

MEMORIAL EXERCISES HELD IN THE RICHLAND COUNTY CIRCUIT COURTROOM ON THE 8TH DAY OF JUNE, 2012, AT 12:00 P.M. FOR JAMES NEELY CALDWELL, III, ESQUIRE; LINDSAY HIGHTOWER CATHCART, ESQUIRE; JOHN KEVIN CROUT, ESQUIRE; LEWIS MOYER HENDERSON, ESQUIRE; GEORGE EUGENE LEWIS, SR., ESQUIRE; KIMBERLY BURRELL MCQUINN, ESQUIRE; NATHANIEL WELCH MORRISETTE, JR., ESQUIRE; THE HONORABLE MATTHEW J. PERRY, JR., THOMAS BROWN POLLARD, JR., ESQUIRE; AND JAMES DOUGLAS SEIGLER, ESQUIRE. PRESIDED OVER BY THE HONORABLE JAMES R. BARBER, III, AT-LARGE CIRCUIT JUDGE OF THE FIFTH JUDICIAL CIRCUIT. PRESENT WERE THE HONORABLE JOHN D. GEATHERS, ASSOCIATE JUDGE OF THE SOUTH CAROLINA COURT OF APPEALS; THE HONORABLE ALISON RENEE LEE, AT-LARGE JUDGE OF THE FIFTH JUDICIAL CIRCUIT; THE HONORABLE DEANDREA GIST BENJAMIN, RESIDENT JUDGE OF THE FIFTH JUDICIAL CIRCUIT; THE HONORABLE L. CASEY MANNING, RESIDENT JUDGE OF THE FIFTH JUDICIAL CIRCUIT; THE HONORABLE J. ERNEST KINARD, JR., RETIRED RESIDENT JUDGE OF THE FIFTH JUDICIAL CIRCUIT; AND THE HONORABLE LESLIE K. RIDDLE, RESIDENT FAMILY COURT JUDGE OF THE FIFTH JUDICIAL CIRCUIT.

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THE BAILIFF: ALL RISE, PLEASE.

THE COURT: ALL RIGHT.

PLEASE BE SEATED IF YOU WOULD, LADIES AND GENTLEMEN.

GOOD AFTERNOON TO YOU, LADIES AND GENTLEMEN. I'M JUDGE BARBER; AND PURSAUNT TO TITLE 15-273 OF THE 1963 CODE OF LAWS, THIS DAY HAS BEEN DESIGNATED AS THE DAY TO HONOR THE MEMBERS OF THE RICHLAND COUNTY BAR WHO HAVE PASSED AWAY IN THE LAST YEAR. CERTAINLY IS A PLEASURE FOR ME TO BE HERE WITH YOU AND SEATED UP HERE ON THE BENCH WITH US IS ALL THE WAY TO MY RIGHT IS JUDGE BENJAMIN, OUR NEWEST JUDGE; AND WE'RE GLAD FOR YOU TO BE HERE THIS YEAR. AND, OF COURSE, YOU KNOW JUDGE LEE; JUDGE KINARD, OUR SENIOR JUDGE – ONLY IN TERMS OF SERVICE;

JUDGE MANNING; JUDGE GEATHERS, WHO IS AN ADMINISTRATIVE LAW JUDGE; AND JUDGE RIDDLE, WHO IS OUR --

JUDGE MANNING: COURT OF APPEALS.

THE COURT: I MEAN, COURT OF APPEALS. I'M SORRY.

AND JUDGE RIDDLE, WHO IS NOT ONLY A FAMILY COURT JUDGE, BUT IS GOING TO BE ONE OF OUR PRESENTERS HERE TODAY. I UNDERSTAND JUDGE STRICKLAND IS SOMEWHERE IN THE AUDIENCE. WHERE WOULD BE JUDGE STRICKLAND, OUR MASTER-IN-EQUITY.

AND ON BEHALF OF ALL THE MEMBERS OF THE COURT, WE WELCOME YOU HERE TODAY AND THANK YOU VERY MUCH FOR YOUR MAKING YOURSELVES AVAILABLE TO COME AND HONOR THE INDIVIDUALS WHO SERVED AS MEMBERS OF OUR BAR.

NOW, AT THIS TIME, I WANT TO ALSO RECOGNIZE MRS. ROBBIE DEFREESE, WHO IS OUR COURT REPORTER; AND MRS. DEFREESE WAS, I THINK, JUDGE MANNING'S COURT REPORTER FOR MANY, MANY YEARS AND RETIRED, BUT SHE IS KIND ENOUGH TO COME BACK EVERY YEAR AND SERVE AS OUR COURT REPORTER FOR THIS SERVICE.

THIS IS A SPECIAL TERM OF COURT FOR THE PURPOSE OF HONORING OUR BROTHERS AND SISTERS OF THE BAR AND, ROBBIE, WE THANK YOU VERY MUCH FOR, AGAIN, YOUR SERVICE THIS WEEK.

LADIES AND GENTLEMEN, EVERYTHING THAT IS SAID HERE IN THIS PROCESS IS RECORDED BY MRS. DEFREESE. WE HAVE BOOKS OVER HERE ON THE LEFT -- YOUR RIGHT, OUR LEFT -- ON THIS TABLE OF ALL THE REMARKS THAT HAVE BEEN MADE IN THE YEARS PAST IN MEMORY OF OUR FELLOW BAR MEMBERS; AND WE WELCOME YOU TO EXAMINE THEM AND LOOK AT THEM AT ANY TIME WHILE YOU'RE HERE TODAY.

NEXT, LADIES AND GENTLEMEN, I THINK WHAT I NEED TO DO IS TURN THIS MATTER OVER TO -- MR. MCVEY, ARE YOU PRESIDNG?

MR. MCVEY: I AM, YOUR HONOR.

THE COURT: ALL RIGHT.

MR. MCVEY IS OUR PRESIDENT-ELECT OF THE RICHLAND COUNTY BAR AND I'LL TURN THIS OVER TO YOU; IF YOU WOULD, PLEASE, SIR.

MR. MCVEY: THANK YOU, YOUR HONOR.

LADIES AND GENTLEMEN, GOOD AFTERNOON. MY NAME IS IAN MCVEY; AND I'M THE PRESIDENT-ELECT OF THE RICHLAND COUNTY BAR ASSOCIATION. UNFORTUNATELY, JOHN HEARN, YOUR PRESIDENT, IS UNABLE TO BE HERE TODAY; SO YOU GET ME.

ON BEHALF OF JOHN AND THE REST OF THE EXECUTIVE COMMITTEE, I WOULD LIKE TO THANK EVERYONE FOR JOINING US THIS AFTERNOON. TODAY IS A VERY SPECIAL OCCASION. TODAY WE JOIN OUR FRIENDS AND OUR COLLEAGUES TO MEMORIALIZE AND HONOR THE MEMBERS OF THE RICHLAND COUNTY BAR ASSOCIATION THAT HAVE PASSED AWAY WITHIN THE LAST YEAR. WE ARE ESPECIALLY HONORED TODAY TO HAVE THE FAMILY MEMBERS OF MANY OF OUR HONOREES HERE WITH US; AND I'D ALSO LIKE TO THANK EACH AND EVERY ONE OF THEM FOR COMING.

THE RICHLAND COUNTY BAR, AS JUDGE BARBER POINTED OUT, IS FAIRLY UNIQUE – WELL, EXCUSE ME, FAIRLY UNIQUE IS NOT CORRECT. IT IS UNIQUE. THAT IN 1965, THE LEGISLATURE ENACTED ACT NUMBER 36, WHICH AMENDED SECTION 15-273 OF THE SOUTH CAROLINA CODE TO PROVIDE FOR A MEMORIAL DAY FOR THE MEMBERS OF THIS ASSOCIATION, WHO HAD RECENTLY PASSED AWAY. IT FURTHER PROVIDED FOR THE RESIDENT JUDGE OF THE FIFTH CIRCUIT TO FIX THE DAY IN WHICH THAT WOULD TAKE PLACE. WELL, TODAY IS THE DAY. IT HAS BEEN FIXED AS IT HAS BEEN SO OFTEN IN THE PAST.

THIS YEAR WE ARE GOING TO BE REMEMBERING TEN OF OUR MEMBERS. EACH WILL BE EULOGIZED BY A SPEAKER SELECTED BY THE MEMORIAL COMMITTEE THAT IS CHAIRED BY SUSIE CAMPBELL AND WARD BARDLEY, WHO AS USUAL, HAS ACCOMPLISHED THE TASK ASSIGNED TO THEM WITH THE UTMOST OF SKILLS.

I WOULD LIKE TO THANK JUDGE BARBER FOR PRESIDING OVER TODAY'S PROCEEDINGS. AS MANY OF YOU KNOW, JUDGE BARBER IS CURRENTLY SERVING AS OUR CHIEF ADMINISTRATIVE JUDGE FOR THE FIFTH JUDICIAL CIRCUIT. I WOULD LIKE TO THANK THE MEMBERS OF THE JUDICIARY SEATED BEHIND ME AND THOSE IN THE AUDIENCE. I KNOW THERE ARE A LOT OF THEM OUT THERE.

AT THIS TIME, I BELIEVE -- SUSIE, YOU WANT ME TO GO AHEAD AND CALL THE FIRST SPEAKER?

MS. CAMPBELL: PLEASE.

MR. MCVEY: WE ARE GOING TO GO AHEAD AND CALL THE FIRST SPEAKER.

MR. HOWARD DUVALL, JR. IS GOING TO TALK ABOUT JAMES NEELY CALDWELL, III.

MR. DUVALL: JUDGE BARBER, MEMBERS OF THE JUDICIARY, MEMBERS OF THE RICHLAND BAR, LADIES AND GENTLEMEN.

I'M HOWARD DUVALL, RETIRED EXECUTIVE DIRECTOR OF THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA. IT IS MY HONOR TO MEMORIALIZE JAMES NEELY CALDWELL, III, WHO DIED ON MARCH 10, 2011. JIM WAS THE SECOND EXECUTIVE DIRECTOR OF THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA.

JAMES NEELY CALDWELL, III WAS THE SON OF JAMES AND RUBY GRAHAM CALDWELL, JR. HE WAS BORN ON NOVEMBER THE 26TH, 1926, IN ROCK HILL. IN 1940, HIS FATHER, JIM CALDWELL, JR., KNOWN AS "MR. JIM" TO HIS COLLEAGUES, WAS NAMED THE FIRST EXECUTIVE DIRECTOR OF THE NEWLY-FORMED MUNICIPAL ASSOCIATION OF SOUTH CAROLINA. HE MOVED HIS FAMILY TO COLUMBIA TO TAKE THIS POSITION.

JIM CALDWELL GRADUATED FROM UNIVERSITY HIGH IN 1944. AFTER SERVING 20 MONTHS IN THE U.S. ARMY IN GERMANY, HE RETURNED TO COLUMBIA AND GRADUATED FROM THE UNIVERSITY OF SOUTH CAROLINA WITH A BACHELOR OF ARTS IN 1948. IN 1950, AT AGE 24,

HE RECEIVED HIS LAW DEGREE FROM USC AND WAS ADMITTED TO THE SOUTH CAROLINA BAR THE SAME YEAR.

CALDWELL WENT TO WASHINGTON IN 1951 AS A STAFF ATTORNEY FOR THE NATIONAL INSTITUTE OF MUNICIPAL LAW OFFICERS. HE WAS ADMITTED TO PRACTICE BEFORE THE BAR OF THE DISTRICT OF COLUMBIA AND THE U.S. SUPREME COURT. HE WAS LATER EMPLOYED AT THE U.S. DEPARTMENT OF JUSTICE AS A TRIAL ATTORNEY IN THE CRIMINAL DIVISION AND LATER AS A LEGAL ASSISTANT TO THE INTERNAL SECURITY DIVISION.

IN 1955, SENATOR OLIN D. JOHNSTON APPOINTED HIM AS ASSISTANT COUNSEL OF THE SPECIAL SENATE POST OFFICE AND CIVIL SERVICE COMMITTEE TO INVESTIGATE THE GOVERNMENT EMPLOYEE SECURITY PROGRAM. CALDWELL ALSO SERVED AS COUNSEL TO THE U.S. SENATE JUDICIARY COMMITTEE.

IN OCTOBER OF 1957, THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA RETAINED HIM AS ITS FIRST LEGAL COUNSEL AND LEGISLATIVE RESEARCH ASSISTANT. IN FEBRUARY, 1959, CALDWELL WAS ELECTED ASSISTANT DIRECTOR AND LEGISLATIVE COUNSEL.

HIS FATHER, JIM CALDWELL, JR., DIED ON AUGUST 4, 1960, AFTER A BRIEF ILLNESS. ON AUGUST 31, THE EXECUTIVE COMMITTEE APPOINTED JIM CALDWELL, III, AS INTERIM EXECUTIVE DIRECTOR. IN JUNE, 1961, THE EXECUTIVE COMMITTEE APPOINTED HIM AS THE NEW EXECUTIVE DIRECTOR.

CALDWELL CONTINUED HIS FATHER'S WORK OF BUILDING A STRONG ASSOCIATION TO REPRESENT THE CITIES AND TOWNS OF SOUTH CAROLINA. HIS REPORTS PUBLISHED IN SOUTH CAROLINA CITY SPOKE OF THE STUGGLE TO PASS LEGISLATION TO ENABLE CITIES TO PROVIDE FOR THE GROWING DEMANDS FOR SERVICES BY THEIR RESIDENTS.

UNDER HIS LEADERSHIP, A LOCAL GOVERNMENT AMENDMENT TO THE STATE CONSTITUTION WAS OFFERED TO THE VOTERS IN 1972. VOTERS PASSED THE HOME RULE AMENDMENT,

ARTICLE VIII, AND THE LEGISLATURE RATIFIED THE AMENDMENT IN 1973.

ALL OF JIM CALDWELL'S ARTICLES IN SOUTH CAROLINA CITY CONTAINED THIS QUOTE BY DE TOCQUEVILLE AS A SIDEBAR, EVERYONE OF HIS ARTICLES OVER THE YEARS THAT HE WAS THERE,

"MUNICIPAL INSTITUTIONS CONSTITUTE THE STRENGTH OF FREE NATIONS. A NATION MAY ESTABLISH A SYSTEM OF FREE GOVERNMENT, BUT WITHOUT MUNICIPAL INSTITUTIONS IT CANNOT HAVE THE SPIRIT OF LIBERTY."

CALDWELL RETIRED FROM THE MUNICIPAL ASSOCIATION IN 1973. HE BECAME A COUNSEL FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND RETIRED FROM STATE GOVERNMENT IN 1986. HE WAS AN ACTIVE MEMBER OF FIRST PRESBYTERIAN CHURCH, THE PALMETTO CLUB, AND FOREST LAKE COUNTRY CLUB.

JAMES NEELY CALDWELL, III, DIED ON MARCH 10, 2011.

THANK YOU.

MR. MCVEY: TOM COGGINS IS GOING TO SPEAK ABOUT LINDSAY HIGHTOWER CATHCART.

MS. CAMPBELL: MAY IT PLEASE THE COURT, YOUR HONOR.

THE COURT: YES, MA'AM.

MS. CAMPBELL: MR. COGGINS COULD NOT BE HERE TODAY. HE'S IN WASHINGTON, D.C. I'M SUSAN CAMPBELL AND I HAVE THE PRIVILEGE OF READING HIS STATEMENT ON HIS BEHALF. MR. COGGINS ACTUALLY WORKED WITH LINDSAY CATHCART'S VERY CLOSE FRIEND, SUE WALTON. SHE PREPARED THIS STATEMENT TO REMEMBER HER.

LINDSAY HIGHTOWER CATHCART, AGE 45, DIED EARLY THURSDAY, MORNING, OCTOBER 6, 2011, AT DUKE MEDICAL CENTER, FOLLOWING A LONG BATTLE WITH CANCER. SHE FOUGHT THE FIGHT WITH GRACE AND WITHOUT COMPLAINT, WITH HER ONLY DESIRE BEING TO SPEND AS MUCH TIME AS POSSIBLE WITH HER BELOVED FAMILY.

LINDSAY IS SURVIVED BY HER HUSBAND, RICHARD CHARLES RICHARDSON CATHCART, SR., AND HER TWO CHILDREN, ELIZA LINDSAY

CATHCART AND RICHARD CHARLES RICHARDSON CATHCART, JR., ALL LIVING IN WEST COLUMBIA. SHE IS ALSO SURVIVED BY HER PARENTS, RONALD AND JANE HIGHTOWER OF LEXINGTON; HER BROTHER WELLS HIGHTOWER OF LEXINGTON; AS WELL AS A HOST OF OTHER FAMILY AND FRIENDS.

LINDSAY WAS BORN IN COLUMBIA, SOUTH CAROLINA. SHE WAS A GRADUATE OF LEXINGTON HIGH SCHOOL AND THE UNIVERSITY OF SOUTH CAROLINA, AS WELL AS THE USC SCHOOL OF LAW. AFTER PRACTICING GENERAL AND FAMILY LAW FOR A NUMBER OF YEARS, LINDSAY EMBARKED ON ANOTHER CAREER. SHE BEGAN WORKING WITH THE USC OFFICE OF RESEARCH COMPLIANCE WHERE THE SKILLS THAT SHE ACQUIRED IN HER LEGAL EDUCATION AND HER PROFESSION PRACTICE PROVED INVALUABLE TO THE TEAM AT USC.

LINDSAY BECAME A FAVORITE OF FACULTY RESEARCHERS WHO QUICKLY LEARNED THAT SHE COULD BE COUNTED ON TO PROVIDE THE HIGHEST QUALITY ASSISTANCE BASED ON IN-DEPTH RESEARCH, ALONG WITH THE ABILITY TO REDUCE COMPLEX REGULATORY ISSUES TO CLEAR AND CONCISE CONCEPTS. MORE THAN THE MESSAGE THAT SHE WAS DELIVERING, IT WAS HER PATIENT AND HER POSITIVE DELIVERY OF SERVICES THAT WERE TRULY APPRECIATED AT USC.

LINDSAY'S POSITIVE ATTITUDE, HER WORK ETHIC, HER COMMITMENT TO EXCELLENCE MADE EVERY DAY A GREAT DAY IN THE OFFICE. SHE WAS TRULY A RARE EMPLOYEE, A CO-WORKER, AND A GOOD FRIEND.

NOW, ON A PERSONAL NOTE, LINDSAY WAS AN AVID READER WHO FOUND A WAY TO COMBINE HER LOVE FOR BOOKS WITH SPENDING TIME WITH HER FRIENDS. SHE ESTABLISHED THE READ AND "WHINE" CLUB -- W-H-I-N-E -- THAT WAS OFTEN SUBSTITUTED WITH THE READ WINE THAT WE ALL KNOW. SHE ESTABLISHED THAT IN SEPTEMBER, 2010, AND THE CLUB WAS SET UP WITH A FOCUS ON READING; HOWEVER, IT WAS AND IT CONTINUES TO BE A TIME FOR FRIENDS TO GATHER TO

DISCUSS THE RIGORS OF THEIR EVERYDAY LIVES AS INDEPENDENT LADIES, READERS, MOMS, WIVES, WORKERS, COMMUNITY ACTIVISTS, VOLUNTEERS, AND SO MUCH MORE.

LINDSAY WAS AT THE TOP OF THAT LIST. SHE FOUND TIME WITH HER FRIENDS TO BE REWARDING EVEN IN THE DAY TO DAY ROUTINE. IT WAS HER IDEA TO SHARE THE SELVES AND THE LIVES OF THE WOMEN THROUGH THIS CLUB.

LINDSAY LOVED THE SIMPLE THINGS IN LIFE, ESPECIALLY ANY ACTIVITY THAT INVOLVED HER TWO CHILDREN AND HER FAMILY. A CAMPSITE AT THE BEACH OR IN THE MOUNTAINS WAS BETTER THAN A FIVE-STAR RESORT TO HER. RICHARD, ELIZA, AND RICHARDSON WERE ALWAYS ALONG WITH HER FOR THE ADVENTURE.

THERE IS NO DOUBT THAT HER INCREDIBLE STRENGTH AND DETERMINATION TO FIGHT SO BRAVELY SUCH AN UNFORGIVING DISEASE WAS BORN OUT OF HER LOVE AND DESIRE TO SPEND AS MUCH TIME AS POSSIBLE WITH HER FAMILY.

LINDSAY TRULY WAS AN INSPIRATION TO ALL WHO KNEW HER AS EVIDENCED IN THE FOLLOWING COMMENTS BY HER CO-WORKERS.

“IT IS HARD TO IMAGINE A BRAVER AND MORE COURAGEOUS PERSON THAN LINDSAY AS SHE FOUGHT AN UNFORGIVING DISEASE WITHOUT COMPLAINT AND WITH GREAT DIGNITY.”

“SHE WAS BRAVE, COURAGEOUS, DIGNIFIED, BEAUTIFUL, POSITIVE PRESENCE, AN AMAZING SPIRIT.”

“LINDSAY HAD A WAY OF BRINGING CALM, HAPPINESS, AND WARMTH INTO ANY SITUATION REGARDLESS OF THE INSURMOUNTABLE HARDSHIP SHE WAS DEALING WITH ON A PERSONAL FRONT.

LINDSAY HIGHTOWER CATHCART DIED EARLY THURSDAY MORNING, OCTOBER 6, 2011.

MR. MCVEY: WAYNE ALLEN MYRICK, JR., WILL OFFER REMARKS ABOUT JOHN KEVIN CROUT.

MR. MYRICK: MAY IT PLEASE THE COURT?

I MET JOHN CROUT IN THIS COURTHOUSE IN 2003. WE WENT TO SEE JUDGE COOPER TO TAKE THE OATH TO MAINTAIN THE CONFIDENCES OF THE STATE GRAND JURY; AND HE GAVE ME A RIDE BACK TO THE ATTORNEY GENERAL'S OFFICE THAT DAY AND IT WAS IN THE ATTORNEY GENERAL'S OFFICE, EIGHT YEARS LATER, WHEN I LEARNED OF HIS PASSING.

EIGHT YEARS IS NOT A LONG TIME AND I CANNOT CLAIM TO HAVE BEEN JOHN'S DEAREST OR HIS OLDEST FRIEND; BUT IT WAS LONG ENOUGH TO UNDERSTAND HIS QUALITIES THAT MADE HIM SO BELOVED. HE HAD MORE FRIENDS THAN ANYONE I'VE EVER KNOWN; AND AT HIS FUNERAL, IT WAS STANDING ROOM ONLY.

HE WAS GALLANT TOWARDS WOMEN AND COURTEOUS AND HE WOULD NEVER ALLOW A WOMAN TO WALK THROUGH A DOOR THAT HE WASN'T HOLDING. HE WOULD CARRY THEIR BAGS.

JOHN WAS ALSO INTERLECTUALLY CURIOUS AND HE WOULD DISCUSS WITH YOU THE CAMPAIGNS OF THE CIVIL WAR, SOUL MUSIC OF THE '60'S AND '70'S, AND THE TENETS OF BUDDHISM AT LENGTH.

THERE ARE A LOT OF THINGS I DIDN'T KNOW ABOUT JOHN BECAUSE HE DIDN'T SPEAK OF HIMSELF IN TERMS OF HIS ACCOMPLISHMENTS. I DIDN'T KNOW UNTIL HE WAS GONE THAT HE HAD BEEN THE STUDENT BODY PRESIDENT OF RICHLAND NORTHEAST; OR THAT HE HAD BEEN AN HONOR STUDENT WHILE HE WAS AT THE CITADEL.

AND MOST PARTICULARLY, JOHN WAS GENEROUS. IF HE SAID COME MEET US AT A TAILGATE AND YOU SAID, JOHN, WHAT CAN I BRING? HE'D SAY, NO, MAN, DON'T BRING ANYTHING, I'VE GOT IT. YOU BRING YOURSELF AND BE READY TO HAVE A GOOD TIME.

THE WORK HE DID FOR THE ATTORNEY GENERAL WAS ALL EXCLUSIVELY TRIAL WORK AND IT WAS ALL DONE BEFORE JURIES; AND IN A COURTROOM BEFORE A JURY, JOHN HAD PRESENCE. HE WAS A BIG MAN AND HE HAD A BIG BOOMING VOICE; AND NEVER ONCE DID I SEE

HIM EXHIBIT THE NERVOUSNESS THAT AFFLICTS SO MANY OF US BEFORE A JURY.

ONE DAY IN ABBEVILLE, WE WERE GETTING READY TO GO BACK INTO COURT AFTER A BREAK AND HE WAS GETTING READY TO ARGUE TO THE JURY AND WHILE MOST OF US WOULD BE SCRIBBLING ON A LEGAL PAD, HE WAS SHOVELING FOOD IN HIS MOUTH. AND I SAID, JOHN, WHAT ARE YOU GOING TO DO WHEN YOU GET BACK IN THERE? AND HE SAID, I'LL TELL YOU WHAT I'M GOING TO DO. I'M GOING TO WAKE THAT JURY UP. I'M GOING TO REMIND THEM WHAT THIS GUY DID; THEN I'M GOING TO MAKE THEM ANGRY THAT IT HAPPENED IN THEIR COUNTY AND I'M GOING TO ASK THEM TO CONVICT THIS MAN. AND THAT IS EXACTLY WHAT HAPPENED.

NONE OF US WHO WORKED WITH HIM WERE EVER SO SURPRISED WHEN A JURY DID EXACTLY WHAT JOHN CROUT ASKED THEM TO.

NOW, IN THE PRACTICE OF LAW, WE ALL STRIVE TO WIN AND WE ALL STRIVE TO BE RIGHT; BUT IN A COURTROOM, AT THE END OF A TRIAL, THERE'S ONLY ONE WINNER AND YOU CAN'T WIN EVERY TIME. LAWYERS ARE USED TO WINNING AND WE'RE USED TO BEING RIGHT AND MANY OF US STRUGGLE WITH THE DISAPPOINTMENTS THAT COME WITH OUR PROFESSION. JOHN STRUGGLED MIGHTILY AT THE END OF HIS LIFE. HE STRUGGLED WITH HIS DISAPPOINTMENTS AND IT'S NO SECRET THAT MANY IN OUR PROFESSION STRUGGLE WITH DEPRESSION AND THE MYRIAD OF EVILS THAT ACCOMPANY DEPRESSION.

HIS CO-WORKERS AND HIS COLLEAGUES, I AMONG THEM, NOTICED THAT JOHN WAS NOT -- THE LAST YEAR OF HIS LIFE, HIS REGULAR SELF. HE DIDN'T SEEM LIKE HIMSELF; AND WE WOULD SAY AMONG OURSELVES, BOY, JOHN CROUT SURE IS GRUMPY THIS WEEK. WELL, IT WAS MORE THAN THAT. IT WAS MORE THAN THAT AND WE FAILED TO ACT AND WE FAILED TO RECOGNIZE WHAT WAS GOING ON WITH JOHN; AND WE HAVE SUFFERED HIS LOSS AS A RESULT.

JOHN DONNE , AT THE END OF HIS LIFE, AFTER HE HAD LOST HIS WIFE AND ALL HIS FRIENDS, JOHN DONNE WROTE IN MEDITATION XVII, THAT WE ARE ALL THE LESSER FOR HAVING LOST ONE OF US. AND I WOULD SUBMIT THAT OUR PROFESSION IS LESSER FOR HAVING LOST JOHN. WE ARE ALL DIMINISHED; OUR PROFESSION IS DIMINISHED, AND IT IS TOO LATE.

BEHIND THE LOCKED DOORS OF THE STATE GRAND JURY, THERE IS A SMALL MEMORIAL TO JOHN CROUT. I DON'T KNOW WHO PUT IT THERE; BUT IT CONSISTS OF A PHOTO TAKEN OF HIM IN DECEMBER, 2010 , WHEN HE WAS OUT WITH FRIENDS AND HE'S WEARING A TURTLENECK AND A CAMEL HAIR BLAZER AND HE LOOKS HANDSOME AND AT EASE AND CONFIDENT. THAT'S HOW I'M GOING TO REMEMBER JOHN.

IN THE FUTURE, WHEN YOU SEE SOMEONE STRUGGLE, WHEN THEY DON'T SEEM LIKE THEMSELVES, TAKE THE CHANCE AND MAKE THE EFFORT TO SAY SOMETHING AND DO SOMETHING NOT ONLY FOR THEIR BENEFIT BUT FOR YOURS. FOR THE PEOPLE OUTSIDE OF THE WALLS OF THIS COURTHOUSE WHO NEED A GOOD LAWYER AND FOR THOSE OF US WITHIN THE PROFESSION WHO NEED A MENTOR AND A FRIEND.

JOHN CROUT REPRESENTED THE QUALITIES OF WHAT IS BEST IN OUR PROFESSION; AND IN ADDITION, HE WAS EXUBERANT AND GREGARIOUS AND WE'RE ALL THE LESSER FOR HIS LOSS.

THANK YOU.

MR. MCVEY: I WOULD LIKE TO ASK MR. HERBERT C. CASSELL, JR., TO COME FORWARD AND SPEAK ABOUT LEWIS MOYER HENDERSON.

MR. CASSELL: MAY IT PLEASE THE COURT?

A MEMORIAL IS ALWAYS ACTUALLY A REMEMBRANCE. A REMEMBRANCE OF AN EVENT, OR IN THIS CASE, A PERSON. THAT PERSON IS LEWIS HENDERSON.

SOME HERE TODAY KNEW LEWIS AND SOME DIDN'T. FOR THOSE WHO DID NOT KNOW HIM, HE WAS A BIG MAN. SIX FEET TWO

INCHES AND 295 POUNDS. HE WAS HARD TO MISS IN A CROWD AND YOU PROBABLY NOTICED HIM OVER THE YEARS BUT JUST DIDN'T KNOW HIS NAME. FOR ME, HE WAS MY CLOSEST AND DEAREST FRIEND. IN OTHER WORDS, WE HAD A BOND TOGETHER THAT TWO FRIENDS COULD HAVE AS STRONG AS POSSIBLE.

BUT AS WE SIT HERE TODAY, THESE REMEMBRANCES ALWAYS MAKE US THINK "WHAT WILL I BE REMEMBERED FOR"? WELL, JUDGE BARBER WILL BE REMEMBERED AS A GREAT JURIST. SOME OF YOU AS GREAT TEACHERS, ENGINEERS, AND SO FORTH; BUT HOW DO WE REMEMBER LEWIS? THAT'S A DIFFICULT TASK IN A SHORT PERIOD TIME BECAUSE SO MUCH COULD BE SAID ABOUT LEWIS. I KNOW MY COMMENTS WILL NOT DO JUSTICE TO GIVING YOU A REAL DESCRIPTION OF THE QUALITIES THAT MADE LEWIS THE PERSON HE WAS; AND FOR THAT, I APOLOGIZE TO HIM.

LEWIS WAS BORN FEBRUARY 2, 1954, AND GREW UP IN CLINTON, SOUTH CAROLINA -- OR IF YOU'RE FROM CLINTON, IT'S CLINTON -- WITH TWO BROTHERS, LYKES AND NOLAN, AND TWO SISTERS, IRENE AND CAROLYN. HE ATTENDED CLINTON HIGH SCHOOL, GRADUATED AND WENT ON TO WAKE FOREST UNIVERSITY WHERE HE MAJORED IN ACCOUNTING. WHILE THERE, HE PLAYED FOR THE WAKE FOREST DEMON DEACONS FOOTBALL TEAM AND WAS CAPTAIN OF THE TEAM. THIS HONOR WAS NOT SURPRISING. LEWIS WAS ALWAYS A LEADER. A PERSON WHOSE OPINION AND DIRECTION WERE VALUED. SOME HERE TODAY WORKED FOR LEWIS OR WERE CLIENTS OF LEWIS', AND THE ADVICE AND GUIDANCE HE PROVIDED LEAD YOU TO THE SOLUTIONS THAT YOU NEEDED, AND ARE A TESTAMENT TO HIS APPROACHABILITY AND LEADERSHIP ON A PROFESSIONAL LEVEL. SOME HERE TODAY ARE FRIENDS AND FAMILY WHO ALWAYS KNEW THEY COULD GO TO LEWIS IN TIME OF NEED -- THAT LEWIS WOULD FIX THE PROBLEM OR DO WHAT WAS NECESSARY TO PROTECT AND LEAD HIS FRIENDS AND FAMILY DURING DIFFICULT TIMES. I KNOW EACH OF YOU

CAN RECALL AN INSTANCE WHERE THAT'S BEEN THE CASE.

BUT ONE TRAIT LEWIS WAS KNOWN FOR WAS THAT HE WAS A BRILLIANT MAN, A MAN OF EXTREME INTEGRITY. AS TO INTEGRITY, IT WASN'T NECESSARILY THE BIG THINGS. IT WAS ALSO THE SMALL THINGS. WHEN WE PLAYED GOLF, LEWIS WOULD ALWAYS FOLLOW THE RULES TO A TEE. UNFORTUNATELY, THE REST OF US, NOT SO MUCH. A LOT OF TIMES WHEN WE WERE PLAYING, THE BALL WOULD GET LOST OVER IN THE WOODS, WE'D ALL GO OVER TO TRY TO FIND THE BALL; AND LEWIS' COMMENT WAS ALWAYS, EVERYBODY WALK AWAY AND THE BALL WILL FIND ITS WAY BACK. AND, MIRACULOUSLY, IT DID AND IT WAS ALWAYS IN A GREAT LOCATION.

LEWIS WAS NOT ONLY AN ATTORNEY BUT HE WAS A CERTIFIED PUBLIC ACCOUNTANT FOR OVER 30 YEARS. AFTER BEING IN A PARTNERSHIP, HE FOUNDED HIS OWN BUSINESS, HENDERSON & ASSOCIATES, WHICH HE OWNED UNTIL HIS DEATH.

AS A PART OF HIS ACCOUNTING PRACTICE, LEWIS GAINED THE REPUTATION AS PREEMINENT EXPERT WITNESS IN FORENSIC ACCOUNTING. HIS KNOWLEDGE OF THE LAW, HIS ANALYSIS AND CREDIBILITY WAS DULY NOTED BY BOTH THE BENCH AND THE BAR.

BEING THE BRILLIANT PERSON THAT HE WAS MADE THINGS EASY FOR HIM WHICH WAS NOT THE CASE FOR MOST OF US.

I RECALL WHEN WE WERE IN LAW SCHOOL TOGETHER, WE WERE TAKING A CLASS ON THE UNIFORM COMMERCIAL CODE. IT'S A SUBJECT THAT'S TECHNICAL AND DIFFICULT. IN THIS CLASS, THERE WAS TO BE ONLY ONE EXAM. IT WAS AN OPEN BOOK TEST WHICH WE ALL KNEW WAS NOT GOOD. WHAT THAT MEANT WAS THE PROFESSOR WAS TELLING YOU, THE EXAM WAS GOING TO BE SO HARD, FEEL FREE TO USE YOUR BOOK. IT WAS ONE GRADE AND WHATEVER YOU GOT ON THAT EXAM WAS THE GRADE FOR THE COURSE. I DON'T KNOW ABOUT OTHERS, BUT I WAS TERRIFIED. I SPENT HOURS IN THE LAW SCHOOL LIBRARY REVIEWING NOTES, MAKING OUTLINES, DISCUSSING ISSUES WITH OTHER

STUDENTS. THIS WENT ON FOR WEEKS. FINALLY, THE DAY OF THE EXAM COMES. WE ARE SITTING THERE IN ONE OF THE AUDITORIUMS DOWN IN THE LAW SCHOOL. I WAS ON THE SECOND ROW; LEWIS WAS ON THE THIRD, JUST OVER MY RIGHT SHOULDER. AS THE EXAM WAS BEING HANDED OUT, I SUDDENLY HEARD THE CRINKLING SOUND OF CELLOPHANE. I LOOKED OVER MY SHOULDER AND TO MY SHOCK, LEWIS HAD WAITED UNTIL THE EXAM WAS ABOUT TO BEGIN TO FINALLY UNWRAP HIS TEXT BOOK! I WAS WRITING FEVERISHLY AND FINALLY FINISHED. AFTER THE EXAM, WHEN I EXPRESSED SHOCK, LEWIS SAID, "WELL, YOU KNOW, I JUST TOOK A FEW MINUTES TO LOOK OVER THE INDEX, TO GET A "LAY OF THE LAND", AS HE SAID; AND THEN I STARTED WRITING. NEEDLESS FOR ME TO SAY, HE PASSED. FOR ME, SOME THINGS JUST AREN'T FAIR.

IN OTHER INSTANCES, LEWIS WOULD SHOW UP AT THE LAW SCHOOL FOR CLASS. AS MANY OF YOU KNOW, THERE'S A LARGE SITTING AREA, LOBBY, WHICH SEPARATES THE CLASSROOMS FROM THE LAW LIBRARY. AND THIS AREA WAS FILLED WITH LARGE -- AT THE TIME, WE WERE IN LAW SCHOOL, FILLED WITH LARGE CHAIRS AND SOFAS THAT WERE VERY COMFORTABLE. LEWIS WOULD COME IN, SIT DOWN, SMOKE A CIGARETTE, AND WAIT FOR CLASS. HOWEVER, SOMETIMES WHEN CLASS WAS STARTING, LEWIS WOULD JUST DECIDE HE WAS TOO COMFORTABLE AND NEVER GET UP TO GO TO THE CLASSROOM. THE CLASS WOULD START, THEN IT WOULD EVENTUALLY ADJOURN, AND THE STUDENTS WOULD LEAVE WITH THE PROFESSOR WALKING RIGHT BY LEWIS AND LOOKING PUZZLED TO SEE HIM SITTING THERE. LEWIS WAS GOOD AT GETTING TO THE BUILDING, BUT HE WAS NOT SO GOOD AT GETTING TO THE CLASS, AND AFTER ALL, ISN'T GETTING TO THE CLASS THE MOST IMPORTANT PART? WELL, APPARENTLY NOT!!!

ANYWAY, AFTER LAW SCHOOL, I STARTED A PARTNERSHIP IN 1982 WITH A FRIEND OF MINE AND WE WERE NEEDING AN ACCOUNTANT. I TOLD MY PARTNER LEWIS WAS THE GUY WE NEEDED. MY PARTNER

ASKED WHY AND I SAID, THE GUY IS A GENIUS. YOU CAN'T DO SO LITTLE AND GET THROUGH LAW SCHOOL WITHOUT BEING SO SMART. THE FIRM GOT LARGER AND 30 YEARS LATER, UNTIL THE DAY OF HIS DEATH, HE WAS STILL THE LAW FIRM'S ACCOUNTANT.

I WOULD BE REMISS IN NOT MENTIONING LEWIS' LAUGHTER. LEWIS WAS ALWAYS IN A GOOD MOOD AND LAUGHING ABOUT SOMETHING. AT SIX FEET TWO INCHES AND 295 POUNDS, HE HAD A HUGE LAUGH. THERE WAS ALWAYS SOMETHING THAT HE DID OR THAT SOMEONE ELSE DID THAT MADE HIM LAUGH! AND HIS LAUGH HAD BECOME HIS TRADEMARK. IT WAS ONE OF THOSE THINGS THAT MADE YOU LAUGH EVEN IF YOU DIDN'T KNOW WHAT HE WAS LAUGHING ABOUT. IT WAS CONTAGIOUS. BUT IT WAS A QUALITY THAT MADE LEWIS SO APPROACHABLE – SO LIKEABLE AND SO MUCH FUN. OFTEN WAITRESSES WOULD ASK, "WHERE'S THE BIG GUY THAT'S ALWAYS LAUGHING?" THEY DIDN'T KNOW HIS NAME, THEY JUST KNEW HIM AS THE GUY THAT WAS ALWAYS LAUGHING. BUT MOST IMPORTANTLY, WHEN YOU HAD A PROBLEM OR WHEN YOU WERE DEPRESSED OR UNHAPPY, SOMEHOW THAT LAUGH AND BEING AROUND LEWIS MADE IT ALL BETTER.

THE BIBLE REFERENCES THE WORD GENEROUS OR GENEROSITY OVER 160 TIMES. IT IS ONE OF GOD'S MOST PROMINENT MESSAGES TO US. LEWIS WILL PROBABLY BE BEST REMEMBERED FOR HIS GENEROSITY. LEWIS AND I MET IN LAW SCHOOL IN 1976. HOW WE MET, I CAN'T RECALL. I GUESS I WAS ONE OF THOSE THAT JUST GOT ATTRACTED TO HIS LAUGHTER, HIS SENSE OF HUMOR AND I REALIZED HE WAS SMART SO I OUGHT TO HANG AROUND THIS GUY. UNTIL HIS ILLNESS, WE ATE LUNCH EVERY DAY TOGETHER. IN FACT, OUR PICTURES ARE HANGING IN GROUCHOS DOWN IN FIVE POINTS. WE GAVE A SCHOLARSHIP TO THE UNIVERSITY FOR 20 YEARS, PLAYED GOLF, AND ON WEEKENDS, WE AND OUR WIVES WOULD ALWAYS BE DOING SOMETHING. YET DURING THOSE YEARS, THERE WERE TRAGEDIES IN MY LIFE AND I'M SURE IN THE LIVES

OF SOME OF YOU HERE TODAY. NEVER DID LEWIS NOT HAVE THE TIME TO HELP OR ADVICE TO GIVE. HE DID THIS WHILE STILL CARING FOR HIS OWN FAMILY: HIS WIFE, KITTY, TWO CHILDREN, SIX GRANDCHILDREN, A DAUGHTER-IN-LAW, A SON-IN-LAW. ALL OF THESE THINGS THAT MADE LEWIS THE HAPPIEST WERE HIS GRANDCHILDREN. HE ADORED THEM AND HE WAS GENEROUS WITH THE TIME THAT HE SPENT WITH EACH OF THEM.

HE ALSO SERVED FOR YEARS ON THE BOARD OF DIRECTORS OF THE COOPERATIVE MINISTRY, WHICH IS AN ORGANIZATION SUPPORTED BY LOCAL CHURCHES TO HELP THE HOMELESS. HE PERFORMED PROFESSIONAL WORK OFTEN KNOWING THAT THE PERSON THAT HE WAS DOING THE WORK FOR WOULD NOT BE ABLE TO PAY HIM. LEWIS ALSO SERVED ON VARIOUS COMMITTEES AND THE BOARD FOR A LOCAL BUSINESS WHEN ASKED BECAUSE THEY VALUED HIS ABILITY, KNOWLEDGE, AND INTEGRITY.

AS LEWIS' WIFE KITTY ONCE SAID, "LEWIS INVESTED IN PEOPLE". HE WAS ALWAYS THERE WHEN YOU NEEDED HIM AND HE NEVER ASKED FOR ANYTHING IN RETURN.

FOR ALL OF US THAT KNEW AND LOVED LEWIS, LIFE IS NOT AND PROBABLY NEVER WILL BE THE SAME. BUT GOD TELLS US IN SECOND TIMOTHY THAT EACH DAY IS A GIFT FROM GOD. WE ARE TO REJOICE AND BE GLAD IN IT. FOR US, THE NUMBER OF DAYS ARE DIFFERENT, BUT LEWIS WAS A GIFT FOR EACH OF THEM. EVEN THOUGH WE LOST HIM JULY 16, 2011, AT THE AGE OF 57, WE WILL REJOICE IN THE DAYS HE WAS HERE AND IN THE MEMORIES WE WILL RECALL IN THE YEARS TO COME.

THANK YOU.

MR. MCVEY: AT THIS TIME, I WOULD LIKE TO ASK THE HONORABLE LESLIE K. RIDDLE TO COME DOWN AND SPEAK ABOUT GEORGE EUGENE LEWIS, SR.

JUDGE RIDDLE: LET ME START OFF WITH, I THINK ,THE REASON THAT I WAS SELECTED FOR THIS IS BECAUSE EVERYBODY

THINKS THAT, MAYBE, I CAN MAKE IT LONGER WITHOUT CRYING. I'VE HEARD ALL THESE SPEECHES ABOUT THE LAWYERS BEFORE I CAME TO SPEAK ABOUT WHO ALWAYS CALLED AS MR. LEWIS , BUT I'M GOING TO CALL HIM GENE FOR Y'ALL'S BENEFIT.

I KNOW HIM IN A DIFFERENT WAY THAN A LOT OF THESE PEOPLE THAT ARE SPEAKING. HE WAS MY GODFATHER AND I WAS NAMED AFTER HIM. THERE'S NOT A MAN IN THIS ROOM THAT CAN EVEN HOLD A CANDLE TO HIM. MY MEMORIES OF HIM ARE NOT THE LAW PROFESSION. THEY AREN'T FIGHTING IN THE COURTROOM. THEY ARE GROWING UP AND BEING AROUND HIM. I DON'T REMEMBER SUMMERS WHEN I WAS A LITTLE GIRL THAT I WASN'T AT THE BEACH SPENDING TIME WITH HIS WONDERFUL WIFE, PEGGY, WHO WAS HIS LIFE -- WHO BY THE WAY, THEY WERE MARRIED FOR 52 YEARS AND ON A HAPPY NOTE, MY DAD INTRODUCED THEM. I'M NOT SURE IF PEGGY MIGHT HAVE BEEN A CLIENT FOR A WILL OR AN ARMED ROBBERY; BUT THEY WERE BEST FRIENDS. AND SO, I GREW UP MY WHOLE LIFE GOING TO THE SWIMMING POOL AND TO THE BEACH AND HAVING DAD AND GENE WATCH US PLAYING IN THE SAND, FIGHTING -- TAMMY, MONK --- TOMMY WAS TOO OLD -- EDWIN. I CAN ALSO REMEMBER HIM SAYING TO MY MOM, I DON'T KNOW HOW YOUR CHILDREN GREW UP SO WELL TO HAVE BEEN SO WILD. BUT MY MEMORIES OF HIM ARE ATTACHED TO THE OUTSIDE OF THE LAW PROFESSION. I CAN REMEMBER SWIMMING IN THE POOL, AT THE BEACH; BUT I CAN ALSO REMEMBER AT MYRTLE BEACH IN THE JENSONS HOUSE ON A SWING, SITTING NEXT TO ME RUBBING MY HEAD WITH MY HEAD IN HIS LAP, TELLING ME TO GET OUT OF THE TREE, I WAS GOING TO BREAK SOMETHING. THOSE ARE THE MEMORIES I HAVE.

SO WHENEVER I WAS TRYING TO DECIDE HOW I WAS GOING TO TALK ABOUT HIM, I THOUGHT ABOUT WHAT'S REALLY IMPORTANT. I THOUGHT ABOUT THE FACT THAT HE GREW UP IN CONWAY. I THOUGHT ABOUT THE FACT THAT HE WENT TO THE UNIVERSITY OF SOUTH CAROLINA. I THOUGHT ABOUT IT WAS REALLY INTERESTING THAT WHEN

I WENT OVER TO SEE PEGGY THE OTHER DAY -- NOTICE I'M CALLING HER PEGGY, NOT MRS. LEWIS -- ANYWAY, I WENT OVER THERE AND WE WERE DOING LITTLE THINGS TO HELP HER AND SHE POINTED OUT THE FACT THAT HE WAS WIG AND ROBE IN LAW SCHOOL, WHICH IS A REALLY BIG DEAL. THAT MEANS YOU'RE REALLY, REALLY SMART. I WAS TOILET AND PLUNGER, WHICH BY THE WAY, DAD SAID WAS OKAY BECAUSE YOU'RE STILL A LAWYER. BUT HE HAD NEVER TAKEN THAT PLAQUE TO THE OFFICE. HE LEFT IT AT HIS HOME IN HIS OFFICE THERE.

I REMEMBER DIFFERENT CHARACTERISTICS ABOUT HIM. HE WAS KIND. HE WAS THOUGHTFUL. HE WAS LOVING. HE WAS SMART. HE WAS A ROCK. AND THEN I GOT AFRAID BECAUSE I REALLY DIDN'T KNOW HIM, OTHER THAN AT THE VERY BEGINNING WHEN I BECAME A JUDGE -- HIM COMING IN THE BACK OF THE COURTROOM AND STANDING TO WATCH TO MAKE SURE I WAS DOING A GOOD JOB. I THINK DAD SENT HIM IN THERE. BUT ANYWAY, HE WOULD STAND AND WATCH; BUT I THOUGHT, WHAT -- HOW CAN I FIND OUT WHAT HIS CHARACTERISTICS AS A LAWYER WERE. SO I CALLED A COUPLE OF HIS LAW PARTNERS; AND I TALKED TO DUBY SPRUILL AND I TALKED TO DANNY CROWE, "CUTIE-PIE"; AND I SAID, TELL ME ABOUT GENE LEWIS, AS A LAWYER, BECAUSE I KNOW HIM AS MY GODFATHER; AND HE STARTED USING ADJECTIVES THAT WERE JUST LIKE THE ONES I USED AS A PERSON TO ME, MY GODFATHER. PATIENCE, KINDNESS, STRENGTH -- OH, BY THE WAY, VERY, VERY, VERY HANDSOME. YOU DID A GOOD JOB, PEGGY. MAN, YOU SCORED A BIG ONE. ANYWAY. HE WAS CALLED GORGEOUS GEORGE. HAS A BOTTLE OF WINE WITH THAT NAME ON IT. I SAW THAT AS WELL. BUT ANYWAY, THEY STARTED DESCRIBING HIM THE SAME WAY THAT I DESCRIBED HIM AND IT WAS REAL INTERESTING BECAUSE WHEN I WAS TALKING TO DANNY, HE STARTED TALKING ABOUT WHAT WERE THE CHARACTERISTICS ABOUT HIM THAT MADE HIM SUCH A GOOD SENIOR PARTNER AT TURNER, PADGETT, BECAUSE HE HAD STARTED OUT WITH GEORGE BELL TIMMERMAN AS HIS LAW CLERK AND THEN HE WAS A U.S.

ATTORNEY, AND THEN HE ENDED UP THERE. AND HE SAID, YOU KNOW, THE ONE THING THAT WAS REALLY COOL -- HE DIDN'T USE COOL, BUT I USE COOL-- THE ONE THING THAT WAS REALLY COOL ABOUT GENE WAS THAT WHEN THEY WENT IN TO PARTNER MEETINGS AND THEY WOULD BE SITTING AROUND IN THE MEETINGS, EVERYBODY WOULD BE TALKING. THEY WOULD BE TALKING ABOUT THEIR CASES, TALKING ABOUT PROBLEMS THEY WERE HAVING TO HANDLE, TALKING ABOUT THINGS THAT YOU KNOW LAW FIRMS TALK ABOUT; AND HE NOTICED AND HE ALWAYS NOTICED THAT GENE SAT THERE QUIETLY AND HE LISTENED TO EVERYTHING EVERYBODY WAS SAYING AND HE TOOK IT IN AND HE WAS THOUGHTFUL ABOUT IT AND THEN WHEN EVERYBODY WAS THROUGH TALKING, THEY WOULD ALL TURN AND LOOK AT HIM. AND WHEN HE TALKED, THEY LISTENED. HE WAS THE KIND OF LAWYER THAT WHEN YOU WENT TO COURT, YOU WANTED HIM WITH YOU. YOU WANTED HIM IN YOUR FOXHOLE. IT WAS SO CUTE BECAUSE I CAN JUST PICTURE HIM SITTING CALMLY IN A COURTROOM WHEN EVERYBODY'S FIGHTING AND SOMETHING COMES UP THAT WOULD RATTLE ANY LAWYER IN THE WORLD AND HE WOULD JUST SUCK IT UP, LISTEN TO IT, AND THEN JUST BLOW THEM AWAY. I WISH I COULD HAVE BEEN HIS LAW PARTNER. NOT SO SURE HE WOULD HAVE WANTED TOILET AND PLUNGER WITH ME, BUT I WISH HE WOULD HAVE WANTED ME.

YOU KNOW, ONE OF THE GREATEST JOYS IN MY LIFE WAS THE OPPORTUNITY TO SPEND A FEW MOMENTS WITH HIM WHEN HE WAS IN THE HOSPITAL. I WENT IN TO SEE HIM -- AND I'M GOING TO TELL THIS ON YOU, TAMMY -- NOW, Y'ALL, EVERY HAIR WAS ALWAYS IN PLACE WITH HIM. HE WAS ALWAYS IMPECCABLY DRESSED. HE WAS THE QUINTESSENTIAL GENTLEMAN. AND I WALKED INTO THE HOSPITAL ROOM -- AND I DIDN'T KNOW WHAT I WAS GOING TO SEE TO BE HONEST WITH YOU -- AND I WALKED IN AND I SAW HIM SITTING UP ON HIS BED, LAUGHING AND SMILING, AND THE FUNNY THING IS I SAW SOMETHING I NEVER THOUGHT I WOULD SEE. I SAW HIM EATING A TACO AND

DRINKING A BEER. AND HE HAD TOLD TAMMY THAT, THAT'S WHAT HE REALLY, REALLY WANTED. SO WE'RE ALL SITTING THERE. HE'S LAUGHING. WE'RE TELLING STORIES ABOUT FAMILY AND FRIENDS AND GOOD TIMES AND HE'S SITTING THERE WITH A TACO AND A BEER. ALL OF A SUDDEN, SOMEBODY GOES, THE DOCTOR IS COMING, QUICK; WE'RE GOING TO GET IN TROUBLE. AND WE'RE ALL LIKE -- AND SHE WALKS IN AND IT WAS SO CUTE BECAUSE WHEN SHE WALKED IN, SHE LOOKED AND SHE GOES, WELL, THE ONLY THING WRONG WITH THIS PICTURE IS I DON'T HAVE ONE. BUT THE BEST PART OF THE WHOLE THING IS WHEN I GOT TO BE ALONE WITH HIM BECAUSE THEY NEEDED A BREAK AND SO I GOT TO SIT ALONE WITH HIM AND TALK TO HIM ABOUT THINGS THAT I WANTED TO ASK HIM. AND, YOU KNOW, I CAN TELL WHEN I WAS TALKING TO HIM THAT HE HAD HIS PRIORTIES IN ORDER. I MEAN, REALLY HAD HIS PRIORTIES IN ORDER. GOD WAS FIRST; AND YOU COULD TELL IT. AND HE HAD BEEN GOING TO CHURCH AT EASTMINSTER PRESBYERTERIAN FOR A LONG TIME, BUT GOD WAS FIRST AND IT WAS MOST IMPORTANT. AND SECOND WAS HIS FAMILY. IF YOU COULD HAVE HEARD HIM TALKING TO ME -- AND THEY'LL NEVER BE ABLE TO HEAR THAT, BUT I CAN -- THE WAY HE TALKED ABOUT THEM AND HOW HE LOVED THEM. ONE OF THE THINGS THAT REALLY IMPRESSED ME MOST ABOUT -- THIS IS A SIDE NOTE -- IS HOW PROUD HE WAS OF EVERYONE AND HIS GRANDDAUGHTER. WHEN HE TALKED ABOUT ALL OF THEM, HIS EYES LIT; BUT WHEN HE TALKED ABOUT HOW PROUD HE WAS THAT HIS GRANDDAUGHTER HAD FOLLOWED HIM IN THE LEGAL PROFESSION, IT WAS INSPIRATIONAL BECAUSE HE LOOKS AT ME AND HE GOES, LESLIE, I THINK SHE'S GOT IT. I SAID, I DO, TOO. HE GOES, NO, REALLY, TELL ME. SHE'S REALLY SMART; SHE'S GOT IT, DOESN'T SHE? AND I SAID, I REALLY THINK SHE'S GOING TO BE A GREAT LAWYER. SO HE TALKED ABOUT GOD. I TALKED ABOUT HOW WONDERFUL IT WAS GOING TO BE WHEN HE GOT TO HEAVEN TO GO TO THE RED SOX'S GAME WITH MY DAD AND MY DAD COULD BE BEHIND THE PITCHER'S MOUNT AND HE COULD BE BEHIND HOME PLATE AND HE

COULD CATCH THE BALL AND THEY COULD GO PLAY GOLF AND THEY COULD HAVE HOLE IN ONES ALL THE TIME. I MEAN, I TALKED ABOUT ALL THOSE KIND OF THINGS; BUT HE TALKED ABOUT THOSE PRIORTIES: GOD, FAMILY, FRIENDS, AND LAST, BUT NOT LEAST, HOW PROUD HE WAS TO BE A LAWYER. HE THOUGHT BEING A LAWYER WAS WONDERFUL. HE THOUGHT IT WAS A GREAT PROFESSION AND I THINK HE LOVED IT WITH ALL HIS HEART. IF I COULD JUST BE HALF THE PERSON THAT GENE LEWIS WAS. I WISH EVERYBODY COULD HAVE KNOWN HIM. HE WAS AMAZING. HE WAS GOOD AT EVERYTHING HE DID AND HE HAD A HEART AS BIG AS THIS ROOM. SO I FEEL SORRY FOR EACH AND EVERY ONE OF Y'ALL THAT Y'ALL DID NOT HAVE THE CHANCE, BUT HE WOULD WANT EVERYBODY, I KNOW, TO UNDERSTAND PRIORTIES AND WHAT REALLY COMES FIRST IN LIFE.

I WILL TELL YOU -- I WAS LAUGHING ABOUT THIS MORNING WHENEVER I WAS DRIVING BACK FROM CAMDEN BECAUSE I'VE BEEN THERE THIS WEEK -- AND I WAS THINKING WHAT A CHUCKLE HE WOULD BE HAVING WHEN HE AND DAD ARE SITTING SOMEWHERE IN THIS ROOM DURING A TRIAL AND LAUGHING AT THE LAWYERS WHEN THEY DON'T OBJECT AND EVEN LAUGHING HARDER AT THE JUDGES WHEN THEY DON'T SUSTAIN PROPERLY. WE WERE VERY BLESSED TO HAVE HIM IN OUR LIFE. I WISH Y'ALL COULD HAVE KNOWN HIM.

THANK YOU.

MR. MCVEY: OLLIE SAWYER BURRELL IS GOING TO SPEAK ABOUT KIMBERLY BURRELL MCQUINN.

MS. CAMPBELL: MS. OLLIE BURRELL HAS GIVEN ME THE DISTINCT PRIVELGE OF SPEAKING OF HER DAUGHTER. SHE'S HERE TODAY AND I'M SO GLAD THAT YOU WERE ABLE TO COME WITH TORI.

KIMBERLY BURRELL MCQUINN DIED ON JUNE 29, 2011, FOLLOWING A TRAGIC ACCIDENT AT HOME.

KIMBERLY IS SURVIVED BY HER HUSBAND, RUSTY MCQUINN, AND HER YOUNG DAUGHTER, VICTORIC MCQUINN, LOVINGLY KNOWN TO

THE FAMILY AS “TORI”. SHE IS ALSO SURVIVED BY HER MOTHER, OLLIE B. BURRELL AND FATHER, EDWARD BURRELL; A SISTER, KATRINA ADAMS OF AUGUSTA, GEORGIA; AND HER MOTHER-IN-LAW, CAROLINE MCQUINN. SHE’S LEFT BEHIND MANY FAMILY AND MANY FRIENDS.

KIMBERLY WAS BORN IN BLYTHEVILLE, ARKANSAS ON APRIL 29, 1962. SHE WAS A GRADUATE OF EAU CLAIRE HIGH SCHOOL AND THE UNIVERSITY OF SOUTH CAROLINA, AS WELL AS THE USC SCHOOL OF LAW.

KIMBERLY WAS EMPLOYED AS A HEARING OFFICER HERE WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND AS A HEARING OFFICER, SHE DECIDED VERY IMPORTANT CASES. SHE WAS DEALING WITH THE MOST VULNERABLE IN OUR SOCIETY – CHILDREN AND THE ELDERLY. HER MOM TELLS US THAT KIMBERLY TOOK HER JOB VERY SERIOUSLY AND THAT SHE WORKED HARD EVERYDAY. BUT AS PROUD AS SHE WAS TO BE AN ATTORNEY, SHE WAS MOST PROUD OF BEING A MOTHER. SHE WAS KIND-HEARTED AND SHE THOUGHT OF OTHERS BEFORE HERSELF.

KIMBERLY LOVED LIVING IN SPAIN AS A YOUNG CHILD. HER HAPPIEST TIMES IN HER YOUNGER DAYS INVOLVED PLANNING BIG TRIPS, LONG TRIPS TO SPEND WITH FAMILIES. SHE WOULD USUALLY TREAT HERSELF TO THESE TRIPS AFTER SHE GRADUATED EITHER FROM HIGH SCHOOL, COLLEGE, OR LAW SCHOOL.

HER PARENTS REPORT THAT THE DAY KIMBERLY LEARNED THAT SHE HAD PASSED THE BAR EXAM WAS A SPECIAL DAY. THAT CELEBRATION AND THE SMILE ON HER FACE LASTED DAYS AND DAYS REPORTS HER MOTHER.

KIMBERLY WAS MOST PROUD OF BEING A MOTHER TO “TORI”. KIMBERLY WAS EASY-GOING AND SHE LOVED HER DAUGHTER VERY MUCH. “TORI”, YOUR MOTHER WOULD WANT YOU TO KNOW THAT YOU WERE DEARLY LOVED.

KIMBERLY WAS VERY INTELLIGENT. SHE WAS VERY FUNNY; AND SHE ENJOYED ATTENDING BIBLE WAY CHURCH IN COLUMBIA AND

MAKING MANY FRIENDS THERE.

KIMBERLY HAS BEEN MISSED BY HER FAMILY, HER CO-WORKERS AT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND HER FRIENDS. SHE WAS A PUBLIC SERVANT; SHE WAS A MOTHER; SHE WAS A DAUGHTER; SHE WAS A WIFE.

THANK YOU.

MR. MCVEY: ED MULLINS IS GOING TO SPEAK ABOUT NATHANIEL WELCH MORRISETTE, JR.

MR. MULLINS: MAY IT PLEASE THE COURT?

PROBABLY ONLY A FEW OF YOU HERE TODAY HAD THE PRIVILEGE, AS I DID, OF KNOWING WELCH MORRISETT. BECAUSE ALTHOUGH LIVING TO THE RIPE-OLD AGE OF 89, A TRAGIC ACCIDENT ENDED HIS LEGAL AND POLITICAL CAREER WHILE STILL IN HIS PRIME. SO IT PLEASES ME THAT I CAN TELL A LOT OF YOU TODAY ABOUT THIS MAN WHO SET SUCH AN IMPACT ON THIS CITY AND EVEN ON THIS STATE.

A MAN WHO CAME FROM HUMBLE BEGINNINGS. A MAN WHO HAD NO PRIOR TIES TO A RELATIVE IN THIS CITY OR IN THIS STATE. A REPUBLICAN WHEN IT WAS A SIN HERE TO BE ONE, ALONG WITH JULIUS MCKAY.

ANYWAY, WELCH WAS BORN IN UNIONTOWN, ALABAMA. HE WAS A STUDENT AT THE UNIVERSITY OF ALABAMA WHEN THE WAR BROKE OUT. HE ENLISTED IN THE ARMY AND BECAME A DECORATED VETERAN OF THE CHINA-BURMA-INDIA THEATRE. THERE HE MET HIS WIFE, MARGARET, WHO WAS A VOLUNTEER WITH THE RED CROSS.

WELCH RETURNED TO ALABAMA AND GRADUATED FROM THERE AND THE LAW SCHOOL IN 1947.

THE MORRISETTE FAMILY THEN MOVED TO COLUMBIA WHERE WELCH BECAME THE HEAD JAG OFFICER AT FORT JACKSON. AFTER LEAVING THE MILITARY, WELCH ESTABLISHED A SUCCESSFUL CAREER IN LAW AND POLITICS AND BECAME A PROMINENT FIGURE IN OUR CITY HERE TODAY. HE WAS THE FIRST REPUBLICAN TO BE

APPOINTED U.S. ATTORNEY FOR SOUTH CAROLINA IN 1953. IN 1970, HE WAS THE FIRST REPUBLICAN IN 100 YEARS TO BE ELECTED TO THE COLUMBIA CITY COUNCIL. IN 1971, MORRISETTE AIDED FAMED DEFENSE ATTORNEY F. LEE BAILEY IN THE FAMOUS TRIAL IN WHICH THEY SECURED AN ACQUITTAL OF CAPTAIN ERNEST L. MEDINA FOR HIS ATROCIOUS WAR CRIMES. HE WAS ELECTED TO RICHLAND COUNTY COUNCIL IN 1973. HE WAS CHAIRMAN FROM 1974 TO 1975. HE SERVED IN MANY LEGAL POSITIONS IN SOUTH CAROLINA. HE WAS PRESIDENT OF THIS BAR ASSOCIATION HERE. HE WAS A MEMBER OF THE FOURTH CIRCUIT JUDICIAL CONFERENCE AND THE AMERICAN JUDICATURE SOCIETY. HE WAS VICE-CHAIRMAN OF THE STATE ELECTION COMMISSION WHERE HE IS REMEMBERED FOR HIS STATEMENT ,

“I PROPOSE TO REFORM OUR STATE INSTITUTIONS TO RESIST RATHER THAN INVITE CORRUPTION”.

HE HELPED FIND AND SERVED ON THE BOARD OF THE FIRST CITIZENS BANK. HE WAS REWARDED “THE ORDER OF THE PALMETTO” BY GOVERNOR EDWARDS; AND MOST OF ALL, HE WAS HONORED BY HIS ADOPTED COUNTY IN 1987 WITH A PLAQUE BEARING HIS NAME. AND IF YOU GO DOWN, AFTER THIS THING, BELOW AND LOOK, YOU STILL SEE IT STANDS IN THE LOBBY BELOW US.

WELCH WAS ONE OF THE MOST NATURAL TRIAL LAWYERS I’VE EVER SEEN PERFORM IN THE COURTROOM; AND HE HAD A REMARKABLE PRESENCE THERE ESPECIALLY WHEN CROSS-EXAMINING THE WITNESS. HE WALKED THE COURTROOM AND WORKED THE JURY THEY SAY LIKE THE TOUCH OF AN ANGEL. IT WAS A THRILL, AS A YOUNG LAWYER, TO WATCH HIM DO BATTLE WITH TITANS OF THE BAR LIKE JULIUS MCKAY, HERE TODAY, TOM MCCUTCHEN, HERE TODAY; AND WATCH THEM EXAMINE A WITNESS AT A TIME WHEN THERE WAS NO DISCOVERY. THEY HAD NO PRIOR INFORMATION ABOUT WHAT A WITNESS WAS GOING TO SAY AND IT WAS JUST TRIAL BY AMBUSH, AS WE CALLED IT BACK THEN.

HIS LEGAL AND POLITICAL CAREER WAS BROUGHT TO AN END WHEN A DENTAL SURGERY INJURED HIS VOCAL CHORDS SUCH THAT IT COMPROMISED HIS ABILITY TO ARTICULATE SO WELL AND FOR WHICH HE HAD BEEN SO FAMOUS. TO ME, IT WAS SIMILAR TO A STAR PITCHER RECEIVING A CAREER ENDING INJURY TO HIS ARM AT THE HEIGHT OF HIS CAREER.

HOWEVER, WELCH WAS LIKE A CORK. YOU COULDN'T KEEP HIM DOWN. HE WAS ALWAYS BRIGHT AND CHEERY. IN FACT, HE REINVENTED HIMSELF. HE SOUGHT NEW AND VARIED EXPERIENCES IN THIS NEXT CHAPTER OF HIS LIFE THAT HE ESTABLISHED. HE CHASED SEVERE WEATHER EVENTS, BOUGHT A ROLLS ROYCE AND RODE AROUND TOWN, FLEW TO ICELAND TO WITNESS A VOLCANIC ERUPTION. THOSE ARE ONLY A FEW OF THE THINGS THAT, I GUESS, WERE ON HIS BUCKET LIST AT THAT TIME.

HE WOULD OFTEN REMARK AND WHEN HE NOTED HIS HUMBLE BEGINNINGS -- AND I CAN REMEMBER HIM SAYING THAT-- SAID "MY FATHER USED TO TELL ME THAT MY ONLY INHERITANCE WOULD BE A SOUND MIND AND A STRONG CONSTITUTION".

WELCH IS SURVIVED BY HIS WIFE, DALE; TWO DAUGHTERS, ANNE MORRISETTE AND LOUISA MORRISETTE, BOTH OF WHICH ARE WITH US TODAY; AND TWO GRANDDAUGHTERS, CHRISTINA AND EUGENIA, OF WHOM HE WAS VERY, VERY PROUD; AND HIS BROTHER WILLIAM.

THANK YOU.

MR. MCVEY: HEMPHILL PRIDE, II IS GOING TO SPEAK ABOUT THE HONORABLE MATTHEW J. PERRY, JR.

MR. PRIDE: MAY IT PLEASE THE COURT?

I AM HUMBLE TO APPEAR BEFORE THIS BODY TODAY TO TALK ABOUT MY FRIEND AND OUR COLLEAGUE, JUDGE MATTHEW J. PERRY.

JUDGE PERRY LOVED THE LORD, HIS FAMILY, HIS COUNTRY, THIS STATE, AND THE LAW. HE WAS BORN IN THE WAVERLY

COMMUNITY HERE IN COLUMBIA AND FOR MANY YEARS, I KNEW HIM AND HIS FAMILY.

JUDGE PERRY, IN MY OPINION, WAS AFFECTED BY TWO EXPERIENCES THAT I KNOW OF THAT MADE HIM THE MAN THAT HE BECAME. WHILE SERVING IN THE UNITED STATES ARMY AND AT THAT TIME, THE ARMY WAS SEGREGATED IN WORLD WAR II -- AND I SEE REECE WILLIAMS AND I SEE JOEL COLLINS AND I KNOW THAT JUDGE PERRY TOLD THEM ABOUT THIS EXPERIENCE.

ON THE WAY HOME FROM THE ARMY, JUDGE PERRY, ALONG WITH HIS COLLEAGUES, WERE AT A RESTAURANT EATING AND WHILE THEY WERE EATING AT THIS RESTAURANT, JUDGE PERRY AND THE NEGRO SOLDIERS WERE SEGREGATED AND JUDGE PERRY COULD SEE INSIDE OF THAT RESTAURANT THAT THERE WERE THE WHITE SOLDIERS AND THE PERSONS, THE CAPITIVES, THAT HE HAD FOUGHT ABOUT WERE EATING IN THAT RESTAURANT. I'M CERTAIN THAT, THAT EXPERIENCE CAUSED JUDGE PERRY TO GO TO LAW SCHOOL AND NOT ONLY DID HE GOT TO LAW SCHOOL, BUT WHEN HE BECAME A LAWYER, HE BECAME A CIVIL RIGHTS LAWYER. JUDGE PERRY DISMANTLED SEGREGATION FROM ONE END OF THE STATE TO THE OTHER. OFTENTIMES WHEN JUDGE PERRY WOULD APPEAR BEFORE JUDGES, THEY FELT THAT HE WAS APPEARING BEFORE THEM IN AN UNPOPULAR CAUSE.

THE HONORABLE MARION GRESSETTE, WHO SERVED IN THE GENERAL ASSEMBLY AND WAS CHAIRMAN OF THE JUDICIARY COMMITTEE, FORMED WHAT WAS KNOWN AS THE GRESSETTE COMMITTEE. THE SOLE PURPOSE OF THE GRESSETTE COMMITTEE WAS TO DEFEND SEGREGATION IN THIS STATE. IT WAS RICHLY FUNDED AND HAD UNLIMITED RESOURCES; AND IT HAD SOME OF THE FINEST LAWYERS IN EACH COUNTY AND CITY IN THIS STATE; AND THOSE WERE THE LAWYERS THAT JUDGE PERRY WENT UP AGAINST. JUDGE PERRY DESEGREGATED THE SCHOOLS, THE UNIVERSITIES, THE LUNCH COUNTERS, THE HOSPITALS THROUGHOUT THE STATE OF SOUTH

CAROLINA.

WHEN JUDGE PERRY BECAME A LAWYER, JUDGE PERRY WAS MINDFUL OF THE TREATMENT THAT HE HAD RECEIVED BEFORE JUDGES WHEN THEY THOUGHT THAT HE WAS APPEARING BEFORE THEM WITH AN UNPOPULAR CAUSE AND THAT HAD A LOT TO DO WITH THE KIND OF JUDGE HE WAS. ANYBODY THAT EVER APPEARED BEFORE HIM AS AN LIGITANT, JUDGE PERRY TOOK HIS TIME. HE MADE SURE THAT THEY FELT WELCOMED. HE NEVER DRESSED A LAWYER DOWN. HE RESPECTED ALL LAWYERS, ALL LIGITANTS, AND WHEN YOU LEFT HIS COURT, WHETHER YOU WERE ABLE TO PREVAIL OR NOT, THE ONE THING YOU FELT LIKE AND THAT YOU KNEW, YOU WERE TREATED FAIRLY.

AGAINST MY WIFE'S ADVICE -- SHE TOLD ME TO STICK TO THE SCRIPT -- I'M NOT STICKING TO THE SCRIPT. I'M GOING TO TELL YOU ABOUT A FAMOUS STORY THAT JUDGE PERRY WOULD TELL AND WHEN HE WOULD TELL IT, HE WOULD BEAT HIS AUDIENCE LAUGHING. HE WOULD NOT TELL IT TO A LOT OF PEOPLE BUT HE LOVED IT.

HE LOVED HARVEY GANTT, WHO WAS THE PLAINTIFF THAT DESEGREGATED CLEMSON UNIVERISTY AND HARVEY GANTT WAS JUST A FINE YOUNG MAN. AND WHEN HARVEY GANTT WAS ENROLLED IN CLEMSON, SOME STUDENTS, OBVIOUSLY, WERE NOT VERY NICE TO HIM AND OTHERS WENT OUT OF THEIR WAY TO BE VERY NICE TO HIM. C'EST LA VIE -- THAT'S EXACTLY WHAT IT WAS -- C'EST LA VIE. BUT ANYHOW, HARVEY GANTT, AS A STUDENT AT CLEMSON UNIVERSITY -- AND I KNOW ONE JUDGE ON THE BENCH IS PROBABLY NOT GOING TO FORGIVE ME WHEN I TELL THIS JOKE ABOUT CLEMSON -- BUT ANYHOW, HE WENT DOWN ON THE FIELD, ON THE FOOTBALL FIELD AND HE SAW FRANK HOWARD'S ROCK AND HE RUBBED THAT ROCK AND HE WALKED DOWN AND HE SAW THE STUDENTS PARTICIPATING IN FOOTBALL AND HE DECIDED, HE SAID, I WANT TO PLAY ON THIS FOOTBALL TEAM. SO HE WALKED UP TO ONE OF THE ASSISTANT COACHES AND HE SAID, I'D LIKE TO GO OUT FOR THIS TEAM. AND THE ASSISTANT COACH WENT RUNNING

OVER TO FRANK HOWARD, WHO WAS A FAMOUS COACH, AND HE SAID, COACH, COACH, SAID THIS NEGRO WANTS TO PLAY FOOTBALL AT CLEMSON; AND SAID FRANK HOWARD THREW HIS BASEBALL CAP ON THE GROUND AND SAID, NO NEGRO IS BECOMING A CLEMSON TIGER. HE'S NOT GOING TO PLAY ON THIS TEAM. THE ASSISTANT COACH TOLD FRANK HOWARD, CLEMSON HAS SUFFERED A LOT OF ADVERSE PUBLICITY AND AFTER ALL, THE SUPREME COURT HAS ORDERED THAT THIS YOUNG MAN BE ADMITTED AND I THINK WE, AT LEAST, OUGHT TO GIVE HIM A TRY, HE'S NOT GOING TO MAKE THIS TEAM. SO FRANK HOWARD FINALLY CONCEDED AND HE GAVE HARVEY A UNIFORM; AND WHEN HE CAME BACK TO THE FIELD, THEY ASKED HARVEY WHAT POSITION HE WANTED TO PLAY AND HARVEY MADE HIS FIRST MISTAKE BECAUSE HE SAID HE WANTED TO PLAY QUARTERBACK. SO ANYHOW, THE COACH TOLD HIM, YOU'RE NOT GOING TO PLAY QUARTERBACK, SO WHAT POSITION WOULD YOU LIKE TO TRY FOR. SO HE TOLD HIM, I'LL TRY FOR RUNNING BACK. SO HARVEY GANTT WENT ON THE FIELD AND THEY GAVE HIM THE BALL. HE WAS PLAYING WITH THE SCRUBBS AND THE FIRST PLAY, HE RAN ABOUT 90 YARDS FOR A TOUCHDOWN. THE SECOND PLAY, THEY GAVE HIM THE BALL, HE RAN ABOUT 60 YARDS FOR A TOUCH DOWN. SO THE ASSISTANT COACH WENT OVER TO FRANK HOWARD AND FRANK HOWARD WAS REALLY UPSET, YOU KNOW, AND FRANK SAID -- HE SAID, COACH, WE'LL GET HIM THIS TIME. WE ARE GOING TO PUT THE FIRST TEAM -- THE FIRST DEFENSIVE TEAM OUT THERE AND I GUARANTEE WE ARE GOING TO STOP HIM. SO THEY PUT THE FIRST DEFENSIVE TEAM OUT THERE AND THEY GAVE THE BALL TO HARVEY AND THEY CALLED THE PLAY AND HE WENT STRAIGHT UP THE FIELD AND HE WENT 60 YARDS FOR A TOUCHDOWN. SO THE ASSISTANT COACH WENT RUNNING OVER TO FRANK HOWARD AND SAID, COACH, COACH, WE JUST CAN'T STOP THIS NEGRO. AND FRANK HOWARD LOOKED AT HIM AND SAID, WHAT NEGRO, YOU MEAN THIS CLEMSON TIGER?

MY JUDGE PERRY'S SOUL REST IN PEACE.

MR. MCVEY: AT THIS TIME, I'M GOING TO ASK FRANK MACCHIAVERNA TO COME UP AND SPEAK ABOUT THOMAS BROWN POLLARD, JR.

MR. MCCHIAVERNA: THANK YOU.

THOMAS BROWN POLLARD, JR., AN INTERESTING PERSON.

SINCE I'M NOT IN THE LEGAL PROFESSION, ALTHOUGH, I'VE HAD MANY CONVERSATIONS WITH TOM REGARDING REAL ESTATE LAW AND POLITICS, MOST OF MY ASSOCIATION HAS TO DO WITH HUNTING TRIPS, RELATED ACTIVITIES SUCH AS DRINKING, TELLING STORIES, WHICH BRINGS ME TO JUST A FEW REMEMBRANCES OF TOM. AND I DIDN'T KNOW TOM FOR A LONG, LONG TIME. I KNEW HIM PROBABLY FOR THE LAST SIX OR SEVEN YEARS, MAYBE A LITTLE BIT LONGER THAN THAT, MOSTLY HAS TO DO WITH HUNTING. BUT SOME OF THESE REMEMBRANCES ARE MOONSHINE, FINE WINE, MENNONITE FIVE POUND CAKE, BLUE RIBBON FIG PRESRVES, GEMSBOK BRAIN SAUSAGE, AND SPRINGBOK STEAKS. WHAT DOES ALL THIS HAVE IN COMMON? ALL THIS HAS IN COMMON WITH TOM AND I; THAT IS TO SAY, WITHOUT TOM, I WOULD NEITHER HAVE TASTED NOR EXPERIENCED THE EVENT. TOM WAS NOT A DILETTANTE BY ANY MEASURE, AS YOU ALL KNOW. IF YOU ASKED HIM, THE TIME, HE WOULD TELL YOU HOW TO MAKE A WATCH, WHICH MAY HAVE BOTHERED SOME, BUT TO ME IT JUST PIQUED AND SATISFIED MY CURIOSITY. I SUSPECT WE WERE LIKE THE ODD COUPLE OR SO I WAS TOLD. BUT IN ANY EVENT, BACK TO MOONSHINE. WE DRANK TOO MUCH AFTER A VERY GOOD QUAIL HUNT IN LOWER LEXINGTON COUNTY WITH A PERSON WHO EVENTUALLY WAS ARRESTED FOR MAKING IT AND, I THINK FOR CHICKEN FIGHTING, BUT IT WAS A GOOD HUNT. I DON'T REMEMBER MUCH EXCEPT ON THE WAY HOME, WE STOPPED IN A PLACE ONLY KNOWN BY TOM TO BUY A CAKE, WHICH I MOSTLY HAD TO GIVE AWAY BECAUSE IT DRIPPED BUTTER . BUTTER AND MOONSHINE, WHAT A COMBINATION.

FINE WINE. I REMEMEMBER TOM DILIGENTLY READING AND

QUESTIONING THE WAITER OVER THE WINE LIST IN A SMALL VINEYARD RESTAURANT OUTSIDE CAPE TOWN, SOUTH AFRICA, WHILE I WATCHED THE BABOONS RAIDING THE VINEYARD GRAPE VINES. TOM DID NOT EVEN LOOK UP UNTIL SATISFIED WITH THE WINE CHOICE; AND THEN WE DRANK AND ATE.

FIG PRESERVES. ONE DAY TOM SURPRISED ME, WHILE VISITING HIS HOME OFF OF DEVIL'S ELBOW ROAD WITH A TASTE OF HIS STATE FAIR BLUE RIBBON FIG PRESERVES WHILE WE DRANK WINE -- SOME MORE WINE. A MAN OF MANY TALENTS.

GEMSBOK BRAIN SAUSAGE AND SPRINGBOK STEAKS. DURING OUR 12-DAY TRIP TO NAMIBIA AND SOUTH AFRICA, WE SHOT MANY PLAINS GAME, PARTS OF WHICH WERE COOKED AND SERVED TO US BY PROFESSIONAL GUIDES WHO WERE, I THINK, TRYING TO SHOCK US, BUT LITTLE DID THEY KNOW WITH WHOM THEY WERE DEALING. TOM HAD TAKEN AND PASSED ALL THE WRITTEN PART FOR THE PROFESSIONAL AFRICAN HUNTING GUIDE LICENSE, PLUS HE HAD READ AND WAS AT THAT MOMENT RE-READING MICHENER'S STORY OF AFRICA. AFTER ABOUT FIVE DAYS OF LISTENING AND CORRECTION FROM TOM, THE GUIDES WOULD LOOK TOWARDS TOM EVERY TIME THEY STARTED TO PONTIFICATE ON EITHER GUNS, GAME, OR HISTORY FOR CONFIRMATION OF FACTS. THAT'S HOW DETAILED HE WAS. IT WAS ABSOLUTELY SCARCITY. EVERY TIME WE WOULD DO SOMETHING AFTER WE'D DRINK AND SHOOT AND SO FORTH, THE GUIDES, BEFORE THEY WOULD -- AFTER AWHILE, AT THE END, BEFORE THEY WOULD SAY ANYTHING, TURN AROUND AND LOOK AT TOM TO SEE IF IT WAS OKAY. THAT'S HOW SMART HE WAS. IT WAS AN AMAZING AND HUMBLING THING TO WATCH.

LAST, BUT NOT LEAST, TOM IS THE ESSENCE OF A GOOD TROOPER. ALTHOUGH HE JUST HAD AN OPERATION BEFORE OUR TRIP AND , OBVIOUSLY, NOT A 100 PERCENT, HE NEVER COMPLAINED, DOING ALL THE PHYSICAL THINGS NECESSARY FOR A GOOD EXPERIENCE. I

PARTICULARLY REMEMBER HIS LOOK WHEN AFTER FLYING ALL NIGHT AND PART OF THE NEXT DAY, DRIVING SEVERAL HOURS IN NAMIBIA ARRIVING AT AN ISOLATED DESTINATION, USHERED INTO A VERY COLD CYLINDER-SHAPED BUILDING WITH A COT LATE AT NIGHT AND TOM QUESTIONING -- I CAN STILL SEE THE LOOK ON HIS FACE -- IS THERE ANY HEAT? THE GUY THEN HANDED HIM A SMALL LIT CANDLE, SAYING AFTER AWHILE THIS WILL HEAT UP THE ROOM. TOM LOOKED PALE AND VERY TIRED, BUT SAID NOTHING AND WENT TO BED. AND THAT WAS TOM, A TROOPER TO THE END.

I'M GOING TO TELL A BRIEF STORY, WHICH IS PROBABLY NOT IN KEEPING WITH EVERYTHING YOU'VE HEARD SO FAR, BUT EVERYTIME I TELL THIS STORY AND I TELL IT OFTEN TO HUNTERS, I THINK OF TOM.

WHEN WE WERE IN SOUTH AFRICA AT THE AIRPORT AND WE WERE SPENDING THE LAST OF OUR FOREIGN CURRENCY, JUST DRINKING IT AWAY BEFORE WE GOT ON A 13-HOUR FLIGHT, WE ASKED THE PERSON TO COME AND DRINK WITH US THAT WE HAD SEEN IN THE LOBBY OF THE AIRPORT. AND HE TURNED OUT TO BE A NAVY OFFICER WHO WAS STATIONED OUTSIDE OF CAPE TOWN ON AN ISOLATED LITTLE BASE AND WE STARTED DRINKING AND TALKING; AND I SAID, YOU KNOW, THERE ARE SIGNS THAT BEWARE OF BABOONS ALL OVER THE PLACE, YOU KNOW. AND I SAID, WHAT'S THE ISSUE? AND HE SAID, YOU KNOW, THEY'RE DANGEROUS, THEY'LL COME IN OUR CAR, IT WILL TAKE YOUR FOOD, THEY'LL GET IN YOUR HOUSE AND SO FORTH AND SO ON. HE SAID, WELL, WHEN WE WERE BORED, I'LL TELL YOU WHAT WE USED TO DO. THEY LIKE ORANGES. SO WE'D GET THESE BIG ORANGES AND CARVE OUT THE CENTER. THEY ARE ALSO VERY AFRAID OF SNAKES BECAUSE YOU HAVE THE BLACK MAMBAS AND OTHER SNAKES THERE THEY ARE AFRAID OF. HE SAID, WE'LL PUT A RUBBER SNAKE IN THERE, TAPE IT TOGETHER, AND THROW IT OUT INTO THE PARKING LOT AND THE ALPHA MALE WOULD COME AROUND AND CHASE ALL THE LOWER MALES AND FEMALES AWAY, GRAB THAT ORANGE, RIP IT OPEN, AND THE SNAKE

WOULD POP OUT, AND HE WOULD FAINT. THAT'S PARTICULARLY, WHEN I TELL THAT STORY, I REMEMBER OF TOM. AND I MUST SAY, HE WAS ONE OF THE SMARTEST AND NICEST AND BEST HUNTER AND A REAL TRUE GENTLEMAN. HE GAVE ME A BRACELET OF ELEPHANT HAIR AS A SIGN OF FRIENDSHIP AND WROTE THE NICEST NOTE. HE WAS A GENTLEMAN AND I WILL MISS HIM.

THANK YOU.

MR. MCVEY: CARL ELLSWORTH IS GOING TO SPEAK ABOUT JAMES DOUGLAS SEIGLER.

MR. ELLSWORTH: JUDGE BARBER, MEMBERS OF THE JUDICIARY, FELLOW ATTORNEYS, FAMILY AND FRIENDS.

JAMES DOUGLAS SEIGLER, KNOWN AS DOUG, WAS BORN ON OCTOBER 22, 1951. HE WAS THE SON OF HAROLD COURTENAY SEIGLER AND ANNA MAUDE DERRICK SEIGLER OF COLUMBIA, SOUTH CAROLINA. HE DIED ON MAY 4, 2011. HE GRADUATED FROM A.C. FLORA HIGH SCHOOL AND LATER, NEWBERRY COLLEGE, WHERE HE WAS A MEMBER OF KAPPA ALPHA FATERNITY AND WAS AWARDED THE PRESTIGIOUS HONOR OF NOT ONLY SERVING ON THE BOARD OF DIRECTORS OF KAPPA ALPHA ORDER, DELTA EPSILON FOUNDATION, BUT WAS SELECTED AS A MEMBER OF THE JOHN GRAVES PROVINCE COURT OF HONOR.

AFTER GRADUATION, HE IMMEDIATELY BEGAN A POLITICAL CAREER ASSOCIATED WITH NOTABLE FIGURES OF THAT ERA, INCLUDING HIS GOOD FRIEND, LEE ATWATER. WHILE SERVING ON THE STAFF OF SENATOR STROM THURMOND IN WASHINGTON, HE WAS THEN "BITTEN BY THE BUG" TO PRACTICE LAW, AS HIS FATHER, HAROLD, AND UNCLE, RAY, HAD DONE. HE GRADUATED FROM THE UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW WITH A JURIS DOCTORATE DEGREE. HE WAS ADMITTED TO THE SOUTH CAROLINA BAR IN 1982 AND REMAINED A MEMBER OF THE SOUTH CAROLINA BAR AND RICHLAND COUNTY BAR ASSOCIATION.

IN COLUMBIA, HE CONTINUED HIS POLITICAL ACTIVITIES,

ALONG WITH HIS LEGAL WORK. HE WORKED SEVEN YEARS WITH THE OFFICE OF THE GOVERNOR AS DEPUTY LEGAL COUNSEL AND THEN IN THE U.S. ATTORNEY'S OFFICE AS DEPUTY ASSISTANT U.S. ATTORNEY. THEREAFTER, HE PRACTICED WITH THE LAW FIRM OF SEIGLER, EARLE & ELLSWORTH, LATER WHITENER & WHARTON, PA, AND AT THE END OF HIS CAREER, THE SCOTT LAW FIRM, PA.

DOUG WAS A LIFELONG MEMBER OF FIRST BAPTIST CHURCH. HE WAS A DIRECTOR OF THE H. LEE ATWATER FOUNDATION.

HE IS SURVIVED BY HIS BROTHERS, HAROLD COURTENAY SEIGLER, JR., AND BUNCH CLEVELAND SEIGLER; HIS AUNTS, MARY ANN SEIGLER MUNN OF COLUMBIA; AND MARGUERITE JONES SEIGLER OF BATESBURG, AS WELL AS MANY COUSINS.

HE LOVED HIS FAMILY AND CLOSE FRIENDS, AND HE LOVED HUNTING, WHICH WAS THERAPEUTIC. AFTER BEING DIAGNOSED WITH CANCER AND SUFFERING EXCRUCIATING HEADACHES, HE WAS INVITED TO PON PON PLANTATION FOR A HUNT. AFTER FIRING THE FIRST SHOT HAROLD ASKED HOW HE WAS DOING; AND DOUG REMARKED, "MY HEADACHE IS GONE". NOT ONE TO REVEL IN SELF-GLORY, HE DID NOT SEEK TO BE ON THE LIST OF "WHO'S WHO" OR THE "BEST LAWYERS". INSTEAD, IT WAS ONCE SAID THAT HE WAS ONE OF THE "BEST UTILITY PLAYERS" IN A LAW FIRM. PROBABLY THE BEST WAY TO DESCRIBE SOMEONE'S LIFE, OBJECTIVELY, IS BY WHAT OTHERS SAY.

DAVE WHITENER STATED, "A LAW FIRM IS A TEAM. DOUG SEIGLER WAS A TEAM PLAYER FOR OUR FIRM IN THE MID-80'S. HE DID NOT WANT TO BE THE CAPTAIN OR THE CLEAN-UP HITTER. HE WAS HAPPY TO BE A UTILITY PLAYER WHO WAS VERY WILLING TO PERFORM MULTIPLE TASKS BY QUIETLY GETTING THE JOB DONE. DOUG SEIGLER WAS THE BEST UTILITY PLAYER IN OUR FIRM'S 43-YEAR HISTORY."

RON SCOTT SAID: "DOUG WORKED HERE FROM THE WINTER OF 2004 TO THE FALL OF 2008 BEFORE HIS ILLNESS COMPELLED HIM TO LEAVE THE PRACTICE OF LAW. DOUG WAS CONSISTENTLY

THOUGHTFUL AND COURTEOUS TO ALL WITH WHOM HE WORKED. DOUG WAS ALSO WELL THOUGHT OF BY THE MASTERS IN EQUITY AND SPECIAL REFEREES BEFORE WHOM HE APPEARED FOR OUR CLIENTS. BUT FOR HIS ILLNESS, WHICH EVENTUALLY CLAIMED HIS LIFE, HE WOULD HAVE LIKELY CONTINUED WITH US.”

THE TWO THINGS THAT STAND OUT IN MY MIND ABOUT DOUG ARE THESE: WHEN HE WORKED FOR US, HE CAME IN AND IMMEDIATELY SAW THAT WE NEEDED A BETTER SYSTEM FOR CHECKS AND BALANCES FOR REAL ESTATE CLOSINGS AND IMPLEMENTED ONE WHICH THE FIRM USES TO THIS DAY. THE GREATEST ATTRIBUTE THAT I RECOGNIZED WAS NEAR THE END OF HIS LIFE. HIS BROTHER HAROLD ASSISTED HIM DURING THIS TRYING TIME WHEN DOUG COULD HAVE EASILY GIVEN UP. AFTER MANY TRIPS TO THE HOLLINGS CANCER CENTER AT THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, THE DOCTORS REMARKED THAT THEY COULD NOT UNDERSTAND HOW HE HAD LIVED SO LONG WITH THIS CONDITION AND WHY HE HAD FOUGHT SO HARD. HAROLD TOLD ME THAT EVERY TIME HE COMPLETED TREATMENT AND WAS ASKED WHETHER HE WANTED TO QUIT, DOUG WOULD SAY, “HIT ME AGAIN,” WITH THE POWERFUL MEDICINES. WHEN I ASKED WHY DOUG DIDN’T GIVE UP, HAROLD SAID THAT DOUG WANTED TO FIGHT IT SO THAT THESE DOCTORS COULD LEARN MORE ABOUT CANCER AND HELP OTHER PEOPLE.

NO GREATER CONTRIBUTION TO SOCIETY COULD BE MADE BY SOMEONE THAN TO DISPLAY SUCH CHARACTER AND COURAGE.

THANK YOU.

THE COURT: ALL RIGHT.

MR. PRESIDENT-ELECT, LADIES AND GENTLEMEN, BEFORE WE ADJOURN, I WANT TO THANK OUR CLERK OF COURT, MS. MCBRIDE, FOR ASSISTING WITH PUTTING THIS ON -- MS. MCBRIDE IS SEATED OVER HERE --AND MS. CAMPBELL AND MR. BRADLEY, WHO, I THINK, WERE VERY INSTRUMENTAL IN ORGANIZING THIS EVENT; AND I THANK Y’ALL

FOR ALL YOUR WORK.

LADIES AND GENTLEMEN, THE RICHLAND COUNTY BAR IS SPECIAL IN WHAT IT DOES TO HONOR ITS MEMBERS ON AN ANNUAL BASIS AND EACH YEAR THAT I HAVE THE OPPORTUNITY TO PARTICIPATE IN THIS EVENT, I'M MORE AND MORE REMINDED HOW LUCKY WE ARE TO HAVE HAD THESE MEMBERS OF OUR BAR AND TO BE ABLE TO COME TOGETHER AND TO HONOR THEM LIKE WE HAVE. CERTAINLY TO THE FAMILY AND FRIENDS WHO WERE HERE TODAY, ON BEHALF OF THE BAR AND THE BENCH, WHO ARE UP HERE, WE CERTAINLY OFFER OUR CONDOLENCES AND OUR SYMPATHY AND WE ARE GOING TO MISS ALL OF THESE FOLKS. WE WERE LUCKY TO HAVE THEM IN OUR BAR AND TO HAVE GOTTEN TO KNOW THEM AND WORKED WITH THEM; BUT THIS IS A GREAT EVENT AND I'M REALLY PRIVILEGED TO BE ABLE TO PARTICIPATE IN IT.

I KNOW THE BAR HAS A RECEPTION PLANNED OUTSIDE THE COURTROOM HERE TODAY AND I CERTAINLY INVITE EVERYBODY TO ATTEND AND HAVE A CHANCE TO SPEAK TO EACH OTHER AND ENJOY SOME OF THE GOOD FOOD THAT THEY ARE GOING TO HAVE. SO, WITH THAT SAID, WE WILL ADJOURN THE COURT FOR THIS YEAR AND Y'ALL HAVE A NICE WEEKEND.

THANK YOU.

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