

MEMORIAL EXERCISES HELD IN THE RICHLAND COUNTY CIRCUIT  
COURTROOM ON THE 14<sup>TH</sup> DAY OF JUNE, 2013, AT 12:12 P.M. FOR JACKSON  
L. BARWICK, ESQUIRE; THE HONORABLE A. LEE CHANDLER; MICHAEL S.  
CHURCH, ESQUIRE; DEBORAH A. HOTTEL, ESQUIRE; THE HONORABLE  
GEORGE W. JEFFERSON; WILLIAM O. KNEECE, ESQUIRE; THE HONORABLE  
THOMASINE G. MASON; ALICE S. MOORE, ESQUIRE; J. MARVIN MULLIS, JR.,  
ESQUIRE; CLAUDE M. SCARBOROUGH, ESQUIRE; AND CHARLES O.  
WARREN, ESQUIRE. PRESIDED OVER BY THE HONORABLE L. CASEY  
MANNING, RESIDENT JUDGE OF THE FIFTH JUDICIAL CIRCUIT. ALSO  
PRESENT WERE THE HONORABLE ALISON RENEE LEE, AT-LARGE JUDGE  
FOR THE FIFTH JUDICIAL CIRCUIT; AND THE HONORABLE DEANDREA GIST  
BENJAMIN, RESIDENT JUDGE OF THE FIFTH JUDICIAL CIRCUIT.

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THE BAILIFF: ALL RISE. COURT COME TO ORDER, PLEASE.

COURT IS NOW IN SESSION.

THE COURT: THANK YOU ALL SO VERY KINDLY. PLEASE  
TAKE YOUR SEATS.

I'M GOING TO START OFF WITH JOB CHAPTER ONE, VERSE 20:  
THEN JOB AROSE, AND RENT HIS MANTLE, AND SHAVED HIS HEAD, AND  
FELL DOWN UPON THE GROUND AND WORSHIPPED. HE SAID, NAKED  
CAME I OUT OF MY MOTHER'S WOMB, AND NAKED SHALL I RETURN  
THERETO. THE LORD GAVE, AND THE LORD HATH TAKEN AWAY; BLESSED  
BE THE NAME OF THE LORD.

WE ARE ALL GATHERED HERE TODAY TO OBSERVE AND  
PARTICIPATE IN THE MOST ANCIENT, MOST IMPORTANT, AND MOST  
SPIRITUAL RITUAL KNOWN THROUGHOUT THE HISTORY OF MANKIND. WE  
ACKNOWLEDGE AND HONOR THE LIVES AND MEMORIES OF OUR  
DEPARTED LOVED ONES. THE GREAT PYRAMID IS A TESTAMENT TO HOW  
WE FEEL ABOUT AND THE RESPECT WE HAVE FOR FAMILY AND FRIENDS  
WHO NO LONGER RESIDE IN THIS EARTHLY JURISDICTION.

GOOD AFTERNOON, LADIES AND GENTLEMEN. MY NAME IS CASEY MANNING. IT'S MY PRIVILEGE TODAY TO PRESIDE OVER A SPECIAL TERM OF THE COURT OF COMMON PLEAS FOR THE FIFTH JUDICIAL CIRCUIT OF RICHLAND COUNTY; AND THIS IS THE RICHLAND COUNTY BAR'S MEMORIAL PROCEEDINGS. THIS IS FRIDAY, JUNE 14<sup>TH</sup>.

WITH THAT IN MIND AND A WARM WELCOME TO EACH AND EVERY ONE OF YOU, I INVITE IAN D. MCVEY, PRESIDENT OF THE RICHLAND COUNTY BAR, TO MAKE SOME REMARKS.

MR. MCVEY.

MR. MCVEY: THANK YOU, YOUR HONOR. MAY IT PLEASE THE COURT?

THE COURT: YES, SIR.

MR. MCVEY: GOOD AFTERNOON.

I AM IAN MCVEY. I AM THE CURRENT PRESIDENT OF THE RICHLAND COUNTY BAR ASSOCIATION. MOST OF THE MEMBERS OF THE EXECUTIVE COMMITTEE ARE HERE TODAY. FOR THOSE THAT ARE, LET ME SAY THANK YOU FOR COMING. IT REALLY MEANS A LOT TO US. THIS IS ONE, I THINK, ONE OF THE MOST IMPORTANT THINGS THAT WE DO ALL YEAR LONG.

TODAY WE ARE GOING TO JOIN TOGETHER TO HONOR AND REMEMBER OUR FRIENDS AND COLLEAGUES OF THIS ASSOCIATION WHO HAVE PASSED AWAY IN THE LAST YEAR. I'M ESPECIALLY HONORED TO HAVE MEMBERS OF THEIR FAMILY AND THEIR FRIENDS HERE TODAY. I LOOK FORWARD TO, HOPEFULLY, MEETING YOU AFTER THE SERVICE IS OVER.

THE RICHLAND COUNTY BAR ASSOCIATION IS UNIQUE IN THAT IN 1965, OUR SOUTH CAROLINA LEGISLATURE ENACTED ACT NUMBER 36. ACT NUMBER 36 AMENDED SECTION 15-273 OF THE SOUTH CAROLINA CODE TO PROVIDE FOR MEMORIAL DAY FOR THE RICHLAND COUNTY BAR'S MEMBERSHIP AND TO HAVE THE RESIDENT JUDGE OF THE

FIFTH CIRCUIT FIX THAT DAY. THAT DAY HAS COME, THE TIME HAS COME, AND WE ARE ALL HERE TOGETHER.

THIS YEAR, WE ARE GOING TO REMEMBER ELEVEN OF OUR MEMBERS. EACH WILL BE EULOGIZED BY A SPEAKER SELECTED BY OUR MEMORIAL COMMITTEE. OUR MEMORIAL COMMITTEE HAS BEEN ABLY HANDLED FOR SEVERAL YEARS NOW BY WARD BRADLEY AND SUSIE CAMPBELL, WITH GREAT ASSISTANCE FROM REESE WILLIAMS; AND I THANK THEM VERY MUCH. AS ALWAYS, Y'ALL HAVE DONE A FANTASTIC JOB.

I WOULD LIKE TO THANK THE MEMBERS OF THE JUDICIARY THAT ARE HERE TODAY AND I APPRECIATE THEIR INDULGENCE AND ALSO APPRECIATE THEM COMING HERE. THERE ARE OTHER MEMBERS THAT CAN'T BE HERE THAT WE WISH WELL.

AT THIS TIME, I'M GOING TO ASK JUSTICE TOAL TO COME UP TO SPEAK ABOUT THE HONORABLE A. LEE CHANDLER.

JUSTICE TOAL.

JUSTICE TOAL: THANK YOU.

MAY IT PLEASE THE COURT?

THE COURT: YES, MA'AM.

JUSTICE TOAL: PRESIDENT MCVEY, FAMILIES OF THESE VERY DISTINGUISHED LAWYERS, LADIES AND GENTLEMEN.

BEFORE I PRESENT MY MEMORIAL TO LEE, I CAN'T HELP BUT REMINISCE FOR A MINUTE ABOUT A COLLECTION OF LAWYERS ALL WHOM I KNEW AND SOME OF WHOM I KNEW VERY WELL: MY OLD LAW PARTNER, JACK BARWICK; MICHAEL CHURCH; DEBBIE HOTTEL; GEORGE JEFFERSON; BILLY KNEECE; THOMASINE GRAYSON MASON; ALICE MOORE; BO MULLIS; CLAUDE SCARBOROUGH; AND C.O. WARREN. WHAT A CATALOG OF THE BRIGHTEST AND THE BEST WHO'S EVER TAKEN THE OATH OF OFFICE AS A LAWYER IN SOUTH CAROLINA. IT'S JUST A GREAT PRIVILEGE TO BE A PART OF THIS. I AM HEADING MOMENTARILY TO THE REDEDICATION OF THE COURTHOUSE IN WILLIAMSBURG COUNTY. SO I

WILL NOT BE WITH YOU FOR THE ENTIRE SERVICE; BUT I PLAN, AS I ALWAYS DO, TO TREASURE THE TIME THAT I COME TO THE COURTHOUSE AND OPEN THE BOOK OF MEMORY, AS I KNOW, PARTICULARLY, YOU FAMILY MEMBERS WILL DO, AND READ, ONCE AGAIN, THESE TRIBUTES TO THE MOST WONDERFUL LAWYERS IN THE STATE. I TREASURE MY OWN MEMBERSHIP IN THE RICHLAND COUNTY BAR.

LEE CHANDLER IS ONE OF THE VERY FEW JUDGES I EVER KNEW WHO, THOUGH NOT A PRACTITIONER HERE IN RICHLAND, VERY WARMLY EMBRACED AND PAYING MEMBERSHIP IN THE RICHLAND COUNTY BAR. HE LOVED THIS BAR. HE HELD MUCH COURT HERE. HE HAD VERY FOND MEMORIES OF HIS ASSOCIATION WITH TRIAL LAWYERS IN THIS COUNTY WHEN HE WAS STILL IN PRACTICE.

LEE CHANDLER WAS BORN IN ORANGEBURG, SOUTH CAROLINA, ONE OF SIX CHILDREN OF ELLA ROWE DUKES AND WILLIAM EUGENE CHANDLER. FINANCIAL HARDSHIP CAUSED HIS FAMILY TO MOVE TO GREENVILLE IN 1932 AND THE DEPTHS OF THE GREAT DEPRESSION. LEE GRADUATED FROM GREENVILLE HIGH SCHOOL AND FIRST ENTERED THE CITADEL IN 1939. FINANCIAL PRESSURE REQUIRED HIM TO LEAVE AFTER A SEMESTER OF A VERY DISTINGUISHED ACADEMIC RECORD TO TAKE A JOB ON THE STAFF OF CONGRESSMAN BRYSON IN WASHINGTON. HE REENTERED THE CITADEL IN 1940 AND THEREBY BECAME A MEMBER OF THE CLASS OF 1944, THE STORIED "CLASS THAT NEVER WAS" FOR THE CITADEL.

IN 1943, LEE'S JUNIOR YEAR AT THE CITADEL, WORLD WAR II WAS AT ITS HEIGHT WITH BATTLES RAGING IN EUROPE TO THE PACIFIC, AND THE UNITED STATES EXPERIENCED A CRITICAL NEED FOR JUNIOR OFFICERS. THE MOST AVAILABLE SOURCE IN THE COUNTRY WERE COLLEGE ROTC STUDENTS THROUGHOUT COLLEGES AND UNIVERSITIES IN THE UNITED STATES; AND SO, A GENERAL ORDER WAS ISSUED BY THE PRESIDENT REQUIRING SERVICE, IF POSSIBLE, FROM EVERY ROTC JUNIOR IN COLLEGE. LEE WAS FOND OF SAYING THAT WHEN THE ORDER CAME

DOWN, NOT ONE SINGLE CADET AT THE CITADEL IN HIS CLASS OF '44 FLINCHED. ALL ENTERED OCS TRAINING AND WERE QUICKLY INDUCTED INTO MILITARY SERVICE.

LEE AND MOST OF HIS CLASSMATES SERVED IN HEAVY BATTLES IN BELGIUM AND IN GERMANY. THIRTY-FOUR LOST THEIR LIVES AND MANY, INCLUDING LEE, WERE WOUNDED IN ACTION. LEE WAS AWARDED THE PURPLE HEART AND THE BRONZE STAR FOR VALOR IN ACTION AT THE SEIGFRIED LINE; AND AFTER RECOVERING IN A HOSPITAL FOR A YEAR IN PARIS, HE WENT BACK TO ACTIVE SERVICE AND CONTINUED TO SERVE IN BATTLE.

AFTER THE WAR, LEE EARNED HIS B.A. DEGREE FROM GEORGE WASHINGTON UNIVERSITY. THEREAFTER, HE ENTERED THE UNIVERSITY OF SOUTH CAROLINA LAW SCHOOL AND AT THAT VERY SAME TIME, MARRIED THE LOVE OF HIS LIFE, MARTHA WILKINS OF HATTIESBURG, MISSISSIPPI. LEE PRACTICED LAW IN GREENVILLE FOR FIVE YEARS AND THEN RECEIVED AN OFFER THAT WOULD CHANGE HIS LIFE --TO JOIN THE STORIED TRIAL LAWYER J. P. (SPOT) MOZINGO AND HIS ASSOCIATE BENNIE GREER IN THE PRACTICE OF LAW IN DARLINGTON, SOUTH CAROLINA.

IN SENATOR MOZINGO'S OFFICE, LEE QUICKLY EXCELLED AT THE INTRICACIES OF PERSONAL INJURY TRIAL WORK. HE AND BENNIE GREER DID THE BULK OF THE EXPERT WITNESS PREPARATION AND LEGAL RESEARCH IN THE GROUND-BREAKING MICKLE VERSES BLACKMAN, CHEROKEE, INC., AND FORD MOTOR COMPANY, THE 1969 DECISION OF OUR COURT, WHICH MODERNIZED THE LAW OF DANGEROUSLY DEFECTIVE PRODUCT DESIGN AND IS THE FOUNDATION REALLY OF ALL THE OTHER LAW IN THIS STATE REGARDING PRODUCTS LIABILITY JURISPRUDENCE.

IN RICHLAND COUNTY, WE WERE OFTEN TREATED TO DEMONSTRATIVE EVIDENCE SEMINARS IN WHICH THEN CIRCUIT JUDGE LEE CHANDLER WOULD USE ACTUAL EXHIBITS FROM MICKLE AND OTHER

AUTOMOBILE AND RAILROAD CROSSING CASES THAT HE HAD TRIED TO TEACH US HOW TO TRY PRODUCTS CASES. IT TRULY WAS A LIFE-CHANGING EXPERIENCE FOR MANY OF US WHO WERE ABLE TO BE IN THOSE CLASSES WITH JUDGE CHANDLER.

AND IN DARLINGTON, LEE BECAME A STALWART OF THE LEGAL COMMUNITY. HE AND BENNIE GREER; THEN LATER, JUDGE BENNIE GREER, HAD A LONG TIME LAW FIRM PARTNERSHIP.

LEE WAS VERY ACTIVE IN CIVIC AND COMMUNITY AFFAIRS, RELATING ESPECIALLY TO INDUSTRIAL DEVELOPMENT AND TECHNICAL EDUCATION.

HE WAS THE FIRST CHAIRMAN OF THE DARLINGTON COUNTY DEVELOPMENT BOARD, CHAIRMAN OF THE FLORENCE-DARLINGTON TECHNICAL COLLEGE BOARD, AND A CHARTER MEMBER OF THE STATE EDUCATIONAL TELEVISION COMMISSION.

HE WAS ELECTED TO THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES IN 1972, NAMED THE MOST OUTSTANDING MEMBER OF THE TRIAL LAWYERS IN 1974, AND RECOGNIZED AS PROFESSIONAL OF THE YEAR BY THE DARLINGTON CHAMBER OF COMMERCE IN 1976.

HE WAS ELECTED AS RESIDENT JUDGE OF THE FOURTH JUDICIAL CIRCUIT IN 1976. IT WAS MY PLEASURE TO BE THERE AND ONE OF THE FLOOR LEADERS FOR LEE'S ELECTION. AND HE HAD MADE SUCH A DISTINGUISHED RECORD AS A MEMBER OF THE HOUSE, PARTICULARLY, IN THE MODERNIZATION AND REVISIONS OF AUTOMOBILE LIABILITY INSURANCE LAWS IN SOUTH CAROLINA. HE SERVED AS FOURTH CIRCUIT JUDICIAL RESIDENT JUDGE UNTIL 1984, WHEN HE WAS ELECTED AS ASSOCIATE JUSTICE OF THE SOUTH CAROLINA SUPREME COURT. HE WAS ELEVATED TO CHIEF JUSTICE IN 1994. THAT YEAR, THE YEAR OF HIS ELEVATION, A WONDERFUL MOMENT IN HIS LIFE WAS THE AWARDED OF AN HONORARY DOCTORS DEGREE FROM THE CITADEL AND SO, IN THAT WAY, A MEMBER OF THE CLASS THAT NEVER WAS, FINALLY GOT HIS CITADEL DEGREE. IT WAS A JOYOUS TIME FOR ALL OF US AND I NOTICED

NODS FROM HIS FAMILY. WE HAD A WONDERFUL TIME ON THE PARADE GROUNDS AT THE CITADEL ON THAT VERY SPECIAL DAY.

HE WAS AWARDED THE DURANT AWARD BY THE SOUTH CAROLINA BAR FOUNDATION FOR PUBLIC SERVICE AND THAT WAS ALSO A VERY SPECIAL AWARD FOR HIM. IN 2001, DARLINGTON COUNTY DEVELOPMENT BOARD BUILDING WAS NAMED IN HIS HONOR; AND THERE'S A BEAUTIFUL PLAQUE WITH A WONDERFUL BRONZE OF HIM ON THE DOOR OF THAT BUILDING. HE ALSO RECEIVED THE ORDER OF THE PALMETTO FROM GOVERNOR HODGES IN 2001.

BUT NOT CONTENT WITH THE JOYS OF RETIREMENT, HE HAD PLENTY OF OTHER THINGS HE WANTED TO DO IN LIFE; AND FOLLOWING HIS RETIREMENT FROM THE JUDICIARY, HE EMBARKED ON YET ANOTHER CAREER. HE GRADUATED FROM THE VOCATION DIACONATE SCHOOL OF THE EPISCOPAL DIOCESE OF SOUTH CAROLINA AND WAS ORDAINED A DEACON FOR THE SERVANTHOOD MINISTRY ON SEPTEMBER 2, 1999. HE SERVED AS A DEACON AT HIS HOME CHURCH, ST. MATTHEWS EPISCOPAL CHURCH OF DARLINGTON, SOUTH CAROLINA, AND LATER AS A DEACON AT ST. ANDREWS EPISCOPAL CHURCH OF MT. PLEASANT, SOUTH CAROLINA.

LEE VIEWED HIS RETIREMENT YEARS AS A WELCOMED OPPORTUNITY TO DEVOTE MORE TIME TO HIS LOVING AND SUPPORTIVE WIFE AND FAMILY.

HE IS SURVIVED BY HIS WIFE OF 67 YEARS – AT HIS DEATH, 67 YEARS, MARTHA NELL WILKINS CHANDLER; HIS DAUGHTER, JANE CHANDLER ROUSE, WHO IS HERE WITH US; HIS BELOVED SON-IN-LAW, ROBERT WILSON ROUSE, WHO IS HERE; AND HIS GRANDSON, THE LIGHT OF HIS LIFE, APPLE OF HIS EYE, ROBERT WILSON ROUSE; AND A GREAT GRANDDAUGHTER, ELIZABETH WILKINS ROUSE, BORN MARCH 1, 2012.

WHAT A GREAT MAN, WHAT A LIFE WELL LIVED. HE IS SORELY MISSED BY HIS FRIENDS AT THE BENCH AND BAR IN THIS STATE AND ACROSS THE NATION.

MR. MCVEY: THANK YOU, CHIEF JUSTICE TOAL.

CHRISTY JONES IS GOING TO TALK TO US ABOUT MICHAEL CHURCH.

MS. JONES: MAY IT PLEASE THE COURT?

THE COURT: YES, MA'AM.

MS. JONES: WE ARE ALSO HERE TODAY TO CELEBRATE AND HONOR OUR FRIEND AND COLLEAGUE, MICHAEL CHURCH. I CAN SAY WITHOUT HESTITATION THAT THIS SHOW OF APPRECIATION FOR HIM WOULD UTTERLY EMBARRASS MIKE. HE DIDN'T EVEN WANT US TO SING HAPPY BIRTHDAY TO HIM IN THE OFFICE! MIKE'S INNATE HUMILITY IS ONE OF A MILLION REASONS WHY WE ALL RESPECTED HIM DEEPLY.

MIKE LOVED NOTHING MORE THAN TO FIGURE THINGS OUT AND TO FIGURE OUT HOW THINGS WORKED. TO COME UP FOR A SOLUTION FOR A CHALLENGING PROBLEM THAT ABSOLUTELY THRILLED MIKE. HIS SKILL AT THINKING ASYMMETRICIALLY WAS A BIG REASON WHY HE WAS THE GO-TO GUY IN OUR FIRM WHENEVER WE HAD A DIFFICULT PROBLEM. WHATEVER THE PROBLEM WAS, TAKE IT TO MIKE. HE WOULD COME AT THE ISSUE FROM SO MANY DIFFERENT ANGLES UNTIL SOMETHING FINALLY CLICKED. HIS MIND WORKED LIKE A GEOMETRY PROOF. IF THIS, THEN THAT; IF THIS, THEN THAT; AND SO ON AND SO FORTH UNTIL YOU REALLY WEREN'T EVEN SURE WHAT HE WAS TALKING ABOUT; BUT HE WOULD EXPLAIN IT TO YOU OVER AND OVER AGAIN AND FINALLY, SLOWLY, IT WOULD DAWN ON YOU WHAT HE WAS TALKING ABOUT AND SLOWLY YOU WOULD COME TO REALIZE WHAT HE WAS TRYING TO EXPLAIN. AND THAT'S THE POINT WHEN YOU REALIZE THE BRILLIANCE OF HIS THINKING AND THE CREATIVITY OF HIS THINKING.

THE REVERSE OF THIS WAS TRUE AS WELL. YOU COULD COME TO MIKE WITH A FACT PATTERN THAT WOULD MAKE THE MOST CRUEL TORT PROFESSOR SHAKE HIS HEAD, THROW UP HIS HAND, AND SAY, I DON'T EVEN KNOW WHAT'S GOING ON. YOU COULD COME TO HIM



WITH THAT FACT PATTERN WITH ALL SORTS OF TWISTS AND TURNS. MIKE WOULD IDENTIFY AND THROW OUT THE RED HERRINGS AND HE WOULD FOCUS ON THE ONE THING THAT YOU HAD OVERLOOKED AND TURN IT INTO THE FULCRUM OF THE ENTIRE CASE. IT WAS THIS KIND OF THINKING THAT BASICALLY SAVED THE ISLAND OF DAUFAUSKIE IN A RECENT AND VERY CONVOLUTED BANKRUPTCY CASE. MIKE TOOK A VERY CONVOLUTED CASE AND CRACKED IT WIDE OPEN WITH THE POWER OF SIMPLE AND FOCUSED THINKING.

SO MUCH OF THE WAY THAT MIKE DEFINED HIMSELF REVOLVED AROUND THE FACT THAT HE WAS A LAWYER. BY NO MEANS WAS THIS THE ONLY TERMS BY WHICH HE VIEWED HIMSELF. HIS ROLES AS FATHER AND AS HUSBAND, THEY WERE CENTRAL TO HIS LIFE AS WELL; BUT HE WAS PROUD TO CALL YOU COLLEAGUES. IT GRATIFIED HIM TO WORK WITH YOU.

MIKE WAS PART OF WHAT WE CALL THE "OLD GUARD". WHEN THE SUPREME COURT RECENTLY UPDATED THE LAWYER'S OATH, THEY MUST HAVE DONE A CASE STUDY ON ONE MICHAEL S. CHURCH FOR THE DEFINITION OF WHAT A "GENTLEMAN LAWYER" IS. HE BELIEVED IN THE GOLDEN RULE AND HE APPLIED THAT IN HIS CAREER AND IN HIS LIFE.

TREATING PEOPLE WITH RESPECT AND WITH CARE, THAT WAS A VERY EASY AND A VERY NATURAL THING FOR MIKE TO DO. I PRACTICED WITH MIKE AT TURNER, PADGET FOR A FEW YEARS AND THEN WE BOTH PRACTICED AT ANOTHER FIRM TOGETHER FOR ALMOST A DECADE.

I WANT TO READ TO YOU THE BODY OF AN E-MAIL THAT MIKE SENT TO HIS FRIENDS AT TURNER, PADGET UPON HIS DEPARTURE, BECAUSE HIS OWN WORDS ARE THE VERY BEST WAY TO PAINT THE PICTURE OF WHAT KIND OF A LAWYER, WHAT KIND OF A MENTOR, AND WHAT KIND OF A GENTLEMAN MIKE CHURCH WAS.

OKAY. SO THIS IS MIKE CHURCH'S WORDS:

I AM WRITING TO THANK EVERYONE FOR ALL OF YOUR KIND WORDS AND E-MAILS OF ENCOURAGEMENT. SO MANY OF YOU ARE SO MUCH MORE THAN CO-WORKERS; YOU ARE MORE THAN FRIENDS; YOU ARE FAMILY TO ME. WE SHARE MEMORIES THAT ARE MY FONDEST. WE HAVE SHARED MUCH JOY IN THE PAST AND I INTEND TO MAKE SURE THAT WE CONTINUE TO DO SO IN THE FUTURE. I MAY NOT BE SITTING IN THE SAME OFFICE, BUT I WILL NEVER BE MORE THAN A TELEPHONE CALL AWAY. DO NOT HESITATE TO CALL AT ANY TIME YOU THINK I MAY BE OF ASSISTANCE. EACH OF YOU WILL ALWAYS BE IN MY HEART AND IN MY PRAYERS. I WILL NOT SAY GOODBYE OR EVEN FAREWELL. INSTEAD I WILL SIMPLY SAY, TAKE CARE OF EACH OTHER. TAKE CARE OF EACH OTHER. MIKE CHURCH.

THAT WAS THE KIND OF PERSON THAT MIKE WAS. WE WILL ALL TREASURE THE MEMORIES THAT MIKE BLESSED US WITH. WE TREASURE THE WONDERFUL EXAMPLE THAT HE PROVIDED FOR ALL OF US; AND WE WILL TREASURE MIKE CHURCH'S FRIENDSHIP FOREVER.

THANK YOU.

MR. MCVEY: THANK YOU, CHRISTY.

I WOULD NOW LIKE TO ASK THE HONORABLE C. TOLBERT GOOLSBY, JR. TO COME SPEAK ABOUT DEBORAH A. HOTTEL.

JUDGE GOOLSBY: MAY IT PLEASE THE COURT?

THE COURT: YES, SIR.

JUDGE GOOLSBY: PRESIDENT MCVEY, LADIES AND GENTLEMEN, BEFORE I BEGIN MY REMARKS, DON HOTTEL ASKED ME TO SAY ON HIS BEHALF THAT HE CANNOT BE HERE TODAY BECAUSE HE WAS HAVING A KIDNEY ATTACK; BUT APPARENTLY HE WAS ON HIS WAY TO THE EMERGENCY ROOM AND PROBABLY IS IN GOOD HANDS BY NOW.

DEBORAH ANN HOTTEL ONCE TOLD ME THAT SHE DID NOT LEARN TO TALK UNTIL SHE WAS THREE YEARS OLD. AND THE FIRST WORD SHE UTTERED WAS NEITHER MAMA NOR DADDY, RATHER IT WAS ZORRO. ZORRO, A MAN WITH SHIELDED EYES, A SWORD, AND A PASSION

FOR JUSTICE. THAT LITTLE GIRL WOULD GROW UP AND DEDICATE HER SHORT LIFE TO SERVING A WOMAN WITH SHIELDED EYES AND A SWORD, A WOMAN WHOSE VERY NAME IS JUSTICE.

IN HIS BOOK ROADS TO RADIAN LIVING, THAT GREAT METHODIST PREACHER AND WOFFORD COLLEGE ALUMNUS, CHARLES L. ALLEN POINTED OUT THAT TWO OF HISTORY'S GREATEST FIGURES: PRESIDENT WOODROW WILSON AND THE JEWISH PHOPHET MOSES FAILED TO ACCOMPLISH WHAT THEY WANTED MOST.

DEBBIE HOTTEL, LIKE WILSON AND MOSES, HAD HER AMBITIONS, AND WHILE SHE LIVED, SHE REALIZED MANY OF THEM – JUST AS DID WILSON AND MOSES.

SHE WANTED TO BE A GOOD STUDENT. SHE MADE PHI BETA KAPPA.

SHE WANTED TO TEACH. SHE TAUGHT FRENCH AT A LOCAL HIGH SCHOOL.

SHE WANTED TO SATISFY HER ARTISTIC SIDE. SHE WAS A SKILLED POTTER.

SHE WANTED TO BECOME A SUCCESSFUL LAWYER. SHE ATENDED LAW SCHOOL AT THE UNIVERSITY OF SOUTH CAROLINA; AND, UPON GRADUATION, DEBBIE BECAME A LAW CLERK AT THE SOUTH CAROLINA COURT OF APPEALS, FIRST FOR ME AND THEN FOR ALEX SANDERS. SOME OF MY BEST AND SOME OF ALEX'S BEST OPINIONS, SHE HELPED US TO CRAFT. ON LEAVING THE COURT, SHE BECAME A VALUED ASSOCIATE AT THE MCNAIR LAW FIRM, BEOMING A RECOGNIZED EXPERT IN THE FIELD OF GOVERNMENT ETHICS.

SHE WANTED TO BECOME A WRITER; AND DEBBIE, WITH PAUL BENSON, CO-AUTHORED A PRACTICE AND PROCEDURE BOOK ON LEGAL RESEARCH.

AND YES, DEBBIE ALSO WANTED TO BECOME A WIFE AND A MOTHER; AND TOWARD THAT END, SHE MARRIED DON HOTTEL; AND

THEY BECAME PARENTS TO A SWEET, LITTLE RED-HEADED BOY WHOM THEY NAMED BEN.

AS DEBBIE BECAME MORE SKILLED AS A PRACTITIONER OF THE LAW AND SETTLED INTO THE ROUTINE OF BEING A WIFE AND MOTHER, FATE SWEEPED HER INTO A TROUBLED SEA. DEBBIE CONTRACTED A RARE DISEASE THAT DESTROYED HER LUNGS. BUT ON A COLD CHRISTMAS MORNING AT DUKE UNIVERSITY HOSPITAL, DEBBIE RECEIVED A DONOR'S GIFT OF A PAIR OF LUNGS AND UNDERWENT A DOUBLE-LUNG TRANSPLANT; AND FOLLOWING THE PROCEDURE, SHE REMAINED HOSPITALIZED FOR MONTHS, MUCH OF THE TIME IN A COMA.

IN HIS NOVEL, SIDDHARTHA, HERMANN HESSE WROTE, "I HAVE ALWAYS BELIEVED... THAT WHATEVER GOOD OR BAD FORTUNE MAY COME OUR WAY, WE CAN ALWAYS GIVE IT MEANING AND TRANSFORM IT INTO SOMETHING OF VALUE."

DEBBIE DID NOT ALLOW HER BAD FORTUNE TO RENDER HER LIFE MEANINGLESS. BY HER STRONG DETERMINATION TO LIVE, SHE TRANSFORMED IT INTO SOMETHING OF VALUE. BECAUSE OF THE UNIQUENESS OF DEBBIE'S DISEASE AND THE TREATMENT, THEREFORE, SHE ALLOWED HERSELF TO BECOME A CASE STUDY AT DUKE UNIVERSITY. WHAT THESE MEDICAL PROVIDERS AND RESEARCHERS LEARNED FROM DEBBIE'S ORDEAL WILL SAVE AND LENGTHEN THE LIVES OF MANY OTHERS SIMILARLY AFFLICTED.

YES, LIKE WILSON AND MOSES, DEBBIE FAILED TO ACCOMPLISH WHAT, I SUSPECT, WAS THE ONE THING SHE WANTED MOST TO DO AND THAT WAS TO SEE HER SON GROW INTO MANHOOD.

ALTHOUGH THIS WAS NOT TO BE, WHAT DEBBIE DID ACCOMPLISH WILL LONG LIVE AFTER HER, BOTH IN THE OPINIONS OF THE SOUTH CAROLINA COURT OF APPEALS AND IN THE ANNALS OF MEDICAL SCIENCE.

WHEN REVIEWING THE STORY THAT IS THE LIFE OF DEBORAH DAVIS HOTTEL, I SEE HER LIFE AS A GOOD STORY WITH A BEGINNING AND

AN END; BUT NOT A STORY WITH AN ENDING; YOU SEE, HER STORY IS NOT YET OVER.

EVEN IN DEATH, SHE CONTINUES TO MAKE A DIFFERENCE, IN LARGE MEASURE – AND THIS IS THE IRONY – ON ACCOUNT OF HER SUFFERING. DEBBIE’S SWEET SOUL STILL SHINES, AND THAT IS BECAUSE SHE WAS A PERSON IN THE WORDS OF ARISTOLE, “OF HIGH AND HEROIC TEMPER” – JUST LIKE ZORRO.

THANK YOU.

MR. MCVEY: THANK YOU, JUDGE GOOLSBY.

I’D LIKE TO ASK CHRIS JEFFERSON TO COME UP AND SPEAK ABOUT THE HONORABLE GEORGE W. JEFFERSON.

MR. JEFFERSON: MAY IT PLEASE THE COURT?

THE COURT: YES, SIR.

MR. JEFFERSON: DESPITE WHAT THIS SAYS, I AM NOT MARK JEFFERSON. I AM CHRIS JEFFERSON; BUT IF I MESS THIS UP, YOU CAN REMEMBER THAT IT WAS DONE BY MY BROTHER MARK.

GEORGE JEFFERSON, MY DAD, WAS AN EXCEPTIONAL JUDGE AND AN EVEN BETTER FATHER. HIS FATHER DIED WHEN HE WAS FOUR-YEARS-OLD. HE GREW UP POOR IN CHARLESTON, BUT STILL MANAGED TO GRADUATE FROM BISHOP ENGLAND HIGH SCHOOL, PUT HIMSELF THROUGH COLLEGE AT THE COLLEGE OF CHARLESTON, AND CONVINCED MY MOTHER, VIVIAN JEFFERSON , TO MARRY HIM.

WITH THREE YOUNG CHILDREN AT HOME, HE WORKED IN THE NATIONAL OFFICE OF THE I.R.S. DURING THE DAY AND WENT TO LAW SCHOOL AT NIGHT AT CATHOLIC UNIVERSITY IN WASHINGTON, DC. AND AS YOU KNOW, HAVING ENDURED LAW SCHOOL, I CONSIDER THAT TO BE A REMARKABLE FEAT. AFTER GRADUATING LAW SCHOOL, HE WAS ADMITTED TO PRACTICE AT THE US DISTRICT COURT IN DC AND WORKED AS AN ESTATE TAX LAWYER FOR THE I.R.S. HE WAS LATER ADMITTED TO PRACTICE IN SOUTH CAROLINA AND WENT INTO PRIVATE PRACTICE HERE IN COLUMBIA. IN THE LATE ‘70s, HE WAS ELECTED MAGISTRATE IN

LEXINGTON COUNTY; AND HE WAS ONE OF THE FEW LAWYERS TO BECOME A MAGISTRATE IN SOUTH CAROLINA AT THAT TIME. HAVING MY DAD AS A LOCAL MAGISTRATE WAS VERY INTERESTING FOR ME AND MY SIBLINGS IN HIGH SCHOOL, AS WE FREQUENTLY HAD CLASSMATES HAVE TO GO BEFORE HIM FOR SPEEDING TICKETS – AND THAT WAS FUN.

MY DAD LATER SERVED AS MASTER IN EQUITY IN LEXINGTON COUNTY AND HE HAD A GREAT RECORD FOR HAVING HIS OPINIONS UPHELD ON APPEAL. ONE OF MY LAW SCHOOL CLASSES EVEN STUDIED ONE OF HIS OPINIONS. DURING THAT TIME, HE ALSO SERVED AS A SPECIAL CIRCUIT COURT JUDGE AND WORKED TO TRAIN THE MAGISTRATES IN THIS STATE. IN RETIREMENT, HE PUBLISHED A MAGISTRATE’S COURT GUIDE TO LANDLORD-TENANT LAW AND SERVED ON SEVERAL BAR COMMITTEES. HE WAS A MEMBER OF BOTH THE LEXINGTON AND THE RICHLAND COUNTY BARS.

MY DAD, HE LOVED THE LAW AND HE LOVED HIS JOB. EVEN THE BOOKS THAT HE READ FOR PLEASURE WERE USUALLY RELATED TO THE CONSTITUTION OR SOME OTHER ASPECT OF THE LAW. BUT, THOUGH THE LAW WAS HIS PASSION, HE ALWAYS PUT HIS FAITH AND HIS FAMILY FIRST. AND WE MISS HIM DEARLY.

THANK YOU.

MR. MCVEY: THANK YOU, CHRIS.

I WOULD LIKE TO ASK MILLER W. SHEALY, JR., TO COME SPEAK ABOUT WILLIAM O. KNEECE.

MR. SHEALY: GOOD AFTERNOON.

I REMEMBER THE FIRST TIME I ACTUALLY MET BILLY KNEECE. FOR SOME REASON, I KNOW A LOT OF PEOPLE CAN SAY THAT; THEY REMEMBER THE FIRST TIME THEY MET BILLY, TOO. BILLY WAS LIKE THAT; HE MADE A DEFINITE FIRST IMPRESSION. BILLY’S FIRST IMPRESSION WAS VERY FORMATIVE OF THE RELATIONSHIP YOU WOULD HAVE WITH HIM. WITH BILLY, WHAT YOU SAW WAS WHAT YOU GOT. HE NEVER PUT ON AIRS, AS THEY SAY, NOT FOR ANYBODY. HE WAS ALWAYS

THE SAME, IT DIDN'T MATTER WHO HE WAS WITH. HE ALWAYS TOLD IT LIKE HE SAW IT. HE NEVER SUGAR COATED ANYTHING. IF YOU DIDN'T WANT BILLY TO TELL YOU WHAT HE WAS REALLY THINKING, YOU BETTER NOT ASK HIM. HE ALWAYS HAD A GREAT SENSE OF HUMOR. HE WAS ALWAYS THE LIFE OF THE PARTY. HE WAS THE ONE EVERYBODY WANTED TO SHOW UP. THE FUN STARTED WHEN BILLY ARRIVED. IF HE WAS YOUR FRIEND, HE WAS ONE OF THE BEST FRIENDS YOU EVER HAD. HE WAS ALWAYS THERE FOR YOU. HE WOULD GIVE YOU THE SHIRT OFF HIS BACK. HE WAS LOYAL TO THE CORE; AND HE NEVER BAD MOUTHED HIS FRIENDS, AS HE EXPECTED THE SAME LOYALTY FROM THEM.

I FIRST MET BILLY 28 YEARS AGO WHEN I WAS WORKING AS AN ASSISTANT SOLICITOR, JUST PAST THESE WALLS OVER HERE IN THIS VERY OFFICE; AND I'LL NEVER FORGET. I HAD BEEN A LAW CLERK AND I HAD JUST GOTTEN HIRED. JIM ANDERS HAD JUST GIVEN ME MY FIRST BATCH OF CASES. IT TURNED OUT ONE OF THEM WAS AGAINST BILLY KNEECE. I DON'T THINK I HAD EVER PERSONALLY MET BILLY BEFORE; BUT I WAS SITTING IN MY OFFICE, READING A FILE ONE AFTERNOON. AND YOU KNOW, HOW YOU GET THAT FEELING SOMETIMES THAT SOMEBODY'S WATCHING YOU; AND I WAS LOOKING DOWN AND IT JUST FELT PECULIAR. I LOOKED UP; AND WITHOUT KNOCKING ON THE DOOR, WITHOUT ANY PLEASANTRY WHATSOEVER, WITHOUT HI, HOW ARE YOU, THERE WAS THE MAN I WOULD COME TO KNOW AS BILLY KNEECE AND MY FUTURE FATHER-IN-LAW STANDING IN THE DOORWAY. AND HE LOOKED AT ME AND HE SAID IN A CURT, NO NONSENSE KIND OF LIKE A BULLY ON THE SCHOOL GROUND KIND OF TONE, ARE YOU MILLER SHEALY? AND I SAID, YES, SIR. HE POINTED HIS FINGER AT ME AND HE LOOKED AT ME, AND HE SAID, I'M GOING TO KICK YOUR ASS. WITH THAT – WITH THAT, HE ABRUPTLY TURNED AND WALKED AWAY. I DIDN'T KNOW WHAT TO THINK. I HAD BEEN IN THE OFFICE FOR AWHILE. I KNEW THE COURTROOM COULD BE ROUGH AND TUMBLE, BUT I'VE NEVER HAD

ANYBODY SAY THEY WERE GOING TO KICK MY ASS OUTRIGHT. BUT THAT'S WHAT HE SAID.

AS I WENT DOWN THE HALL AND TALKED TO SOME FOLKS, I LEARNED THAT HE HAD NOT BEEN RUDE AT ALL. I LEARNED THAT I HAD JUST BEEN ON THE RECEIVING END OF BILLY'S RATHER UNIQUE AND BLUNT SENSE OF HUMOR, WHICH, OBVIOUSLY, MOST OF YOU UNDERSTAND. BILLY, YOU SEE, NEVER TREATED ANYONE WITH DISRESPECT, NOT EVEN HIS PROFESSIONAL ADVERSARIES.

BILLY WAS A CONSUMMATE LAWYER. HE KNEW HOW TO GET THE BEST DEAL FOR HIS CLIENTS. BILLY SELDOM WENT TO TRIAL, BUT HE ALWAYS GOT THE BEST DEAL FOR HIS CLIENTS. IN LAW SCHOOL, THEY TAUGHT US THAT A GOOD LAWYER WAS SOMEONE WHO POSSESSED GREAT TECHNICAL AND LEGAL SKILL, SOMEONE WHO WAS A GOOD DEBATER. THIS IS, OF COURSE, TRUE; BUT THE REALLY GOOD LAWYER HELPS HIS CLIENT FIRST AND FOREMOST. A REALLY GOOD LAWYER DOESN'T JUST TRY TO GET HIS CLIENT OUT OF JAIL. A REALLY GOOD LAWYER HELPS HIS CLIENTS STRAIGHTEN OUT THEIR LIVES. THAT'S WHAT BILLY TAUGHT ME. THAT'S WHAT HE DID FOR THE PEOPLE HE REPRESENTED. A FEW OF THE PEOPLE BILLY REPRESENTED ACTUALLY BECAME HIS FRIENDS. I HAVE MET A FEW OF THEM. BILLY NOT ONLY GOT THEM OUT OF JAIL, HE HELPED THEM GET THEIR LIVES BACK. THEY LOVED HIM FOR IT; AND THEY STILL DO.

BILLY DIDN'T JUST REPRESENT CRIMINAL DEFENDANTS. HE REPRESENTED ALL KINDS OF PEOPLE WITH ALL SORTS OF PROBLEMS AND BROKEN LIVES. HE WAS A LAWYER WHO REALLY CARED ABOUT THEM, NOT JUST THE FEE THEY COULD PAY. HE REPRESENTED PLUMBERS, BUILDING CONTRACTORS, MECHANICS, PAINTERS, RICH AND POOR. IF THEY COULDN'T PAY HIM TODAY, THEN MAYBE TOMORROW THEY COULD FIX A ROOF, REPAIR A CAR, CUT SOME GRASS, OR PAINT A ROOM FOR BILLY. THEY WOULD KEEP COMING BACK, AND BILLY WOULD DO WILLS, CLOSE LOANS, BAIL THEM OUT, AND HELP THEIR KIDS AND



GRANDKIDS WITH SPEEDING TICKETS AND OTHER RUN-INS WITH THE LAW. HE NEVER TURNED ANYBODY DOWN.

HE WAS DEVOTED TO HIS FAMILY. NOT JUST HIS IMMEDIATE FAMILY, BUT HIS NEPHEWS AND NIECES, TOO. HE LOVED HIS BROTHER BOBBY MORE THAN ANYONE WILL EVER KNOW. THEY WERE BROTHERS, BEST FRIENDS, AND LAW PARTNERS. THEY DEFINED WHAT IT MEANS TO LOOK OUT FOR SOMEBODY; THEY DEFINED WHAT IT MEANS TO SAY, I HAVE YOUR BACK. THEY WERE INSEPARABLE. HE WAS ALSO DEVOTED TO HIS WIFE, JO-ANNE KENNEDY KNEECE. SHE WAS HIS SOUL-MATE, HIS COMPANION, HIS FRIEND, THE LOVE OF HIS LIFE. TOWARD THE END OF JO-ANNE'S LIFE, SHE SUFFERED GREATLY WITH DIABETES. HE STOOD BY HER THROUGH IT ALL WITHOUT FAIL. AS WITH ALL THE PEOPLE IN HIS LIFE, HE WAS EVEN MORE SO WITH JO-ANNE. HE WAS DEVOTED AND LOYAL TO THE END. HE WAS ALWAYS THERE FOR HER.

I ALSO LEARNED THAT BILLY WAS MORE THAN A GOOD LAWYER AND A DEVOTED FATHER, HUSBAND, AND UNCLE. HE WAS A VERY LEARNED MAN. HE HAD READ FIRST-HAND ALL THE GREAT CLASSICS. REALLY, HE HAD. HE WAS AT EASE TALKING ABOUT DUI'S AND DICKENS. WHEN SOMEONE MENTIONED SHAKESPEARE, HE KNEW THEY COULD BE TALKING ABOUT RICHARD III OR RODS AND REELS, AND HE KNEW BOTH. HIS TRUE HOBBY WAS HISTORY, WHICH HE LOVED AND KNEW SO MUCH ABOUT. WE GAVE EACH OTHER MANY BOOKS AS GIFTS FOR CHRISTMAS AND BIRTHDAYS. IT DROVE JENNIFER CRAZY AND IT STILL DOES. NEITHER OF US EVER PARTED WITH ANY OF OUR BOOKS. OUR CHILDREN LEAVE HOME, BUT OUR BOOKS WILL BE WITH US FOREVER. HIS FIRST GIFT TO ME WAS A COMPLETE FIRST EDITION OF WILL AND ARIEL DURANT'S THE STORY OF CIVILIZATION. ALL ELEVEN VOLUMES IN MINT CONDITION. THEREAFTER, I INDULGED HIM WITH LARGE TOMES OF THE LATEST HISTORICAL SCHOLARSHIP. HE ALWAYS GOT THE LATEST BOOKS ON THE CIVIL WAR, THE SECOND WORLD WAR,

AND AMERICA'S ROLE IN THE WORLD. AS HE WOULD READ THEM, AND HE READ EVERY ONE, HE WOULD OCCASIONALLY CALL ME UP AND TELL ME THAT HE HAD LEARNED SOMETHING NEW OR THAT THE BOOK WAS WRONG AND COULD I GET MY MONEY BACK. WE ENJOYED MANY HOURS OF DEBATING ON POINTS OF HISTORY, POLITICS, AND RELIGION; AND, AS WITH MOST OF YOU, YOU DIDN'T ALWAYS AGREE WITH HIM AND NEITHER DID I.

LASTLY, I WOULD BE REMISS IF I DID NOT ACKNOWLEDGE HOW MUCH BILLY DID FOR ME AND JENNIFER, AS WELL AS HIS GRANDCHILDREN, WILLS AND CHANDLER. IT WOULD BE UNSEEMLY TO TRY TO RECOUNT IT, AND I CAN'T REMEMBER IT ALL. HE WAS ALWAYS THERE FOR JENNIFER AND ME, AND THE BOYS. HE NEVER DENIED US OR TURNED US DOWN. BUT THAT'S WHO BILLY KNEECE REALLY WAS: THE ONE WHO WOULD NOT TURN YOU DOWN; THE ONE YOU COULD ALWAYS COUNT ON IN A PINCH; THE ONE WHO WOULD ALWAYS SHOW UP; THE ONE WHO WAS ALWAYS THERE FOR YOU. I WILL MISS HIM TERRIBLY. HE IS GONE NOW, AND THAT'S MOST DIFFICULT; BUT HE WAS ALWAYS THERE, AND HE WILL ALWAYS BE IN OUR MEMORY.

THANK YOU.

MR. MCVEY: THANK YOU, MILLER.

THE HONORABLE O. EUGENE POWELL, JR. IS GOING TO COME SPEAK ABOUT THE HONORABLE THOMASINE G. MASON.

JUDGE POWELL: MAY IT PLEASE THE COURT?

THE COURT: YES, SIR.

JUDGE POWELL: DISTINGUISHED VISITORS AND MEMBERS OF THE BAR, IT'S A PLEASURE TO BE HERE TODAY AND SPEAK ON BEHALF OF JUDGE MASON; BUT ALSO BECAUSE I'M PARTICIPATING IN A CEREMONY THAT FIRST OF ALL HAS GEORGE JEFFERSON, WHO I JUST THOUGHT WAS ONE OF THE BEST MAGISTRATES WE EVER HAD IN THE STATE; AND BECAUSE TWO OF MY SONS HAD TO BELLY UP TO THE BAR BEFORE GEORGE JEFFERSON AND PLEAD GUILTY TO SPEEDING; AND I WILL SAY

THAT HE WAS VERY GRACIOUS AND DID HIS JOB. THEY NEVER BECAME REPEAT OFFENDERS.

ALSO, I'D LIKE TO SAY THAT BO MULLIS WAS ONE OF MY VERY GOOD FRIENDS. ALMOST 50 YEARS AGO, WE GRADUATED FROM LAW SCHOOL; AND SO WE HAD A LAW SCHOOL BACKGROUND, A MILITARY BACKGROUND, JUDICIAL BACKGROUND – HE USED TO APPEAR BEFORE ME. OTHER THAN BEING AIR FORCE, WE ALWAYS GOT ALONG REAL GOOD; BUT I WILL MISS HIM DEARLY.

AND C.O. WARREN ALSO WAS A CLASSMATE AND HE WILL BE MISSED, TOO; AND, YOU KNOW, I FEEL LIKE WHEN I FOLLOW HIS SON ON THE GOLF COURSE, IT WILL HAVE SPECIAL MEANING.

I'M HONORED TODAY TO PAY TRIBUTE TO MY FRIEND AND MY FELLOW JUDGE, THE HONORABLE THOMASINE GRAYSON MASON. JUDGE MASON, AND I'M GOING TO CALL HER JUDGE MASON MOST OF THE TIME BECAUSE IN 25 YEARS, I NEVER GOT UP ENOUGH NERVE TO CALL HER THOMASINE. SHE WAS THE EPITOME OF A SOUTHERN LADY. SHE LOVED HER CHURCH; SHE LOVED HER FAMILY, HER COMMUNITY, HER STATE, HER NATION, AND HER ADOPTED FAMILY, THE JUDGES AND THE STAFF AT THE OFFICE OF DISABILITY ADJUDICATION AND REVIEW, WHICH IS THE SOCIAL SECURITY OFFICE.

SHE WAS BORN IN NOVEMBER 1917, IN THE ST. PAUL COMMUNITY NEAR SUMMERTON; AND THE DAUGHTER OF JAMES FULTON GRAYSON AND ANNE GENTRY GRAYSON; AND THE WIDOW OF FLEMING MASON, WHO WAS A RESIDENT FBI AGENT. SHE GRADUATED FROM SUMMERTON HIGH SCHOOL AND THEN CAME TO CAROLINA FOR LAW SCHOOL AND DESPITE BEING VERY ACTIVE IN HER SORORITY, SHE GRADUATED IN THREE YEARS.

NOW, SHE WANTED TO GO TO LAW SCHOOL, BUT HER FATHER WAS OLD-LINE AND HE TOLD HER THAT HE DIDN'T THINK THE STUDY OF LAW WAS A PROPER CAREER FOR A YOUNG LADY. SO IN TYPICAL JUDGE MASON FASHION, SHE SAYS, OKAY. SHE TAUGHT SCHOOL FOR A YEAR

AND THEN SHE WENT TO LAW SCHOOL. WHEN SHE WAS IN LAW SCHOOL, SHE FEARED THAT BECAUSE OF THE WAR, THE LAW SCHOOL WAS GOING TO CLOSE. SO IN HER SECOND YEAR IN LAW SCHOOL, SHE TOOK THE BAR AND SHE WAS ADMITTED IN JUNE OF 1941; AND THEN THE NEXT YEAR, SHE GRADUATED FROM LAW SCHOOL.

NOW, DURING THE WAR, SHE SERVED AS THE PRESIDENT OF THE AMERICAN LEGION AUXILLARY. SHE WORKED AS A CIVIL SERVICE REPRESENTATIVE; AND THEN, AFTER THE WAR, HER FATHER'S HEALTH BEGAN TO DECLINE; AND THEN SHE ENTERED INTO SOMETHING WHICH I ALWAYS THOUGHT WAS INTERESTING. SHE TALKED ABOUT THIS A LOT. SHE RETURNED TO SUMMERTON AND, WITH HER BROTHER, OPERATED THE FAMILY FARM, THE COTTON GIN, THE SEED PROCESSING, AND THE GRAIN ELEVATOR. SHE EVEN FOUND TIME, DURING THAT TIME, TO GO BACK TO NORTH CAROLINA STATE COLLEGE, AS IT WAS CALLED AT THE TIME, AND GOT A DEGREE IN COTTON CLASSING.

WHEN I REFLECT BACK ON MY YEARS WITH JUDGE MASON, I ENVISION HER AS TRUE TRAIL BLAZER IN AGRICULTURE, IN LAW, AND IN SOUTH CAROLINA POLITICS. AS A TRAILBLAZER, HER FIRSTS ARE PLENARY.

ONE OF THE FIRST WOMEN – FIRST OF TWO WOMEN TO ATTEND LAW SCHOOL AT USC.

SHE PROBABLY WAS ONE OF THE FIRST WOMEN TO BECOME A COTTON MERCHANT.

THE SECOND WOMAN TO SERVE IN THE SOUTH CAROLINA SENATE BUT THE FIRST TO EVER PRESIDE OVER THAT BODY.

SHE WAS AMONG THE FIRST WOMAN TO EVER BE APPOINTED AS AN ADMINISTRATIVE LAW JUDGE.

AFTER HER APPOINTMENT, SHE BECAME THE FIRST JUDGE -- NOT THE FIRST WOMAN, BUT THE FIRST JUDGE – TO SIT ON THE APPEALS COUNCIL AS AN ACTING MEMBER OF THE COUNCIL. AND I COULD SPEND

AT LEAST AN HOUR TELLING YOU WHAT SHE THOUGHT ABOUT THAT, BUT WE WON'T TALK ABOUT THAT.

JUDGE MASON DISTINGUISHED HERSELF WITH DEDICATION AND EXCEPTIONAL SERVICE IN HER GOVERNMENTAL DUTIES AS A PUBLIC SCHOOL TEACHER, A MEMBER OF THE SOUTH CAROLINA SENATE, AS A TRIAL ATTORNEY WITH THE UNITED STATES DEPARTMENT OF JUSTICE, AND AS AN ADMINISTRATIVE LAW JUDGE WITH SOCIAL SECURITY. SHE SERVED ON NUMEROUS CIVIC BOARDS AND GAVE ALMOST 40 YEARS OF SERVICE TO PALMETTO GIRLS STATE. IN 2008, IN RECOGNITION OF HER DISTINGUISHING CAREER AS A PUBLIC SERVANT AND AS A COMMUNITY LEADER, SHE WAS AWARDED THE ORDER OF THE PALMETTO BY GOVERNOR MARK SANFORD.

BUT LET ME DIGRESS ABOUT JUDGE MASON AND LET'S TALK ABOUT HER AS A PERSON BECAUSE, TO ME, THIS TELLS YOU MORE THAN ALL HER DISTINGUISHED ACCOMPLISHMENTS.

FIRST OF ALL, SHE WAS SCOTTISH AND SHE CHERISHED HER SCOTTISH ANCESTRY AND TRUE TO HER HERITAGE, SHE WAS A TAD THRIFTY. WHILE TRAVELLING AS A JUDGE, SHE WOULD GO STAY AT A LESSER HOTEL TO SAVE THE GOVERNMENT MONEY. I PERSONALLY TELL YOU I WOULDN'T STAY AT ANY OF THOSE HOTELS. NOW, THERE ARE SOME OF YOU, LIKE MIKE KELLY AND THE LATE BO MULLIS, GOD BLESS HIM, WHO WOULD SAY THAT SHE PROBABLY WAS A LITTLE THRIFTY WITH THE GOVERNMENT'S MONEY WHEN IT CAME TO RULING ON SOCIAL SECURITY CASES; BUT I WON'T GO THERE. HOWEVER, I DO REMEMBER ONE TIME WHEN SHE FORGOT SHE WAS SCOT. SHE WAS ON A BUS; SHE WAS UP IN ALASKA GOING TO HEAR CASES IN A REMOTE SITE. SHE WAS SITTING NEXT TO AN ESKIMO ON A LONG BUS RIDE. WELL, HE WAS DOWN ON HIS LUCK AND SO SHE LOANED HIM \$10.00. WHEN SHE CAME BACK AND SHE STARTED TALKING ABOUT LOANING THAT \$10.00, IT BECAME SOMEWHAT OF A CONCERN THAT SHE WOULD HAVE GIVEN HER MONEY

AWAY LIKE THAT. SO ANYTIME YOU TALKED ABOUT ALASKA, WE HAD TO TALK ABOUT THAT TRIP ON THE BUS WHEN SHE GAVE THAT \$10.00.

NOW, THOMASINE WAS ATHLETIC. SHE WAS AN ACCOMPLISHED WATER SKIER. IN FACT, WHEN THE SUBJECT CAME UP, SHE WOULD ALWAYS TELL US HOW SHE TAUGHT BILL NETTLES TO WATER SKI. THAT ALWAYS CAME UP. SO, AT AGE 79, SHE FIGURED, YOU KNOW, I'VE GOT TO GIVE THIS UP SO SHE HUNG HER SKIS UP AND SHE BOUGHT A JET SKI. ONE OF THE FEW TIMES I EVER SAW JUDGE MASON IN A BAD MOOD WAS I WENT IN HER OFFICE ONE DAY -- AND SHE REALLY WAS IN A BAD MOOD -- I SAID, JUDGE MASON, WHAT'S WRONG? SHE SAID SOMEBODY BROKE MY JET SKI; AND SHE WAS JUST REALLY UPSET.

SHE ALSO NEVER LET YOU FORGET THAT, AS A COTTON MERCHANT, SHE USED TO LIFT 50 POUND BAGS OF COTTON SEED ALL THE TIME. SO WHEN SHE WAS LOADING HER CAR FOR A HEARING TRIP, JUDGE FRED CHRISTIAN AND I SOON LEARNED NOT TO OFFER TO CARRY HER BAGS BECAUSE IF YOU OFFERED TO CARRY HER BAGS, THEN YOU HAD TO TALK ABOUT THAT 50 POUND BAG OF COTTON SEED. SHE MADE A REAL IMPRESSION ON A YOUNG LADY WITH THE SOUTH CAROLINA CHORUS. THEY WERE OVER IN EUROPE AND SHE WAS A CHAPERONE; AND APPARENTLY, SHE CONVINCED THIS YOUNG LADY THAT CARRYING A 50 POUND BAG OF COTTON SEED WASN'T ANYTHING EVEN THOUGH SHE WAS IN HER 70s. SO WHEN THEY UNLOADED THE BUS, THE YOUNG LADY ASKED HER WOULD SHE CARRY HER SUITCASE UP THE HILL. SHE DID REFUSE TO DO THAT I WILL SAY.

NOW, GROWING UP ON A FARM, SHE COULD SHOOT LIKE ANNIE OAKLEY. WELL, SHE WAS GOING ACROSS THE HAMPTON STREET BRIDGE AND HER CAR GIVES OUT. SHE GETS ON HER CELL PHONE; A PERSON CAME UP AND ACCOSTED HER, TRIED TO STEAL HER POCKETBOOK BUT RAN AWAY. SHE TOLD CHIEF STEWART AT SLED THIS; AND HE SAID, WELL, THOMASINE -- HE COULD CALL HER THOMASINE -- HE SAID YOU NEED TO GET A PISTOL PERMIT. SO, SHE WENT OUT AND FOR

THOSE OF YOU, WHO ARE FAMILIAR WITH SHOT GROUPS, SHE PUT A SHOT GROUP ABOUT THAT SIZE IN A TARGET OF A PERSON AND SHE CAME BACK, PUT IT ON HER DOOR. WELL, ALL THE JUDGES IN THE OFFICE WERE MEMBERS OF ONE BRANCH OF THE SERVICE OR ANOTHER: ARMY, AIR FORCE, NAVY. SO I WENT OUT TO FORT JACKSON, BOUGHT A BADGE, CAME BACK, AND WE GAVE HER A JOINT SERVICES EXPERT PISTOL BADGE. SHE WORE THAT FOR TWO WEEKS.

ONE OTHER THING I REMEMBER ABOUT WHEN SHE WAS CHIEF JUDGE, I WAS ASIGNED A CASE TO HEAR A SCHOOL DESEGREGATION CASE FROM THE DEPARTMENT OF EDUCATION. THE CASE TOOK TWO YEARS. IT LASTED FIVE DAYS OVER IN THE FEDERAL COURTHOUSE. WHEN I GOT THROUGH, I HAD A 100-PAGE DECISION AND THAT MONTH I ONLY PUT OUT ONE DECISION. WELL, WORKING IN SOCIAL SECURITY IS LIKE WORKING IN THE MILL. YOU'VE GOT TO PRODUCE WIDGETS. YOU CAN'T JUST SAY YOU PUT OUT ONE THING. SHE CAME UP TO ME AND SHE SAID, JUDGE POWELL, I KNOW YOU WORK REALLY HARD ON THINGS, BUT YOU'VE GOT TO DO BETTER ON YOUR PRODUCTION.

NOW, THERE ARE A LOT OF OTHER WARM STORIES BUT TIME WON'T PERMIT TALKING ABOUT JUDGE MASON. I WON'T TALK ABOUT WHEN SHE WAS ON THE ROOF AT AGE 75 AND SHE HAD A SLIGHT T.I.A., WAITED UNTIL IT PASSED AND THEN SHE FINISHED WHAT SHE WAS DOING ON THE ROOF; BUT TIME DOESN'T PERMIT THAT.

SO, DARE SAY I, THOMASINE, FINALLY, WE LOVE YOU; WE MISS YOU; AND I'M CERTAIN THAT OUR EXPERIENCES WITH YOU WILL LIVE ON AND WILL BECOME APART OF THAT LORE THAT OLD JUDGES AND OLD LAWYERS CHERISH, AS THEY AGE.

SO, THOMASINE, REST IN PEACE FOR A JOB WELL DONE!

MR. MCVEY: THANK YOU, JUDGE.

I WOULD LIKE TO ASK BOB ANDERSON TO COME SPEAK ABOUT ALICE MOORE.

MR. ANDERSON: WHAT CAN I SAY ABOUT ALICE MOORE?

THE STATISTICS: ALICE WAS BORN IN 1946 IN COLUMBIA. SHE DIED LAST YEAR. IN BETWEEN THE BEGINNING AND THE END OF HER LIFE, SHE MANAGED TO GO TO MARY BALDWIN AND GRADUATE, GET HER MASTERS, DECIDED TO GO TO USC IN LAW SCHOOL, GET HER JD; AND GOT HER FG AT THE SAME TIME, FRED GERTZ, HER HUSBAND. FRED AND ALICE WERE MARRIED FOR OVER 30 YEARS. THEY PRACTICED LAW AS PARTNERS FOR 30 YEARS.

THOSE OF YOU WHO PRACTICED WITH ALICE KNOW THAT SHE WAS VERY QUIET, VERY STUDIOUS, VERY CAREFUL IN WHAT SHE SAID. A PERFECT SOUTHERN LADY UNTIL YOU GOT HER OUT ON THE FAMILY FARM IN HOPKINS AND YOU'D SEE HER UP ON THE TRACTOR OR CLIMBING INTO THE DUMP TRUCK THAT SHE SWAPPED FOR LEGAL FEES BECAUSE OTHERWISE THE FOLKS COULDN'T PAY HER, DRIVING IT AROUND THE FARM, MOVING THINGS, FEEDING THE ANIMALS.

ALICE WAS MOST PROUD OF BEING A HUMAN BEING, NOT A LAWYER. SHE TOLD ME, AS I'M SURE SHE TOLD MANY OF YOU, THAT SHE WOULD RATHER BE REMEMBERED AS A GOOD MOTHER, AS A GOOD CITIZEN, AS A GOOD WIFE TO FRED THAN AS A PERSON WHO WAS SUBSUMED BY AND LIVED ONLY FOR THE LAW. BUT SHE DID DO THAT.

ALICE HAD A FIRST RATE MIND. SHE WAS – AND I'M NOT SPEAKING THIS PEJORITIVELY -- SHE WAS A FIRST CLASS DIRT LAWYER. SHE WAS AN EXCELLENT CORPORATE LAWYER. SHE KNEW THE SOUTH CAROLINA CORPORATE CODE, THE LLC CODE, INSIDE AND OUT. IF YOU HAD A PROBLEM, SHE WOULD ALWAYS STOP WHATEVER SHE WAS DOING. SHE WOULD PICK UP HER PHONE AT ANY TIME AND SPEND AS MUCH TIME WORKING – DARE I SAY GRATIS – TOO MANY OF THE TIME TO SOLVE YOUR PROBLEMS.

SHE WAS A VERY PROUD MEMBER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION. SHE WAS VERY WELL GROUNDED IN HERSELF. SHE KNEW WHO SHE WAS. SHE WAS ALICE MOORE OF THE MOORE FAMILY, FROM HOPKINS, SOUTH CAROLINA, WHOSE DADDY HAD



BEEN A M.P. GUARD OF EZRA POUND DURING WORLD WAR II IN ITALY. SHE KNEW WHAT HER JOB WAS. HER DAUGHTER GRADUATED CUM LAUDE; HER SON IS WORKING ON HIS PHD. FRED HAS LOST BOTH A PARTNER AND A WIFE. I DON'T KNOW THAT THERE'S MUCH MORE YOU CAN SAY ABOUT ALICE OTHER THAN BEFORE THE ILLNESS THAT BROUGHT HER TO HER DEATH – UNTIMELY DEATH -- SHE COULD STILL DO A FIRST CLASS SHIMMY.

AND I THINK I'M THE ONLY PERSON TO HIT THREE MINUTES AS YOUR HONOR INSTRUCTED.

THE COURT: THANK YOU, SIR.

MR. MCVEY: THANK YOU FOR BOTH OF THOSE THINGS, BOB.

I'D LIKE TO ASK DAVE FEDOR TO COME UP AND SPEAK ABOUT J. MARVIN MULLIS, JR., KNOWN TO ALL OF US AS BO.

MR. FEDOR: MAY IT PLEASE THE COURT?

THE COURT: YES, SIR.

MR. FEDOR: FLAG DAY – HOW APPROPRIATE FOR A BO MULLIS MEMORIAL. ALL OF US KNOW OF HIS GREAT COURTROOM ABILITIES, BUT HE WAS ALSO A MILITARY MAN, RISING TO THE RANK OF GENERAL.

MOST STREET FIGHTERS ARE LITTLE GUYS. BIG GUYS GROW UP FIGURING NOBODY WILL CHALLENGE THEM, SO THEY DON'T KNOW HOW TO FIGHT. BIG GUYS BREAK UP FIGHTS. LITTLE GUYS ARE THE ONES WHO FIGHT BECAUSE THEY FIGURE THEY BETTER.

AND BO WAS A FIERCE COURTROOM FIGHTER FOR HIS CLIENTS; BUT HIS GREATEST TALENT WAS AS A TEACHER OF LAWYERS.

THE FAMOUS AUTO TORTS SEMINARS BO PUT ON EVERY YEAR IN ATLANTA TAUGHT MORE PEOPLE HOW TO PRACTICE LAW THAN ANY LAW SCHOOL IN THE COUNTRY.

I NEVER TRIED A MAJOR CASE WITHOUT SITTING DOWN WITH BO AND FIGURING OUT HOW TO DO IT THE BEST WAY.

WE HAVE EVIDENCE IN THE BIBLE THAT LAUGHTER IS ALLOWED IN HEAVEN. HOW MUCH MORE THERE WILL BE NOW THAT BO HAS MOVED UPSTAIRS.

I HOPE THE ANGELS CAN STAND NOISE AND LAUGHTER. IN MY HEART, I KNOW THEY WILL LOVE IT. WE ARE ALL GOING TO MISS HIM, BUT I'M SURE HE IS JUST WARMING UP THE AUDIENCE IN HEAVEN FOR THE REST OF US.

SIR WINSTON CHURCHILL SAID IT BEST. HE SAID, "I AM READY TO MEET MY MAKER. WHETHER MY MAKER IS PREPARED FOR THE GREAT ORDEAL OF MEETING ME IS ANOTHER MATTER." AND THAT FITS BO MULLIS TO A TEE.

FORTUNATELY, HE LEFT US HIS DAUGHTER TO CONTINUE ON IN TEACHING LAWYERS; AND I'M SURE SHE WILL.

SO, BO, FROM ALL YOUR FRIENDS DOWN HERE, THANK YOU FOR THE WORK YOU DID, THE TALENT YOU GAVE, AND THE LOVE YOU LEFT BEHIND.

ON THE WALLS OF ONE OF OUR GREAT UNIVERSITIES, IT IS WRITTEN AS FOLLOWS: "IN THE DUST OF DEFEAT, AS WELL AS IN THE LAUREL OF VICTORY, THERE IS GLORY TO BE FOUND IF ONE HAS DONE HIS BEST". BO, YOU DID.

THANKS FOR THE MEMORIES.

MR. MCVEY: THANK YOU, DAVE.

I'D ASK STEVE MORRISON TO COME UP TO SPEAK ABOUT CLAUDE M. SCARBOROUGH.

MR. MORRISON: MAY IT PLEASE THE COURT, YOUR HONOR?

THE COURT: YES, SIR.

MR. MORRISON: ONCE IN A GENERATION, WE'RE BLESSED TO BECOME FRIENDS WITH AND TO ENJOY THE COMPANY OF A PERSON WHO BUILDS THINGS, A PERSON WHO BUILDS A PLACE FOR OTHERS TO STAND AND FOR OTHERS TO ACCOMPLISH GREATNESS.

CLAUDE MOOD SCARBOROUGH, JR. WAS A BUILDER. SARAH AND SARAH AND BETH AND CLAUDE AND GEIENE, THANK YOU SO MUCH FOR THE OPPORTUNITY TO SPEAK ONCE MORE ABOUT MY FRIEND AND MENTOR, CLAUDE SCARBOROUGH.

MICHAEL, IT'S GOOD TO HAVE YOU HERE.

I HOPE YOU ALL GREET CLAUDE'S FAMILY AFTER THIS SESSION HERE. AND MY FRIENDS FROM NELSON, MULLINS -- I SEE SO MANY OF YOU HERE -- THANK YOU VERY MUCH. CLAUDE WOULD BE HONORED AND HUMBLED.

IN THE COURSE OF HUMAN EVENTS, CERTAIN PEOPLE ARE CHANGE AGENTS AND THEY BUILD A PLACE FOR OTHERS TO CREATE CHANGE. POETRY, I BELIEVE MAKES US LISTEN DIFFERENTLY TO EACH OTHER; AND SO, I WANT TO SHARE WITH YOU A SHORT POEM BY SEAMUS HEANEY, THE NOBEL PRIZE LAUREATE FROM IRELAND, CALLED "HUMAN CHAIN"; AND IN THIS CONSIDERATION, LET'S THINK TOGETHER ABOUT THE CHAIN OF HUMAN EVENTS THAT WE ALL PARTICIPATE IN AND THE HANDOFF THAT'S BEEN MADE BY CLAUDE AND THE OTHERS THAT WE HONOR TODAY.

#### HUMAN CHAIN

THIS POEM IS ABOUT A GROUP OF PEOPLE SERVING OTHER PEOPLE, REFUGEES IN A THIRD WORLD COUNTRY SOMEPLACE UNKNOWN; AND THEY ARE PASSING, FROM ONE TO THE OTHER, BAGS OF GRAIN TO BE LOADED TO FEED OTHER PEOPLE.

#### HUMAN CHAIN

SEEING THE BAGS OF MEAL PASSED HAND TO HAND  
 IN CLOSE-UP BY THE AID WORKERS, AND SOLDIERS  
 FIRING OVER THE MOB, I WAS BRACED AGAIN  
 WITH A GRIP ON TWO SACK CORNERS,  
 TWO PACKED WADS OF GRAIN I WORKED TO LUGS  
 TO GIVE ME PURCHASE, READY FOR THE HEAVE –  
 THE EYE-TO-EYE, ONE-TWO, ONE-TWO UPSWING

ON TO THE TRAILER, THEN THE STOOP AND DRAG AND DRAIN  
OF THE NEXT LIFT. NOTHING SURPASSED  
THAT QUICK UNBURDENING, BACKBREAK'S TRUEST PAYBACK,  
A LETTING GO WHICH WILL NOT COME AGAIN.  
OR IT WILL, ONCE. AND FOR ALL.

CLAUDE SCARBOROUGH HAS DEVOTED THOUSANDS OF  
HOURS OF SERVICE OVER THE PAST DECADES OF HIS LIFE IN MAKING THE  
MIDLANDS OF SOUTH CAROLINA A BETTER PLACE FOR PEOPLE OF ALL  
BACKGROUNDS. FROM PRO BONO LEGAL SERVICE FOR THOSE UNABLE TO  
AFFORD COUNSEL TO SERVING ON THE BOARDS OF ORGANIZATIONS AS  
DIVERSE AS THE EDUCATION FOUNDATION OF THE UNIVERSITY OF SOUTH  
CAROLINA; THE COLUMBIA MUSEUM OF ART; THE UNITED WAY OF THE  
MIDLANDS, CLAUDE SCARBOROUGH'S MARK CAN BE SEEN IN OUR CIVIC  
LIFE AND IN OUR PROFESSIONAL LIFE. BUT CLAUDE'S LEGACY IS BEST  
EVIDENCED TODAY, I BELIEVE, IN THE PLATFORM THAT HE CREATED, THE  
ETHIC OF THE LAW FIRM HE HELP CREATE OVER 40 YEARS, A FIRM HE  
INSPIRED TO ANNUALLY PROVIDE TENS OF THOUSANDS OF HOURS OF  
FREE LEGAL SERVICE TO THE POOR, THE AFFLICTED, AND THOSE  
WITHOUT A VOICE, ALONG WITH NON-PROFITS THAT MEAN THE  
DIFFERENCE BETWEEN A DECENT LIFE AND MERE SUBSISTENCE FOR THE  
LESS FORTUNATE.

UNDER HIS LEADERSHIP, NELSON, MULLINS, RILEY AND  
SCARBOROUGH DEDICATED MORE THAN FIVE PERCENT OF THE BILLABLE  
HOURS TO PRO BONO LEGAL WORK. IN ONE CASE ALONE, THE SOUTH  
CAROLINA EDUCATION FUNDING TRIAL, THE LAW FIRM, UNDER HIS  
LEADERSHIP, ADVANCED EIGHT MILLION DOLLARS OF LEGAL SERVICES  
IN A BID TO CHANGE THE WAY THE STATE FUNDS EDUCATION.

OTHER NOTEABLE PRO BONO PROJECTS EMBRACED BY  
CLAUDE AND SPONSORED BY HIS LEADERSHIP ARE WORTH SERVING AS  
THE STATE OF GEORGIA'S COORDINATOR FOR S.S.I. KIDS – DISABILITY  
KIDS TO PRESERVE SUPPLEMENTAL SOCIAL SECURITY INCOME

DISABILITY BENEFITS FOR 25,000 KIDS IN GEORGIA OUT OF OUR ATLANTA OFFICE.

AFTER THE WORLD TRADE CENTER TRAGEDIES, CLAUDE'S LEADERSHIP AND THAT OF ANTHONY HAYES AND OTHERS IN THE FIRM, CREATED WILLS FOR HEROS, WHICH HAS PRODUCED MORE THAN 1,000 WILLS FOR SOUTHEASTERN FIREFIGHTERS, POLICE OFFICERS, EMERGENCY MEDICAL TECHNICIANS, AND FIRST RESPONDERS FREE OF CHARGE BY THE BAR AND BY THE BAR ASSOCIATIONS THAT WE'RE ASSOCIATED WITH. THIS IS OUR RESPONSE AND CLAUDE'S RESPONSE TO THE SACRIFICE OF THE EMERGENCY PERSONNEL DURING THE 911 TERROR ATTACKS.

THE FIRM'S DEDICATION TO HELPING THE LESS FORTUNATE AND THOSE UNABLE TO AFFORD LEGAL COUNSEL IS THE DIRECT RESULT OF THE CULTURE AND THE BUILDER THAT CLAUDE SCARBOROUGH WAS. HE INCULCATED NELSON, MULLINS IN HIS TENURE WITH THE FIRM WITH THIS ETHIC. INDEED, BOTH THE FIRM'S PRO BONO PROGRAM AND THE FIRM ITSELF OWE THEIR EXISTENCE TO HIM.

CLAUDE SCARBOROUGH'S WORK ENABLED NELSON, MULLINS TO BECOME ONE OF THE NATION'S LARGEST LAW FIRMS. I THINK WE ARE 130<sup>TH</sup> ON THE AM LAW OR SOMEWHERE IN THAT ZONE; BUT THAT REALLY DIDN'T MATTER SO MUCH TO CLAUDE AS TO WHAT COULD BE DONE FOR THE FAMILIES AND OTHERS WHO SERVED WITH THE FIRM.

OUTSIDE THE FIRM, HOWEVER, THE – HE – HIS EFFORTS OFFERED EVIDENCE OF IMPROVING THE QUALITY OF LIFE TO ALL OF COLUMBIA'S RESIDENTS, NO MATTER THEIR PLACE IN SOCIETY. HE HAS PROVIDED LEADERSHIP AND INSPIRED THOSE OF US WHO HAVE WORKED WITH HIM. HE SENT YOUNG LAWYERS, UNDER HIS CHARGE, INTO THE COMMUNITY TO SEEK CREATIVE SOLUTIONS FOR IMPROVING LIFE FOR OUR CITIZENS HERE. IT'S DIFFICULT TO FIND ANY PROMINENT VOLUNTEER ORGANIZATION IN THE CITY OF COLUMBIA THAT HAS NOT RECEIVED THE BENEFIT OF HIS PERSONAL SERVICE OR THAT OF HIS

PARTNERS. HE SUPPORTED LOCAL BUSINESS AND WORKED FOR GOVERNMENT AGENCIES THROUGH INVOLVEMENT FOR THE UNITED WAY AND THE CENTRAL CAROLINA COMMUNITY FOUNDATION. HE CHAIRED THE UNITED WAY. IN COUNTLESS ORGANIZATIONS, HE'S PROMOTED NETWORKING FOR THE COMMON GOOD, AMONG THEM, HIS DECISION TO REPRESENT JUVENILES CONFINED IN THE STATE FACILITIES WHERE CONDITIONS OF TREATMENT WERE REPUTED TO BE INHUMANE. THAT CASE WAS BROUGHT PRO BONO. WHEN THE FIRM RECEIVED AN AWARD FROM JUDGE JOE ANDERSON OF \$650,000 IN FEES, CLAUDE MADE SURE THAT, THAT AMOUNT WAS GIVEN TO THE CENTRAL CAROLINA COMMUNITY FOUNDATION FOR THE BENEFIT OF CHILDREN IN OUR COMMUNITY.

CLAUDE SCARBOROUGH HAS HAD A SUBSTANTIAL INFLUENCE ON PROMOTING AND SERVING THE GREATER COLUMBIA AREA. HE'S LONG BEEN AN AGENT OF CHANGE.

BUILDERS CREATE CHANGE AND THEY CREATE CHANGE FOR THE OPPORTUNITY FOR OTHERS TO MAKE CHANGE. THEY ARE PART OF A HUMAN CHAIN BY WHICH WE PASS OUR BURDEN FROM ONE TO THE OTHER TO SERVE EACH OTHER.

WHILE SERVING AS CHAIR OF THE GREATER COLUMBIA CHAMBER OF COMMERCE, IT WAS LEARNED THAT MANY COLUMBIANS HAD NEGATIVE VIEWS OF THE CITY THAT THEY OFTEN SHARED WITH VISITORS. UNDER CLAUDE'S LEADERSHIP, THE CHAMBER LAUNCHED A PUBLIC RELATIONS CAMPAIGN TO IMPROVE PUBLIC PERCEPTION THROUGH BROADCAST AND PRINT MEDIA. CLAUDE HAD A VISION OF THE FUTURE AND SUDDENDLY "NOTHING WAS THE SAME". THAT'S A QUOTE FROM THE EXECUTIVE DIRECTOR OF THE CHAMBER OF COMMERCE. CLAUDE WAS THE FIRST CHAIRMAN OF THE SOUTH CAROLINA RESEARCH AUTHORITY AT THE TIME WHEN THAT AUTHORITY HAD NO FUNDING FROM THE STATE. THIS ESSENTIAL SERVICE OF RESEARCH: CREATING

JOBS, BUILDING OPPORTUNITIES FOR OTHERS IS SOMETHING THAT HE CHAMPIONED AND BUILT, AN ORGANIZATION THAT EXISTS TODAY.

CLAUDE'S PUBLIC SERVICE CAN BE TRACKED BACK TO THE 1950'S WHEN HE SERVED IN THE MILITARY. AFTER JOINING THE FIRM AND THE SOUTH CAROLINA BAR, CLAUDE HAS FOR YEARS INITIATED PROGRAMS THAT PROMOTED SERVING THE COMMUNITY. HE SPECIFICALLY HAS FAVORED ORGANIZATIONS THAT EMPOWER PEOPLE TO HELP THEMSELVES IN THE AREAS OF HEALTHCARE, POVERTY, CHILDREN'S ISSUES, CIVIL RIGHTS, AND THE RIGHTS OF THE UNDERPRIVELEGED. HIS VOLUNTEER SERVICE INCLUDES THE COMMUNITY OF 100; CHAIR OF THE GREATER CHAMBER OF COMMERCE, PRESIDENT, BOARD OF DIRECTORS; CHAIR OF THE SOUTH CAROLINA RESEARCH AUTHORITY; BOARD MEMBER OF THE MIDLANDS BOARD FOR ECONOMIC DEVELOPMENT; THE MIDLANDS BUSINESS FORUM ; THE BOARD OF VISITORS FOR COLUMBIA COLLEGE; THE BOARD OF VISITORS FOR THE UNIVERSITY OF SOUTH CAROLINA; THE SOUTH CAROLINA EDUCATIONAL FOUNDATION; THE SOUTH CAROLINA PHILHARMONIC ASSOCIATION; THE MUSEUM OF ART WHERE HE SERVED AS BOARD CHAIR AND MOVED THE MUSEUM TO MAIN STREET – AGAIN, A CHANGE AGENT. HE HAS ALSO SERVED AS THE SENIOR WARDEN FOR THE – FOR HIS CHURCH, TRINITY EPISCOPAL CATHEDRAL, AND THE EPISCOPAL DIOCESE OF SOUTH CAROLINA WHERE HE SERVED AS CHANCELLOR.

OF COURSE, HE WAS A LAWYER. IN 1952, HE GRADUATED FROM THE UNVERSTY OF SOUTH CAROLINA. HE WAS PRESIDENT OF THE SOUTH CAROLINA BAR FROM '75-'76; AND LED US IN INTEGRATING THE BAR – AT THAT TIME, IT WAS A BLACK BAR AND A WHITE BAR – AND CLAUDE SCARBOROUGH AND OTHERS LED US TO HAVE ONE BAR ASSOCIATION.

'75-'76 WAS ALSO A TIME WHEN OUR BAR LEADERSHIP LED THE FIGHT FOR JUDICIAL REFORM IN THE STATE OF SOUTH CAROLINA BUILDING THE NUMBER OF JUDGES, SEPARATING THE FAMILY COURTS

FROM THE GENERAL SESSIONS AND COMMON PLEAS COURT. HE RECEIVED THE AMERICAN JUDICATURE SOCIETY'S HIGHEST HONOR OF THE HERBERT HARLEY AWARD FOR THAT PARTICULAR EFFORT. HE LED THE BAR IN JUDICIAL REFORM. HE LED THE BAR TO INTEGRATE; AND WAS A PRIME MOVER IN PRO BONO SERVICE. HE CHAIRED THE SOUTH CAROLINA BAR FOUNDATION THROUGH WHICH WE ALL SERVE THE PUBLIC. HE RECEIVED THE DURANT AWARD FOR THE MOST SIGNIFICANT LIFETIME ACHIEVEMENT OF PROFESSIONAL SERVICE. HE BUILT THINGS. HE CREATED A HUMAN CHAIN, A RESPONSIBILITY FOR ALL OF US TO PICK UP THE SACK, MOVE IT FORWARD, AND TO SERVE OTHERS.

CLAUDE SCARBOROUGH WAS LONG RECOGNIZED AS A LEADER OF LEADERS. HE HAS BEEN CITED FOR HIS SERVICE TO HIS CHURCH, HIS SCHOOL, CIVIC ORGANIZATIONS, HIS PROFESSION, THE STATE OF SOUTH CAROLINA.

HE HELPED TO BUILD A LAW FIRM THAT'S NOW PRETTY BIG. WHEN I SIGNED UP AT NELSON, MULLINS, I WAS AN EARNEST YOUNG MAN. MITCH WILOUGHBY AND I GRADUATED AT THE SAME TIME. MITCH AND I WENT IN TO SEE CLAUDE; AND I SAID, CLAUDE, IF I ACCEPT THIS OFFER – LIKE I WASN'T GOING TO – IF I ACCEPT THIS OFFER, WILL YOU PROMISE ME – I WAS GOING TO BE NUMBER TEN – THIS WAS A BIG LAW FIRM – AND WILL YOU PROMISE ME BY THE TIME I RETIRE, WE'LL HAVE 20 LAWYERS SO I CAN BE IN THE TOP HALF OF THE LETTERHEAD. HE PROMISED ME THAT. THERE'S 450 LAWYERS PLUS AT NELSON, MULLINS NOW FROM BOSTON TO TALLAHASSEE, A MAJOR EAST COAST PRESENCE.

HIS WIFE WAS ONE OF UNSELFISH GIVING AND SIGNIFICANT CONTRIBUTION. HE HAS INSPIRED ALL OF US. HE LEARNED A LESSON FROM LUKE 12:48, TO WHOM MUCH IS GIVEN, MUCH WILL BE REQUIRED. CLAUDE SCARBOROUGH BUILDS LEADERS, HAS BUILT LEADERS, CONTINUES TO BUILD LEADERS. HE'S A TRUE HUMANITARIAN, A HERO, AND AN INSPIRATION TO ME. CLAUDE SCARBOROUGH'S WORK ETHIC – AND YOU KNOW, ON THE WORK ETHIC SIDE OF THINGS, I WANT TO SAY



TWO THINGS – ONE IS HE NEVER POINTED HIS FINGER AT ME AND SAID, I’M GOING TO KICK YOUR ASS; BUT HE DID KICK MY ASS. AND THE OTHER KNOWN FACT THAT, CLAUDE -- YOU WANTED TO HAVE REMEMBERED AND I THINK IT IS APPROPRIATE TO REMEMBER TODAY -- IS THAT THERE WAS A PLACE CALLED THE HUNGRY BULL WHERE HE WOULD TAKE US OUT TO EAT – YOU GUYS, WHO WENT OUT IN THE CAR TO THE HUNGRY BULL, REMEMBER THE DAY WHEN THERE WAS A TV CAMERA ON THE WAY OUT OF THE HUNGRY BULL. CLAUDE HAD, HAD A STEAK, AS USUAL – HE WAS A BIG FELLOW LIKE ME AND MAYBE I’M BIGGER THAN HIM NOW – AND ON THE WAY OUT, THEY POINTED THE CAMERA AT HIM AND IN CLASSIC CLAUDE FASHION, HE HAD TWO WORDS TO SAY, “GREAT STEAKS”. THAT COMMERCIAL PLAYED FOREVER. IT WAS AMAZING. BECAUSE HE IMBUED HIS LOVE OF FELLOW MAN UPON THOSE OF US WITHIN NELSON, MULLINS AND THOSE OF US WHO ARE COLLEAGUES AT THE BAR, HIS DEVOTION TO THE HUMANITIAN CAUSES WILL CONTINUE. HIS LEGACY IS AN ENVIABLE LEGACY: ONE OF A BUILDER AND A CHANGE AGENT. AND LET ME SHARE WITH YOU, BECAUSE HE HAS NOW UNBURDENED HIMSELF TO US, THE LAST STANZA OF THE HUMAN CHAIN.

NOTHING SURPASSED

THAT QUICK UNBURDENING, BACKBREAK’S TRUEST PAYBACK,  
A LETTING GO WHICH WILL NOT COME AGAIN.

OR IT WILL, ONCE. AND FOR ALL.

THANK YOU, CLAUDE SCARBOROUGH.

MR. MCVEY: THANKS, STEVE.

I WOULD LIKE TO ASK DAVE HOWSER TO COME TALK ABOUT CHARLES O. WARREN.

MR. HOWSER: MAY IT PLEASE THE COURT?

THE COURT: YES, SIR.

MR. HOWSER: IN EULOGIZING CHARLES OTIS (C.O.) WARREN, JR., I HAD TO ASK MYSELF: HOW DO YOU FIND THE WORDS TO GIVE JUSTICE TO SOMEONE YOU MET IN SEPTEMBER 1966, EIGHT DAYS AFTER

YOU STARTED LAW SCHOOL AND WHO REMAINED A FRIEND FOR 46 YEARS, SOMEONE WHO TOOK YOU TO THE FIRST MASTERS TOURNAMENT YOU WERE PRIVILEGED TO ATTEND, SOMEONE WITH WHOM YOU JOGGED IN YOUR NEIGHBORHOOD? AND IN FULFILLING MY TASK, I THOUGHT I WOULD TELL YOU WHAT I BELIEVE C.O. WOULD WANT ME TO SAY ABOUT HIM.

FIRST, C.O. WARREN WAS BORN DECEMBER 13, 1940, THE SON OF CHARLES OTIS WARREN, SR., AND RUTH JONES WARREN. C.O. GREW UP ON WOODROW ABOUT A BLOCK FROM HAND JUNIOR HIGH SCHOOL. HE GRADUATED FROM DREHER HIGH SCHOOL AND THEN ATTENDED THE UNIVERSITY OF SOUTH CAROLINA. AFTER HE FINISHED THE UNIVERSITY, HE THEN ENROLLED AT THE UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW, GRADUATING IN THE SPRING OF 1966.

SECOND, HE WOULD WANT ME TO TELL YOU ABOUT HIS LIFE'S WORK. AFTER A BRIEF PRACTICE OF LAW IN SUMTER, HE HAD TO LEAVE THE PRACTICE OF LAW TO FULFILL HIS MILITARY OBLIGATION. WHEN HE COMPLETED HIS ACTIVE MILITARY SERVICE, HE WAS EMPLOYED AS AN ATTORNEY WITH THE SOUTH CAROLINA DEPARTMENT OF INSURANCE FOR SEVERAL YEARS. HE RESIGNED THAT POSITION WITH THE DEPARTMENT OF INSURANCE TO JOIN BLUE CROSS BLUE SHIELD WHERE HE BECAME GENERAL COUNSEL. HE ALSO SERVED AS CORPORATE SECRETARY AT BLUE CROSS BLUE SHIELD. AFTER LEAVING BLUE CROSS BLUE SHIELD, HE SERVED AS AN EXPERT WITNESS IN INSURANCE MATTERS IN SUCH AS BAD FAITH ISSUES AND HE SERVED, NOT ONLY IN THIS STATE, BUT IN OTHER STATES AS WELL.

A THIRD THING HE WOULD WANT ME TO TELL YOU ABOUT HIM AND, PERHAPS, MOST IMPORTANT THING WAS ABOUT HIS FAMILY, WHO WERE HIS TRUE TREASURES IN LIFE. HE IS SURVIVED BY MY FRIEND AND HIS DEAR WIFE, RACHEL SMITH WARREN, WHO IS ALSO A COLUMBIA NATIVE. RACHEL WAS A GREAT SCHOOL TEACHER. SHE WAS THE TYPE TEACHER THAT STUDENTS NEVER FORGOT, THE TYPE TEACHER A

STUDENT ALWAYS, ALWAYS REMEMBERS. HER SKILLS, AS A TEACHER, PROBABLY ENABLED HER TO KEEP C.O. UNDER CONTROL. SHE WAS FAIR, BUT SHE WAS TOUGH. C.O. WOULD ALWAYS SAY, RACHEL THIS AND RACHEL THAT, CONSTANTLY TALKING ABOUT HER. HE WOULD WANT ME TO TELL YOU HOW PROUD HE WAS OF RACHEL AND HOW HE IDOLIZED HER. C.O. IS ALSO SURVIVED BY HIS SON CHARLES, DAUGHTER-IN-LAW KELLY, AND TWO GRANDCHILDREN, CHARLIE AND RILEY. AND I'LL SPEAK A LITTLE MORE ABOUT CHARLES IN JUST A MOMENT.

C.O. WOULD WANT ME TO TELL YOU THAT HE WAS A DEVOTED GAMECOCK FAN. AS A FRESHMAN AT USC, HE WAS A CHEERLEADER. ONE PERSON SO APTLY PUT IT, WHEN C.O. WAS SITTING IN THE STANDS AT A UNIVERSITY OF SOUTH CAROLINA SPORTING EVENTS; HE WAS A "CHEERING SECTION UNTO HIMSELF". HE WOULD WANT ME TO SPEND A FEW MINUTES TELLING YOU ABOUT HOW PROUD HE WAS OF HIS SON CHARLES. AS MANY OF YOU MAY KNOW, CHARLES WAS AN EXCELLENT HIGH SCHOOL GOLFER. I BELIEVE THAT C.O. WOULD HAVE LOVED FOR CHARLES TO HAVE PLAYED GOLF AT THE UNIVERSITY OF SOUTH CAROLINA; HOWEVER, THAT WAS NOT AN OPTION BECAUSE THE UNIVERSITY DID NOT OFFER HIM A SCHOLARSHIP – INSTEAD, CLEMSON DID. CHARLES WAS NOT JUST AN EXCELLENT COLLEGE GOLFER; HE WAS A GREAT COLLEGE GOLFER. AS MANY OF YOU KNOW, CHARLES WON THE INDIVIDUAL ATLANTIC COAST CONFERENCE GOLF CHAMPIONSHIP IN CONSECUTIVE YEARS. HE DID NOT STOP THERE. AFTER HIS JUNIOR YEAR IN COLLEGE, CHARLES WON THE N.C.A.A. INDIVIDUAL GOLF CHAMPIONSHIP. IN HIS SENIOR YEAR, HE TIED FOR SECOND IN THE N.C.A.A. CHAMPIONSHIP. HE WAS A COLLEGE ALL-AMERICAN AND WAS CLEMSON ATHLETE OF THE YEAR. HE THEN WENT ON TO EARN HIS P.G.A. CARD AS A TOURING PROFESSIONAL. C.O. WAS PROUD OF THE FACT THAT CHARLES QUALIFIED FOR AND PLAYED IN THE U.S. OPEN.

C.O. WAS THERE TO PERSONALLY OBSERVE AND RELISH MANY OF CHARLES' ACCOMPLISHMENTS IN GOLF TOURNAMENTS AND ON THE GOLF COURSE.

C.O. HAD AN INFECTIOUS LAUGH AND A WICKED SENSE OF HUMOR. HERE IS AN EXAMPLE THAT WAS REPORTED TO ME. C.O. WAS LEAVING HIS HOUSE TO GO ON A DATE WITH RACHEL. C.O.'S MOTHER, WHO WAS A DEAR SWEET LADY WHO MADE MANNERS A PRIORITY, SAID TO HIM, AS HE WAS LEAVING, "SHOW YOUR REARING". C.O., WHO SUPPOSEDLY WAS A LITTLE PUT OUT, SAID "YES, MOTHER, I WILL SHOW MY REAREND". C.O. WOULD ALWAYS LET YOU KNOW WHERE HE STOOD ON AN ISSUE. HE COULD BE VERY VOCAL. AT A PARTY, HE WOULD NOT BE AFRAID, WITH A LITTLE ENCOURAGEMENT FROM HIS FRIENDS, TO GRAB THE MICROPHONE AND SING WITH THE BAND.

C.O. WAS A LIFE LONG MEMBER OF EBENEZER LUTHERAN CHURCH. HE WAS A DEAR FRIEND TO ME AND TO MANY, MANY OTHERS.

AS WE GROW OLDER, NATURE OFTEN ROBS US OF OUR MENTAL AND PHYSICAL HEALTH. C.O. SPENT HIS LAST DAYS OF HIS LIFE AT THE RICE HOME. HE DIED ON SUNDAY, OCTOBER 21, 2012, AND LEAVES US TO CHERISH THE MEMORIES OF A LIFE WELL LIVED; AND IN HIS CASE, A LIFE WELL PLAYED TO ITS FULLEST.

THANK YOU.

MR. MCVEY: THANK YOU, DAVE.

I WOULD LIKE TO ASK CRAVENS RAVENEL TO COME UP AND TALK ABOUT JACKSON BARWICK.

THE COURT: MR. RAVENEL.

MR. RAVENEL: MAY IT PLEASE THE COURT?

THE COURT: YOU KNOW THE BIBLE SAYS: THE FIRST SHALL BE LAST; THE LAST SHALL BE FIRST. IT'S HARD TO BE BOTH FIRST AND LAST AT THE SAME TIME, BUT, I GUESS, JACK WOULD HAVE WANTED IT THIS WAY.

YOU MAY PROCEED, SIR.

MR. RAVENEL: JACK WOULD HAVE LIKED IT THIS WAY.

JACKSON LAVELLE BARWICK, JR. – WHAT A NAME! I FEEL LIKE, MAYBE; HE’S GOT SOME CONNECTION WITH MY FAMILY. WE’RE FRENCH HUGUENOTS AND THAT LAVELLE LOOKS LIKE IT COULD BE FRENCH.

JACK WAS MY PARTNER FOR MANY YEARS. HE WAS A UNIVERSITY OF GEORGIA GRADUATE IN POLITICAL SCIENCE. HE ATTENDED THE GEORGIA LAW SCHOOL, SERVED ON THE LAW REVIEW AT THAT INSTITUTION. HE GRADUATED FROM LAW SCHOOL AT THE UNIVERSITY OF SOUTHERN CALIFORNIA – THE OTHER USC. HE WAS A LOYAL SUPPORTER OF THE GAMECOCKS, HOWEVER. HE GOT HIS DEGREE AND BEGAN, AS A BOMBARDIER IN THE UNITED STATES ARMY AIR FORCE 1943-1945. HE WAS EMPLOYED AFTER THAT AS A CLAIMS REPRESENTATIVE, WHILE WITH HIS LAW DEGREE, FOR USF&G FOR 19 YEARS, AT WHICH TIME; HE DECIDED TO PRACTICE LAW, HAVING OBSERVED THAT THE LAWYERS THAT HE SAW WORKING FOR HIM HAD SKILLS THAT WERE LESS THAN HIS. DURING THAT PERIOD OF TIME, JACK WAS PRESIDENT OF THE CLAIMS ASSOCIATION AND THE CLAIMS MANAGEMENT ASSOCIATION.

JACK JOINED HEYWARD BELSER, JAY BENDER, JEAN TOAL, AND OTHERS IN THE PRACTICE OF LAW – A FIRM THAT I LATER JOINED AND HAD THE PRIVILEGE OF PRACTICING WITH JACK. JACK WAS RECONIZED BY HIS PEERS AS PRESIDENT OF THE SOUTH CAROLINA DEFENSE TRIAL ATTORNEYS ASSOCIATION AND RECEIVED THE HEMPHILL AWARD FOR DISTINGUISHED SERVICE TO THE LEGAL PROFESSION.

JACK HAD THE GOOD SENSE TO MARRY NAN TO WHOM HE WAS MARRIED FOR 67 YEARS. JACK AND NAN – AND I THINK THIS IS RIGHT, ALTHOUGH IT SEEMS AWFUL POWERFUL – JACK AND NAN HAD FIVE CHILDREN, 13 GRANDCHILDREN, AND FIVE GREAT-GRANDCHILDREN.

I BELIEVE JACK WAS INFLUENCED IN HIS APPROACH TO THE PRACTICE OF LAW THROUGH HIS YEARS AS A CLAIM MANAGER. HE KEPT

HIS EYE ON THE OBJECTIVE – CLOSE THE CASE WITH AS LITTLE COST TO THE CARRIER AS REASONABLY WAS POSSIBLE. THAT LED JACK TO SETTLE CASES THAT HE COULD SETTLE AS SOON AS HE COULD SETTLE THEM SO LONG AS THE SETTLEMENT WAS A REASONABLE ONE. IF, HOWEVER, THE PLAINTIFF WAS OVERREACHING IN JACK’S MIND, HE WOULD FIGHT TO THE DEATH. JACK ANALYZED EACH CASE THAT HE FELT HE HAD TO TRY TO FIND A THEME THAT HE FELT MADE SENSE AND WOULD BE REASONABLE TO THE JURY.

ONCE THE THEME WAS CHOSEN AND THE PLAINTIFF’S LAWYER REMAINED INTRANSIGENT, JACK PURSUED THAT THEME LIKE THE GEORGIA BULLDOG THAT HE WAS.

I HAPPENED TO BE IN THIS COURTROOM, AS A MATTER OF FACT, WHEN JACK WAS MAKING HIS CLOSING ARGUMENT IN A CASE WHERE JACK WAS CONVINCED THAT THE PLAINTIFF’S COMPLAINT, LOW BACKPAIN, COULD NOT POSSIBLY BE CONNECTED TO THE MINOR FENDER BENDER WITH JACK’S INSURED DRIVER.

INSTEAD, JACK WAS CERTAIN THAT THE PLAINTIFF’S COMPLAINT, IF REAL, CAME FROM HER EXTRAORDINARY OBESITY. JACK HAD PRESENTED MEDICAL TESTIMONY TO THAT EFFECT SO HE FELT THAT HE WAS ON SOLID GROUND IN MAKING THIS ARGUMENT. JACK’S ARGUMENT CONTAINED MULTIPLE REFERENCES TO THE PLAINTIFF’S OBESITY AND WHY THAT, NOT THE FENDER BENDER, WAS THE CAUSE OF HER BACK PAIN.

DURING CLOSING, I NOTICED, OVER THERE, THAT TWO JURORS WERE THEMSELVES EXECPTIONALLY LARGE FEMALES. THAT FACT CAUSED ME SOME CONCERN AS JACK CLINICALLY EXAMINED THE RELATIONSHIPS BETWEEN THE WEIGHT CARRIED BY THE PLAINTIFF AND HER BACK PAIN. I RECALL NOW AND “AN INJURY IS MUCH SOONER FORGOTTEN THAN AN INSULT”.

MY FEARS WERE REALIZED WHEN THE JURY WAS EXCUSED FOR A SHORT BREAK BEFORE THE JUDGE CHARGED THE APPLICABLE

LAW. AFTER THE JURY LEFT THE COURTROOM, ONE OF THE BAILIFFS SAID TO ME, “CRAVENS, I THOUGHT JACK OUGHT TO KNOW THAT AS THE JURY WAS LEAVING THE JURY BOX, ONE OF THE TWO LARGE FEMALE JURORS SAID TO THE OTHER LARGE JUROR, “IF THAT LAWYER SAYS ONE MORE THING ABOUT THE LADY BEING FAT, I’M GOING TO COME OUT OF THE JURY BOX AND SHOW HIM FAT”.

JACK WAS NEVER AT A LOSS; HOWEVER, WHEN ADVISED BY ME OF THIS COMMENT, BEING THE PRACTICAL LAWYER THAT HE WAS, WENT INTO THE HALL AND SETTLED QUICKLY BEFORE THE COMMENT REACHED THE LAWYER.

JACK WAS A FRIEND, A FINE LAWYER, AND A MAN WHO PUT HIS FAMILY FIRST. I WILL MISS HIM.

MR. MCVEY: THANK YOU, CRAVENS.

THAT CONCLUDES TODAY’S PROCEEDINGS.

SO, JUDGE MANNING, IF I MAY, THERE WILL BE REFRESHMENTS --

THE COURT: HOLD ON. IT’S NOT CONCLUDED YET.

I WOULD LIKE TO TAKE THIS OPPORTUNITY TO RECOGNIZE JUDGE AMY MCCULLOCH. STAND UP, AMY; LET THEM TAKE A LOOK AT YOU. DON’T BE AFRAID. AND ALSO MY COLLEAGUES, JUDGE – THE HONORABLE ALISON LEE AND DEANDREA BENJAMIN.

COME ON, LADIES – THANK YOU.

IN FACT, I WAS COMING UP ON THE ELEVATOR – I HOPE YOU DON’T MIND – WE’VE BEEN HERE SO LONG, IT WON’T MATTER ANOTHER FEW MINUTES – AND BEFORE I GOT TO THE THIRD FLOOR, GOD APPEARED IN THE ELEVATOR WITH ME AND HE SAID TO ME – HE WAS IN A CHATTY MOOD – HE SAID, I WANT YOU TO INVITE RICHARD ARA HARPOOTLIAN TO COME UP AND LEAD US IN THE LORD’S PRAYER.

MR. HARPOOTLIAN, COME ON UP.

MR. DRAKE: HE DOESN’T KNOW IT.

THE COURT: MR. HARPOOTLIAN – COME ON UP, MR. HARPOOTLIAN.

MR. HARPOOTLIAN: IF I DID, I WOULDN'T SAY IT HERE.

THE COURT: NO, I'M SERIOUS. COME ON UP. THAT'S WHAT – THIS IS WHAT GOD ASKED ME TO DO.

MR. HARPOOTLIAN: YOUR HONOR, WHAT WOULD YOU HAVE ME DO?

THE COURT: LEAD US IN THE LORD'S PRAYER.

LET US ALL BOW OUR HEADS, PLEASE.

MR. HARPOOTLIAN: ARE YOU GOING TO STAND FOR THIS?

THE COURT: ALL RIGHT.

LET US ALL STAND, THEN.

MR. HARPOOTLIAN: IF BILLY KNEECE WERE HERE...

OUR FATHER WHO ART IN HEAVEN, HALLOWED BE THEY NAME.

THY KINGDOM COME, THY WILL BE DONE ON EARTH, AS IT IS IN HEAVEN.

GIVE US THIS DAY OUR DAILY BREAD; AND FORGIVE US OUR TRESPASSES AS WE FORGIVE THOSE WHO TRESPASS AGAINST US.

LEAD US NOT INTO TEMPTATION, BUT DELIVER US FROM EVIL; FOR THINE IS THE KINGDOM AND THE POWER, AND THE GLORY, FOREVER AND EVER.

AMEN.

THE COURT: PLEASE TAKE YOUR SEATS BRIEFLY, LADIES AND GENTLEMEN, AND I WANT TO LEAVE YOU WITH THESE PARTING WORDS.

MR. HARPOOTLIAN, YOU ALSO.

MR. HARPOOTLIAN: THANK YOU, YOUR HONOR.

THE COURT: YOU'RE WELCOME.

TO THE FAMILY AND FRIENDS, ESPECIALLY, OF JACK BARWICK, LEE CHANDLER, MICHAEL CHURCH, DEBORAH HOTTEL,



GEORGE JEFFERSON, WILLIAM KNEECE – BILLY KNEECE, THOMASINE MASON, ALICE MOORE, BO MULLIS, CLAUDE SCARBOROUGH, AND C.O. WARREN, I TAKE THIS OPPORTUNITY – AND I WOULD BE NOT FULFILLING MY RESPONSIBILITIES IF I DIDN'T WISH YOU ALL THE VERY, VERY BEST, CALM NIGHTS, AND SUNSHINY DAYS; AND WHEN YOU LEAVE HERE, I HOPE YOU ALWAYS THINK OF THOSE WHO WE HONOR HERE TODAY WITH A SMILE ON YOUR FACE AND GLADNESS IN YOUR HEARTS.

SO, WITH THAT, LADIES AND GENTLEMEN, THIS SPECIAL SESSION OF THE COURT OF COMMON PLEAS FOR RICHLAND COUNTY IS ENDED.

THANK YOU ALL SO VERY MUCH.

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