleston County Public Library (68 Calhoun St.)
9:15 am - 4:30 pm

Friday, October 19, 2018

Cocky's Reading Express
Memminger Elementary School (20 Beaufain St.)
12:45 pm - 2:00 pm

Friday, November 2, 2018

Family Law CLE
Time and Location TBA

Tuesday, November 13, 2018

One80 Place Community Kitchen - Volunteer Opportunity
One80 Place (35 Walnut St.)
11:30 pm - 1:00 pm

Friday, November 16, 2018

Trident United Way Day of Caring - Volunteer Opportunity
CCBA teams up with the United Way to restore Oyster Reefs
Department of Natural Resources (217 Fort Johnson Rd.)
2:00 pm - 4:30 pm

Thursday, December 6, 2018

Employment Law/Workplace Issues CLE
Charleston County Public Library (68 Calhoun St.)
12:00 pm - 4:00 pm

CCBA Holiday Social
Charleston Aquarium
Time TBA

January 2019

Cyber Risks, Cyber Coverage and Social Media CLE
Time and Location TBA

Friday, February 1, 2019

What Works For Me CLE
Charleston Music Hall (37 John St.)
Time TBA

February 21, 2019

CCBA Annual Meeting
Francis Marion Hotel Colonial Ballroom (387 King St.)
6:00 pm - 9:00 pm



Kristi Harrington Mediation, LLC

843.801.0969

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JOHN CANNON FEW

SOUTH CAROLINA SUPREME COURT JUSTICE

Interview by Debra J. Gammons

Your Dad, J. Kendall Few, was a well-known attorney in Greenville. Was your Mom an attorney too?

No, my Mom, Belva Beasley Few, was a teacher. Then, she stayed home to take care of us. After that, she went back to teaching. Then, my Mom became a real estate agent. Now, at the age of 82, she is still selling homes and she delivers Meals on Wheels every week to people years younger than she is.

Were you influenced by your Dad to become an attorney?

Looking back, I was pulled toward law school from the beginning but I would not admit it.

What were you going to do?

When I was a college senior, I thought I would go into construction management.

Why construction management?

I enjoyed the planning, designing, and building. One year, my Dad and I designed and built a log cabin. Just the two of us.

What changed your mind?

Nothing changed my mind. I remember, my Dad driving and I was in the front seat with him while I was still a senior. My Dad asked me, "What are you going to do?" I said, "Construction management." Dad said, "Why not take the LSAT?" I did.

You began serving on the Circuit Court Bench in 2000; now you serve on the South Carolina Supreme Court. What is the primary difference in your being a Circuit Court Judge and now a Supreme Court Justice?

In Circuit Court, you get to be face-to-face with the litigants. You get to look people in the eye and see them. You sit in Court and listen. Listening is a major part of your job as Circuit Court Judge. On the Supreme Court, I am reading and preparing for Court.

Even though the jobs are different, the core concepts are the same. As a Judge, I take the problems of people and apply sound legal principles and make decisions that are consistent with the law.

Have you ever reviewed or re-examined your past decisions and disagreed with your past decision?

Yes. I constantly re-examine decisions I made. I think about prisoners sentenced to jail. I wake up in the middle of the night and think about some of those cases.

Your re-examination and your wondering can be stressful. How do you deal with this stress?

I know that I have put my heart into trying to make the right decision. I know I did what I believed was right.

Did that belief that you did the right thing bring you comfort or consolation?

Yes. And, sometimes, my hands are tied. I would have to follow the law in applying statutory minimums in criminal sentencing. I still remember a kid who was 18 or 19 when I sentenced him in 2003 or 2004. I sentenced him to 25 years. He agreed to take a package; he probably knew what was in the package. He agreed to take this package from Greenville to Andrews for \$500.00. The package contained a kilo of cocaine. This kid probably has 6 to 8 years left in jail. He never had a chance to live his life. He was out trying to make some money and ended up in jail. I am not condoning what he did. What he did was wrong.

I think that this kid did not have the opportunities that my children or your child had or that you and I had. He was growing up in a community of violence and crime. Now, he will leave jail with nothing but jail as his life experience.

You have a strong sense of purpose and desire to do what is right. Who have been some of the people who have inspired you?

Besides my parents?

Yes. Who else has inspired you?

I am inspired by jurors. Regular people who come to Court; listen; and make decisions. Frederick Douglass and Elijah Lovejoy inspire me. These are people who risked their lives and well-being to help others. Waties Waring, Matthew Perry, and Frank Eppes – these Judges still inspire me. My Dad did what lawyers are supposed to do on a day-to-day basis. He put the interests of others above his own. That is what lawyers should do. It should be a regular part of their doing business.

Other people who inspire me are family members who step in to help when they do not have to; people who do things not for themselves. I remember Jil Littlejohn, Greenville City Councilmember, telling me about her traveling to Tennessee to support her nephew who was charged with a crime while he was in college in Tennessee. She took time off work and went to Court every day for a week to be with her nephew. He was acquitted of the offense. Her nephew is able to pursue his dreams to live a successful life.

When I was on the Circuit Court Bench and I looked out into the gallery and saw family members attending, I admired them.

Are any of your children attorneys?

No. No attorneys.

Are you disappointed about that?

Oh, no. My children are doing well. My oldest child is in New York. She is a successful businessperson. She is an economist working with artificial intelligence in the treatment of oncology. My second child is a registered nurse in Denver, Colorado. My son, the youngest, is a junior at Boston College.

What is the best way for attorneys, especially new attorneys, to act with respect?

The most honorable way for a lawyer to be respectful is to fight for the rights of clients. Attorneys and judges tend to confuse respect for the Court with deference to the Court. A lawyer can stand up and be a force to the overwhelming power of a Judge. Standing up for one's client shows more respect than yielding to the Judge. Too many lawyers are too quick to yield to the power of a Judge.

Respect for the judiciary is important. The Judge represents the sovereign. The Judge is not sitting in his or her human capacity. The sovereign demands that the attorney represent her client with vigor. At the same time, a Judge is human. Judges may become angry, frustrated, and difficult in the Courtroom. That anger or frustration should not stop the lawyer from representing his client with force.

Seems as though you are pushing the attorney to argue and argue until the Judge says, "I have made my ruling."

It is tough being a lawyer. I tell my students at Charleston School of Law and Carolina that they must stand up and fight. If they are afraid to stand up and fight, they need to do something else, like be a banker. Bankers do not risk going to jail for fighting for their clients.

What drives your belief that lawyers need to be tough and fight for their clients?

The Preamble to the Rules of Professional Conduct states that lawyers have a "special responsibility for the quality of justice." Judges, moreover, have two additional principles that must be met. Judges must promote confidence in the rule of law and in the judiciary, and promote justice. Most Judges speak and write about the judiciary and carrying out the role of a judge in court, and beyond.

How will you fulfill your duties?

I realize that we can no longer reach young attorneys by standing on a podium and speaking. I plan to use social media as a means to reach these new attorneys, to promote the two principles. I am working on access to justice issues. In September, I spoke to the Magistrates and Municipal Judges Annual Meeting on how to handle evidence.

How will you use social media?

I started teaching at Charleston School of Law. Seven years ago I started a blog on Evidence. For years I kept it quiet and didn't let anyone see it but my students. Now, I am deliberately trying to reach a much broader audience. I will be using Twitter to share the

things I write on Evidence and justice issues. I want to make an effort to reach people all over South Carolina, and 3,000 miles away, but I also want to make sure I reach young people who don't go the traditional places to learn. They go to social media. I plan to meet them there.

What is your Twitter handle?

[@jcfew](#). Follow me!

What is the address for your blog?

www.artofevidence.com

I tell my students that justice means if a person commits a crime, that person should be found guilty and pay for that crime. If a person does not commit a crime, that person should be found not guilty and be free to get on with her life. However, that does not always happen. Some people who commit crimes are never caught or they are found not guilty. Some people who do not commit crimes are found guilty. Justice is fairness. If a criminal defendant is afforded due process and fairness, that is justice.

Justice is more than criminal justice. I am speaking about the broader concept of justice. Think about the original concept taught by Plato and Aristotle. This broader concept contemplates a community coming together to enable individual members to live in an ordered society with mutual respect and dignity. Justice is opportunity; criminal justice is a result.

We rely too much on Courts to resolve issues. Courts were not the answer under the original concept of justice.

I admire your determination and your drive to make a difference.

I have to tell you that your inviting me to speak for Law Day in 1996 had a huge impact on me. I talked about Citizen Participation in the Legal System and discussed Elijah Lovejoy and Frederick Douglass. You submitted my speech to the American Bar Association and I won a national award for that speech. That gave me confidence. You are one person who changed my life. My life took a different course after that. I am grateful. You just did what you thought was right.

I remember that speech and the power of your words and your passion. I had to submit it.

Thank you. Now, I continue to work on citizen participation in the legal system. And I continue to promote confidence in the judiciary and confidence in the rule of law.

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.

ANNOUNCEMENTS

Kristi Harrington announces the opening of **Kristi Harrington Mediation, LLC**. The practice specializes in civil court mediation and arbitration. For scheduling or further information, please call (843) 801-0969 or view her website at: www.KristiHarringtonMediation.com.

Pearlman & Pearlman, PC is pleased to announce that its offices are now located at 309 Wingo Way, Suite 103, Mt. Pleasant, SC 29464.

Smyth Whitley, LLC of Daniel Island, SC is pleased to announce that **Nicholas C C Stewart** has joined the firm. His areas of practice include civil litigation, construction law, personal injury, premises liability, and healthcare.

Haynsworth Sinkler Boyd is pleased to announce **Tyler K. Gilliam** has joined the firm and will be based in their Charleston office. Tyler focuses his practice on business and real estate tax planning, with an emphasis on limited liability companies and partnerships.

ACCOLADES

Gallivan White Boyd is pleased to announce Charleston attorney **A. Grayson Smith** has been named to the "Under 40 Hot List 2018" by Benchmark Litigation.

The following **Haynsworth Sinkler Boyd** attorneys have been selected as "Lawyer of the Year" for 2019 in Charleston: **Charlton deSaussure, Jr.** – Public Finance Law; **John H. Tiller** – Product Liability Law – Defendants; **John R. Chase** – Tax Law. HSB is also proud to share the following Charleston lawyers were selected by their peers for inclusion in "The 2019 Best Lawyers in America" list for the specific practice areas: **Scott Y. Barnes** – Business Organizations, Corporate Law, Tax Law; **John R. Chase** – Tax Law; Trusts and Estates; **Stephen E. Darling** – Personal Injury Litigation – Defendants, Product Liability Litigation – Defendants; **Charlton deSaussure, Jr.** – Public Finance Law; **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; **J. Paul Trouche** – Public Finance Law.

McAngus Goudelock & Courie is pleased to announce the inclusion of the following attorneys in the 2019 "The Best Lawyers in America": **Amy Jenkins** was named Employment Law-Individuals "Lawyer of the Year." Listed lawyers include: **Mark Davis**: Workers' Compensation Law – Employers; **Carl Edwards**: Litigation – Insurance, Personal Injury Litigation-Defendants; **Amy Jenkins**: Employment Law – Individuals, Employment Law – Management, Litigation – ERISA, Litigation – Labor & Employment.

Womble Bond Dickinson is pleased to announce that the following Charleston attorneys were honored by "The Best Lawyers in America" for 2019: **J. Marshall Allen**, Healthcare Law; **Charles J. Baker III**, Bet-the-Company Litigation, Commercial Litigation, Construction Litigation, Ethics & Professional Responsibility Law; **Laurel R.S. Blair**, Trusts & Estates Litigation, Trusts & Estates; **David M. Collins**, Admiralty & Maritime Law, Product Liability Litigation

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(Defendants); **David H. Crawford**, Real Estate Law, Banking & Finance 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; **John Hawk IV**, Banking & Finance Litigation; **Greg Horton**, Product Liability Litigation (Defendants), Labor & Employment Litigation, Construction Litigation, Commercial Litigation, Construction Law; **Sean D. Houseal**, Environmental Litigation, Personal Injury Litigation (Defendants); **Dana Lang**, Product Liability Litigation (Defendants); **David B. McCormack**, Arbitration, Employment Law (Management), Labor & Employment Litigation, Mediation; **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; **Gordon D. Schreck**, Admiralty & Maritime 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; **David S. Yandle**, Employment Law (Management), Labor Law (Management), Labor & Employment Litigation; **Stephanie L. Yarbrough**, Economic Development Law.

Pope Flynn is pleased to announce that **Michael Allen**, located in its Lowcountry office, has been listed in Charleston Business Magazine's 2018 Legal Elite for Construction.

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 by Tel. (843) 881-6666 or E-mail: secretary@charlestoncountybar.org

SOUTH CAROLINA LAWYERS WEEKLY
 NOVEMBER 5, 2018 | VOL. 18, NO. 11 | 4 CHARLESTON, SOUTH CAROLINA | \$4.95 PER COPY

DESIGNER SUGGESTS Constitutional / 11 Charleston's tax guide licensing continues for now
Employment / 10 Court won't rewrite noncompetes

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

NOTEBOOK / 3 Topping child to spin
SIDEBAR / 5 Superior justice this election day
NEWS / 2 Mind challenge gets priority

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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.sccourts.org/calendar/scmapping.cfm>.)

CIRCUIT COURT - NINTH JUDICIAL CIRCUIT

October 1		October 8		October 15		October 22	
9 th GSNJ - Dennis	9 th CPNJ - Goodstein	Chas GS - Dennis	9 th CPNJ - Miller	Chas CP/NJ - Jefferson	Chas GS - Early	Chas GS - Young, R.	9 th GSNJ - Dennis
Chas CP/NJ - Scarborough	Chas GS - McCoy	Chas GS - Maddox	Chas CP/NJ - Curtis	9 th CPNJ/PCR- Nettles	Berk GS - Jefferson	Berk GS - Jefferson	Berk GS - Murphy
October 29		November 5		November 12		November 19	
AW - Dennis	9 th CPNJ - McCoy	Chas CP/NJ - McCoy	9 th CPNJ - Dennis (19)	Chas CP/NJ - Young, R.	Chas CP/NJ - Newman	Chas GS - Dennis	
Chas CP/NJ - McCoy	Chas GS - Young, R.	Chas GS - Keesley		Berk CP/NJ - Culbertson	Chas GS - Nicholson	Berk CP/NJ - Jefferson	
Berk GS/SGJ - Jefferson	Chas GS - Stilwell			Berk GS - Goldsmith			
November 26		December 3		December 10		December 17	
AW - Young, R.	9 th CPNJ/PCR - Goldsmith	9 th CPNJ - Brown	9 th CPNJ - Jefferson	9 th CPNJ - McCoy	9 th GSNJ - Dennis	Chas CP/NJ - Newman	Chas CP/NJ - McCoy
Chas CP/NJ - Mullen	Berk CP/NJ - Jefferson	Chas GS - Goldsmith	Chas CP/NJ - Kelly	Chas CP/NJ - Scarborough		Chas GS - Dennis	Chas GS - Dennis
Berk GS - Jefferson		Berk GS - McCoy	Chas GS - Young, R.			Chas GS - Goodstein	
December 24		December 31					

CIRCUIT COURT - FIRST JUDICIAL CIRCUIT

October 1		October 8		October 15		October 22	
1 st CP/NJ - Brown	Dor GS - Murphy	1 st CPNJ - Murphy		Dor CP/NJ - Murphy		Dor GS - Goodstein	
October 29		November 5		November 12		November 19	
Dor CP/NJ - Murphy	Dor GS - Murphy	AW - Murphy		1 st CPNJ - Goodstein		Dor GS - Buckner	
November 26		December 3		December 10		December 17	
Dor CP/NJ - Goodstein	Dor CP/NJ - Murphy	Dor GS - Goodstein		Dor GS - Murphy			
December 24		December 31					

FAMILY COURT - NINTH JUDICIAL CIRCUIT

October 1		October 8		October 15		October 22	
Chas	- Cate	Chas	- Jenkinson	Chas	- Cate	Chas	- Cate
Chas	- Martin	Chas	- Martin	Chas	- Martin	Chas	- Holt
Chas	- Richter	Chas	- Richter	Chas	- Forsythe	Chas	- Martin
Chas	- Forsythe	Chas	- Forsythe	Chas	- Morris	Chas	- Richter
Berk	- Creech	Chas	- Cate ⁽⁹⁻¹²⁾	Chas	- Khoury	Berk	- Landis
Berk	- Landis	Berk	- Creech	Berk	- Creech	Berk	- Woods
Berk	- Landis	Berk	- McGee	Berk	- Landis		

October 29		November 5		November 12		November 19	
Chas	- Cate	Chas	- Cate	Chas	- Landis		
Chas	- Morris	Chas	- Jenkinson	Chas	- Martin		
Chas	- Martin	Chas	- Martin	Chas	- Richter		
Chas	- Richter	Chas	- Richter	Chas	- Forsythe		
Chas	- Forsythe	Chas	- Forsythe	Chas	- McGee		
Berk	- Creech	Berk	- Creech	Berk	- Creech		
Berk	- Landis	Berk	- Landis	Berk	- Cate		
Berk	- Jenkinson	Berk	- Holt				
Berk	- McGee						

November 26		December 3		December 10		December 17	
AW	- Forsythe	Chas	- Cate	Chas	- Cate	Chas	- Cate ⁽¹⁷⁻²⁰⁾
Chas	- Creech	Chas	- Martin	Chas	- Long	Chas	- Martin
Chas	- Cate	Chas	- McGee	Chas	- Richter	Chas	- Richter
Chas	- Richter	Chas	- Brigman	Chas	- Forsythe	Chas	- Jenkinson
Chas	- Holt	Chas	- Forsythe	Berk	- Creech	Berk	- Creech
Berk	- Landis	Berk	- Creech	Berk	- Landis	Berk	- Landis
Berk	- Martin	Berk	- Richter				
		Berk	- Bellenger				

December 24		December 31	

FAMILY COURT - FIRST JUDICIAL CIRCUIT

October 1		October 8		October 15		October 22	
Dor	- McLin	Dor	- McLin	Dor	- Wylie	Dor	- McLin
		Dor	- Jones	Dor	- McGee	Dor	- Wylie

October 29		November 5		November 12		November 19	
Dor	- McLin	Dor	- Jones	Dor	- Wylie		
Dor	- Wylie						

November 26		December 3		December 10		December 17	
Dor	- McLin	Dor	- McLin	Dor	- McLin ⁽¹¹⁻¹⁴⁾		
Dor	- Wylie	Dor	- Wylie	Dor	- Wylie		

December 24		December 31	

JURY VERDICTS

CHARLESTON COUNTY COMMON PLEAS

(Information supplied by Clerk of Court's Office)

2016-CP-10-2002 Levi West v. Daria A. Hood

Attorneys:

Plaintiff: Julio A. Rossington, Brandon A. Smith & James David Smith, Jr.

Defendant: Penn Wickenberg Ely & Brian C. Johnson

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

2016-CP-10-5091 Connie Anderson v. Concentra, Concentra Medical Centers (SC), Concentra Urgent Care and Jane Doe, Employee of Concentra

Attorneys:

Plaintiff: Christopher David Dorsel

Defendants: John Keith Blincow, Jr.

Cause of Action: Medical Malpractice

Verdict: On the Negligent Supervision cause of action, for the Plaintiff in the amount of \$62,500.00 in actual damages and for the Defendants on the Medical Malpractice cause of action.

2016-CP-10-6189 Richard Rothman v. Jennifer Leigh Eaves

Attorneys:

Plaintiff: Brice Eugene Ricker

Defendant: Brian James Kern

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

2017-CP-10-0032 Benjamin Bragg v. Ceilia Lewis

Attorneys:

Plaintiff: Julian Kane Allen

Defendant: Trey Matthew Nicolette

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$2,299.00 actual damages.

The Charleston County Bar Association Student Division is seeking attorney mentors for its membership and will be hosting a Speed Networking event at Prohibition (547 King Street) on October 21, 2018 from 4 pm - 7 pm. Attorney members will receive free admission and 2 drink vouchers. Please come and meet our Student Members!

2017-CP-10-2116 KI HAP Investment, Corp. v. Thom Hayes, et. al.

Attorneys:

Plaintiff: Forrest Truett Nettles, II

Defendant: Ryan Schwartz

Cause of Action: Breach of Contract

Verdict: On the Breach of Contract and Negligent Misrepresentation causes of action, for the Plaintiff in the amount of \$195,000.00 and \$86,000.00, respectively, in actual damages, and for the Defendant on the Fraudulent Misrepresentation cause of action.

FEDERAL DISTRICT COURT - CHARLESTON DIVISION

(Information supplied by the Clerk of Court's Office)

2:15-cv-02157-MGB Jason Kelly v. South Carolina Department of Corrections, et al.

Attorneys:

Plaintiff: Christopher Shannon Leonard & Joshua Snow Kendrick

Defendant: David Cornwell Holler

Cause of Action: 42 U.S.C. § 1983

Verdict: On the Eighth Amendment/1983 and the Grossly Negligent Hiring, Training and/or Supervision causes of action, for the Defendants and on the Battery cause of action, for the Plaintiff in the amount of \$5,000.00 actual damages.

POLL WORKERS NEEDED!

The Charleston County Board of Elections and Voter Registration ("Board") is seeking assistance from members of the Charleston County Bar Association, their staff or families who are willing to assist in the upcoming elections as poll workers. The Board is short of workers for polling locations in Mt. Pleasant, Isle of Palms, James Island and Adams Run. Christie Companion Varnado, a member of the Charleston County Bar and the Board advises that, "[i]n addition to the tremendous work that our staff does, the success of the election process and voter enfranchisement is dependent on the strength of our workers at the polls. To me, lawyers would be ideal candidates - as would their staff or family members. Responsible kids as young as 16 can also work on election day - and it's a public school holiday." Please consider volunteering as a poll worker for the November 6th elections.

Anyone who is interested or knows someone who would be interested in serving as a poll worker should contact the Board at electionworkers@charlestoncounty.org or at (843) 974-6421.

By: Alissa C. Lietzow, Esquire

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

This time last year, we published the following in the CCBA Fall 2017 newsletter: "Living in Charleston, many of us are all too familiar with the ever-present threat of a hurricane throughout the summer and fall. We dutifully watch the weather channels, tune into local and state-wide press conferences, and take precautionary but necessary steps to protect our property and family. Windows are boarded, insurance policies printed out, and family cars packed to the hilt as we evacuate our picturesque, yet vulnerable, Lowcountry." Now here we are one year later and it seems that the same thoughts apply in our recent brush with Hurricane Florence. Protecting and access to housing was on our minds then, as it is now.

This was also when we announced the exciting news that we were selected as a recipient of a Bank of America grant administered and coordinated through the South Carolina Bar Foundation. This grant enabled our small nonprofit to increase capacity and expand our mission by adding a full-time attorney position dedicated to housing-related issues. Nicole L. Paluzzi, a graduate of the Charleston School of Law, joined our team one year ago, and already we are overwhelmed by the extent of her impact on the Charleston community.

During the past year, 120 Charleston County residents received housing-related legal aid through Charleston Pro Bono Legal Services (CPBLS). Another 233 area residents attended outreach programs where Nicole presented information on housing and landlord-tenant issues. As a direct result of Nicole's efforts nearly \$50,000 in funds were preserved for our clients and almost \$18,000 in compensatory damages were awarded. Having a housing attorney has translated into evictions being prevented, homes saved, assets preserved, and housing located for the homeless. Those most vulnerable members of our community including the elderly and our disabled veterans have been provided both help and hope through the work here at CPBLS.

Every case we accept represents a person, a story, a life changed. Here are just three examples of cases handled by our housing attorney in the past year:

Ms. F suffered from a medical emergency requiring surgery that left her without a paycheck for 3 weeks. She was delayed in making her rent payments and her landlord engaged in prohibited conduct in response.

Counsel was able to demonstrate inequity on part of landlord while coordinating with Mayor's Office on Housing and Community Development to cover the tenant's verified financial hardship and bring her current. Counsel was able to have unconscionable lease terms severed to prevent future inequity.

Ms. C's apartment had a faulty Air Conditioning Unit that caused extraordinarily high utility consumption and respiratory complications for one of her children. Before seeking legal counsel, Ms. C engaged in lengthy negotiations with her landlord over the unit. Landlord denied Ms. C the previously agreed upon credits for the high utility costs. Consequently, CPBLS filed an action for termination of the lease for failure to make timely repair and to recover the economic damages as her diminution in value. Landlord retaliated with an action for eviction filed after receipt of service. When Landlord lost the eviction action, landlord submitted its litigation expenses to a third party debt collection agency as "legal fees." CPBLS amended the Complaint to include retaliation and sought damages. Ms. C received termination of the lease for failure to repair, the maximum computation of damages for all claims, and the debt collection action was struck as unlawful debt.

Mr. P is a retired member of the U.S. Armed Forces with employment in commercial transport. Mr. P came to CPBLS when he was unable to work due to an administrative error with a mail renewal of his SC Driver's License Class. While he was unable to work, Mr. P realized he would be unable to pay the next month's rent. CPBLS was able to resolve the issue of the Commercial Driver's License and coordinate Emergency Rental Resources available to military veterans. Mr. P was able to avoid being late on his rental payment and return to work.

While the work of our office is commendable and the results are encouraging, we still find ourselves falling short of meeting the demand for these services in our community and ask for your help. There are many ways the members of our Charleston legal community can help. Please consider accepting one of our cases for direct representation, join us at one of our monthly outreach programs with nonprofit partners, or teach at an educational seminar. You are also invited to attend our upcoming Art on the Beach – Chefs in the Kitchen fundraiser scheduled for November 11, 2018! Advance tickets are \$45.00 and available for purchase at: <http://artonthebeach.bpt.me>.



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Law Firm: _____

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Enclosed is our gift of \$ _____.

Please cut out and return to:

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CPBLS is a 501(c)3 organization; your donation is tax deductible as provided by law.

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