

RICHBARNEWS

Newsletter of the Richland County Bar Association

JODY A. BEDENBAUGH
Treasurer

BOB MCKENZIE
President

WILL THOMAS
President-Elect

UPCOMING EVENTS

Free Ethics CLE

November 5, 2010

Annual Meeting/ Holiday Party

December 9, 2010

SAVE THE DATE 2011

Oyster Roast
February 17

Judicial BBQ
May 19

Memorial Service
June 10

Family Night at Zoo
June 2

Judicial Reception
August 18



FROM THE PRESIDENT

An Apology

One of the things I did not anticipate when I arrived at this high office was the fact that I would be asked from time to time to respond to requests from individuals, businesses, special interest groups and the like on a wide range of things. Some were for publicity, some for money, and notably, one was for me to stop a practitioner from practicing law! As you can guess, this wide range of subjects produced an equally wide range of merit.

Fortunately, our association is set up so that the Executive Committee, not the President, usually makes the ultimate decision on an issue. Each member of your EC can, and frequently does, bring important issues to the group for discussion and action. This is the way it should be.

Several weeks ago I received a call from a colleague of long standing who requested that the RCBA extend an apology to those African-American lawyers who were denied admission to the association because of their race. As I have indicated previously, your association was one of the first bar associations in this state to offer its membership to all in the late 1960s. The apology was not demanded. It was a simple request followed by an itemization by this professional of feelings engendered by the denial of full collegial acceptance by peers, lawyers admitted to practice by our Supreme Court.

In our conversation, I reiterated that I alone could not speak for the association, but I promised this would be on the agenda at the EC meeting. I was not at all surprised when the group, with little discussion, unanimously agreed that the apology was something that should be done and authorized me to do it.

Times are different now than they were when the civil rights movement held our attention. I am the only member of the EC who was admitted to practice back then so it is appropriate that I speak for the group. Of all professions, the law should...

continued on page 6...



FROM THE EDITOR



Many of us have been involved in unpleasant lawsuits with lawyers who act unpleasantly. This is the sort of thing that makes me wish I had done something else for a living. Every deposition is a contest of intimidation. Every procedural requirement is fought over and insisted upon. Nothing, no matter how benign, is uncontested.

Most simply, it is not any fun at all. But, of course, no one promised that being a lawyer was going to be fun.

In these cases, I am tempted to respond in kind. It just makes my blood boil.

In television commercials and telephone books, lawyers promise to fight for clients. We often hear about zealous advocacy which is an important part of our jobs. But, as lawyers, we have other obligations. Our lawyer's oath very nicely summarizes what we are supposed to do. I keep a copy of it on my desk. Whenever I am tempted to fire off a nasty email or write an unpleasant letter, I give it a quick look. The oath reminds me of what we all promised in exchange for our licenses. We have an obligation to our clients, but we also have an obligation to our system of justice and to one another. We promised to follow a higher standard of conduct. Sometimes it is easy to forget that.

Some of you may have had experiences like this. Some of you may have been tempted to be less than civil to parties on the other side of a dispute. With that in mind, I am reprinting the lawyer's oath. Take a look. Pull out a pair of scissors. Cut it out, and tape it next to your telephone. We will all be better for it.

Lawyer's Oath

I do solemnly swear (or affirm) that:

I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge those duties and will preserve, protect and

defend the Constitution of this State and of the United States;

I will maintain the respect and courtesy due to courts of justice, judicial officers, and those who assist them;

To my clients, I pledge faithfulness, competence, diligence, good judgment and prompt communication;

To opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court, but also in all written and oral communications;

I will not pursue or maintain any suit or proceeding which appears to me to be unjust nor maintain any defenses except those I believe to be honestly debatable under the law of the land, but this obligation shall not prevent me from defending a person charged with a crime;

I will employ for the purpose of maintaining the causes confided to me only such means as are consistent with trust and honor and the principles of professionalism, and will never seek to mislead an opposing party, the judge or jury by a false statement of fact or law;

I will respect and preserve inviolate the confidences of my clients, and will accept no compensation in connection with a client's business except from the client or with the client's knowledge and approval;

I will maintain the dignity of the legal system and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged;

I will assist the defenseless or oppressed by ensuring that justice is available to all citizens and will not delay any person's cause for profit or malice;

[So help me God.]

The editors welcome your inquiries, comments and contributions: RCBA, P.O. Box 7632, Columbia, SC 29202 or rcba@scbar.org.

TEXT PARTE - D. REECE WILLIAMS III



Even though he's practiced law for 46 years, tried over 200 cases, and garnered almost every award available, Columbia attorney D. Reece Williams III is a humble man who is easily approachable. I commented that his ancestors have been in America for over almost 400 years. "It's not anything to be proud of," he remarked. They were apparently run out of Scotland, then Ireland, then

Pennsylvania, until they found their place in Lancaster County, South Carolina, like many Scotch-Irish who populated the Appalachian Mountains and their foothills. His people liked a good fight – fomenting the American Revolution and the Civil War. They fought for the Confederacy though they were not slaveholders. He tells a story of an ancestor who famously returned from the War with a bullet wound in his rear, rueful that he got shot so someone else could keep their slaves.

After the war, his forbearers settled into a less belligerent, more genteel lifestyle. A five-volume history of South Carolina published in 1920 lauds his grandfather, born in 1878, proclaiming that "David Reece Williams has made an enviable record as a South Carolina lawyer and has also been much in public affairs."

Like the two David Reece Williams before him, he does his fighting in the court room. Williams, a partner at Callison Tighe & Robinson, LLC, is a trial attorney engaged in complex litigation all over the country. A former president of the Richland County Bar Association, he has served in leadership positions in numerous national and local legal organizations. He spends much of his time teaching others how to succeed in the court room, and he is extremely helpful to those with less experience.

Williams is not a fan of using PowerPoint presentations at trial. Clearly, he is able to command the jury's attention without resort to such devices. You are stuck if something

goes wrong, and something will go wrong, he comments. He told of a national conference where a seminar leader looked down his nose at him when Williams expressed his unwillingness to use complex technology in the court room. As the technophile attempted to showcase his state of the art gadgets, the electric power in the entire room was lost for ten minutes, leaving an empty room and a vindicated Williams.

Though he obviously loves the law, discussion of his charitable involvement also ignites a spark in him. He is a life member of the board of the Salvation Army, an organization he supports because it provides aid to those in extreme poverty even if they are not whom society has deemed to be "deserving poor."

With a refined manner and calm, thoughtful demeanor, he is, as attorney David Fedor said recently, "the classiest lawyer" around. He knows he caught me off guard when he suggested lunch at the United House of Prayer for All People, remarking the clientele was preferable to that of the trendy Vista. Driving down Read Street in Columbia – a former haven of crime and dilapidated houses – he explains that the denomination transformed its neighborhood. Now Read Street is lined with charming modest homes and is considerably safer than in days past. When we arrived at the striking sanctuary, I realized I was the last to know that the church serves a delicious, fresh, home-made meat and three vegetable lunch, with proceeds going to charitable works.

Williams is not cursed with the gigantic ego and overbearing demeanor prevalent among successful trial lawyers. He is a tremendous asset to the Richland County Bar and beyond.

"Text Parte" is written by Eleanor Duffy Cleary, a sole practitioner in Columbia. You can reach Ellen at edcleary@att.net.



CIVIL TRIAL SEMINARS

photos taken by Ward Bradley (go to www.richbar.org to download originals)

The Richland County Bar Association presented a series of CLEs on how to try a civil case. As a recent law school graduate who also aspires to be a trial lawyer, it was very exciting to me to attend these seminars. The seminars provided information useful to young lawyers and veterans alike. Best of all, it was free!



dents were encouraged to attend to meet lawyers practicing in Richland County. At the break, refreshments are also provided for free.

On Tuesday September 13, Reese Williams and Bob Brown gave presentations on how to perform a direct examination. Dave Fedor gave opening remarks. All of these lawyers are members of the American Board of Trial Advocates. Among them, they have tried many cases, and by any measure, they are excellent litigators and speakers. Each of the speakers brought a unique perspective to the topic of direct examination.

Reese Williams focused on broad strategic methods and goals of a successful direct examination, while Bob Brown focused on tactics of executing a convincing direct examination.

Reese Williams explained that in doing a good direct examination, the lawyer should blend into the background so that the witness is able to command the full attention of the jury. The secret to doing this effectively is preparation and presentation of the witness as a credible person. The law-

yer's preparation and the witness's credibility cannot be over emphasized.

Bob Brown gave a tactical play-by-play on dealing with certain types of witnesses. He explained the tactical advantages of a lawyer's position in the courtroom in relation to the jury while questioning the witness. His advice also addressed how to highlight a witness's positive qualities and minimize the negative.

This CLE is a terrific opportunity to learn from the experience of others. It is more than just war stories from years of practice; it is practical advice on how to prepare and try a case. - submitted by Brooks Biediger



Mediators, Arbitrators, and Special Referees

Serving ALL of South Carolina

COLUMBIA
1330 Lady St., Sixth Floor
Columbia, SC 29201
P: 803.256.2660
F: 803.771.4484

GREENVILLE
37 Villa Road, Suite 500
Greenville, SC 29615
P: 864.282.9100
F: 864.282.9101

MYRTLE BEACH
1500 Highway 17 N
Suite 204
Surfside Beach, SC 29575
P: 843.477.0500
F: 843.477.0502

Collins & Lacy
ATTORNEYS AT LAW



Gray T. Culbreath
Managing Partner

Stanford E. Lacy
Founding Partner,
Adjunct Instructor -
USC School of Law

Jack D. Griffith
Of Counsel

L. Henry McKellar
Of Counsel, Retired
SC Circuit Court Judge

www.collinsandlacy.com

AMENDMENT TO REGULATIONS FOR CONTINUING LEGAL EDUCATION

On August 5, 2010, South Carolina's five Justices signed an amendment to the Regulations for Mandatory Continuing Legal Education. Below is the amendment:

The South Carolina Bar has proposed amending the Regulations for Mandatory Continuing Legal Education in Appendix C to Part IV, South Carolina Appellate Court Rules, to provide that lawyers and judges be required to complete continuing legal education courses dealing with substance abuse or mental health issues. The Bar notes members of the legal profession tend to suffer from higher rates of depression, substance abuse, and suicide than other professions, and the Bar

believes such instruction may help lower those rates.

Pursuant to Article V, §4, of the South Carolina Constitution, we hereby amend Regulation II of the Appendix C to Part IV, South Carolina Appellate Court Rules, to require that, at least once every three annual reporting periods, attorneys and judges complete one hour of instruction devoted exclusively to substance abuse or mental health issues and the legal profession. The amendments...are effective March 1, 2011, the start of the next annual reporting period.

IT IS SO ORDERED.

HELPFUL INFORMATION

Legal Staff Professionals/

Midlands Meeting:

2nd Tuesday 1:00

Call Laura Foster at 803-799-9800 ext 338

or e-mail lfoster@mcnair.net

Palmetto Paralegal

Association

Call Adrith D. Schrauger

at 803-217-7557

S.C. Women Lawyers

Association

Call Angel Warren

at 803-788-4114



SERVE-ONE, INC.

Nationwide Process Serving

Offices in
Greenville and Columbia

Honest ♦ Loyal ♦ Thick-skinned

800-786-3938

FROM THE PRESIDENT...continued from page 1

have been at the forefront of equality. The proof of the wrong is apparent when you view our Bar's composite photograph of 1968 which shows African-American lawyers, all active leaders in the community, who were that year admitted to membership in our association. Among them are members who became a United States District Judge, a Judge of the South Carolina Court of Appeals, a Judge of the South Carolina Family Court and a City of Columbia Municipal Judge. All were highly regarded and

served or are serving with distinction.

As individuals, we handled cases with and against them. Many of us had close professional or personal relationships with them. But as an association, we treated them badly by denying them the full opportunity to enjoy the professional bond that comes from an association of peers. We were wrong, and we are sorry. Our apology is late, but it is sincere.



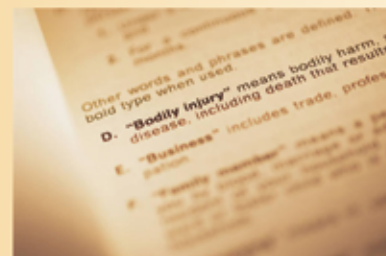
ProSource Insurance Services

The Professionals Insurance Source

Are You PAYING TOO MUCH For Professional Liability Coverage? Is Your Agent Partnered With the "Market Leading" Insurers?

With the addition of new programs, broader policy forms, more competitive rates...this makes it the best time to review your coverage options.

Forward a copy of your already completed application or contact us to discuss the marketplace and options available to your firm.



Phone: 800.680.6761 Ext 2 • FAX: 800.682.1488 • info@TheProSource.com



SLED License 1586

Byrd, Stillinger & Associates

PRIVATE INVESTIGATIONS

Specializing in -

- Adultery
- Child Custody
- Alimony Termination
- Criminal Defense
- Litigation Investigations

Brian L. Stillinger
President

Elizabeth L. Cook
Senior Investigator

Our staff includes three additional experienced Private Investigators.

1416 Park Street
Columbia, SC 29201

Phone: 803.400.1974

Toll Free: 888-699-3350

E-mail: pi@investigatesc.com

Web: www.investigatesc.com

2010 JUDICIAL RECEPTION

photos taken by John Hearn (go to www.richbar.org to download originals)



WHAT TO SHRED, & WHEN (from "Ask Sid" in September 2010 *AARP*)

Shred everything with your signature, birthdate, SS number, account numbers, passwords or pins. When? Shred credit card statements after 45 days unless you need them for proof of purchase or for tax purposes. Shred bank deposit slips and ATM and credit card receipts as soon as the transactions appear on your statements. Shred bank statements, pay stubs and medical bills after one year.

Save indefinitely any paperwork that is related to taxes, mortgage payments, improvements on your home, and medical and prescriptions records.

RICHBARNEWS

Classified Ad Policy

Rates are as follows:

Classified Ads - \$1.00 per word

Quarter Page Ads - \$75.00

Half Page Ads - \$150.00

Business Cards - \$50.00

All ads must be prepaid. Ads must be obtained by the 15th of the month previous to publication in January, March, June, September and November.

HEALTH & FITNESS

Fall is upon us, and this means many things for many people: (1) for the parents among us, it means a return to the school routine; (2) for the sportsfans (whether your veins run red or orange - even those of you whose alma mater is neither, you pick a side in this statewide rivalry, admit it), it's college football; (3) for the outdoorsmen, there's a lot of game in season; (4) for the soccer moms and dads, there're games EVERY weekend; (5) and of course, who can forget the annual event featuring the very best in people watching anywhere - the State Fair. Somewhere, sometime, somehow, someway, as all this is going on, Richland County quits clinging to the heat of summer, and cooler weather sets in. This means two things. At every single one of these venues, I betcha a nickel that every single one of you will engage in the exact same activity - you will all enjoy and/or provide beverages. And because it's not as hot, you may find yourself drinking more for pleasure and less for the overt purpose of replacing depleted fluids. In this context, I encourage all of you not to underestimate the benefits of water for staying properly hydrated.

Now, now, you in the back, waving your foam "#1" glove at me and angrily denouncing the lunacy of even thinking of foregoing your barley-pops at the tailgate, I'm not a water-nazi. I'm not proposing anything extreme here - just that you remember the importance of remaining hydrated. I hope I'm not the first one to tell you that alcoholic beverages DE-hydrate you. As a result, throw some water bottles in the cooler too, that's all (well that, and remember to drink them). And don't stop drinking water after the game, because that feeling the next morning, you know the one, is often a result of your being dehydrated overnight.

This is because water is necessary for many, many bodily functions: it transports vitamins, minerals, amino acids, glucose, hormones, and enzymes throughout your body; it facilitates critical chemical reactions; it lubricates your joints, eyes, nasal passages, and intestines; it maintains your internal body temperature; and it removes waste from the body. Depending upon numerous variables, including age and obesity, water comprises anywhere from 78-55% of your body. We all know that our bodies will die from lack of water long before we die from starvation. But long before that, the effects of inadequate hydration can affect our bodies.

Our bodies remain in a constant state of water loss, through excretion through the skin, and even your every breath. Should we consume insufficient quantities to replace this output, the body will begin to prioritize water usage. The top priority is the blood. Without sufficient fluidity, the blood reduces its ability to adequately transport the necessities of life to the cells throughout your body. Dehydration can restrict your capillaries, which are where most of the important exchanges in the circulatory system occur by enabling the exchange of water, oxygen, carbon dioxide, and many other nutrient and waste chemical substances between the blood and surrounding tissue. Dehydration can also lead to increased blood pressure as the body struggles to pump blood through the body.

It does not stop there. As a person becomes dehydrated, water is drawn from the synovial fluid around the joints, which can lead to joint pain. Fluid helps the discs in the spine remain properly spaced, similar to a hydraulic support system, so dehydration can increase the likelihood of back pain. Heartburn can be the result of water shortage in the upper part of the gastrointestinal tract. Dehydration can also negatively affect the digestive system.

Yes, you over there by the Suburban, I understand the allure of being the cool parent that bestows the largesse of sugary drinks and/or caffeination to minors, but please consider that water is healthier for both their minds and bodies. As the percent intake of sugary and caffeinated beverages rises in children, so too do symptoms similar to the diagnoses of ADHD and hyperactivity. Just like alcohol, soda and other caffeinated beverages are diuretics that cause water loss. Juices and other sweetened drinks contain empty calories that have been attributed as a rising factor in childhood obesity. As a result, consider water for game days, and that or milk for their lunch boxes.



continued on page 9...

HEALTH & FITNESS

...continued from page 8

Alright, I hear you too, you billable machines out there who don't have time for thirst inducing activities. You're absolutely correct; no one will pay you for your time wasted away from your desk to get water, and it is a double-edged sword time-wise, because what goes in must come out. But consider that approximately 80% of your brain is water, and dehydration can also cause mental fatigue, affect memory retention, and even cause confusion. For the reasons discussed above, the coffee and soda machine aren't going to help the situation.

As for you Fair-goers, last year I saw a sign for fried Pepsi. *FRIED* Pepsi! It still boggles my mind- not only the why, but the *how*? Regardless, there can be no dispute that water is the better choice. So, Richland County, whether you're a health nut or a couch potato, you need to stay hydrated, and water is your best bet for a healthier, happier you!

"Health & Fitness" is written by Drayton Hastie, who can be reached at dhastie@sc.rr.com.

Find us on
Facebook

The RCBA now has an active Facebook page with a growing number of fans. Be sure to "like" the page so you can network with your fellow members, stay updated on all RCBA events, see posted photos, and more.

2010 ADVISORY COMMITTEE

| Committee | Chair(s) | Telephone |
|---------------------------------|--|--|
| Bigg Doggs | Billy McGee | 255-9431 |
| Circuit Court Liaison | Daryl Hawkins - Chair Jack McKenzie Matthew Richardson Reece Williams Thomas Kennaday DeAndrea Benjamin | 733-3531 252-0500 254-6542 256-2371 227-4290 771-8007 |
| CLE Seminars | Steedley Bogan | 256-6747 |
| Health & Fitness | Drayton Hastie | 771-7900 |
| Family Court Liaison | Ashlin Potterfield | 376-2001 |
| Master-in-Equity Liaison | Pearce Fleming | 254-4751 |
| Membership Committee | Wes Few Jay Elliott | 212-4963 252-9236 |
| Memorials | Susie Campbell Ward Bradley | 256-6152 796-9160 |
| Probate Court Liaison | Mike Polk | 929-0096 |
| RichBar News | Ward Bradley Eleanor Duffy Cleary Drayton Hastie | 796-9160 376-0075 771-7900 |
| Programs | Betsy Bradley John Bradley Ian McVey | 296-3140 231-7825 256-2371 |
| Lunch-n-Learns | Thomas Kennaday Ronald Cox | 227-4290 540-2034 |
| Public Service | Kristen Horne - Chair Dan Leonardi Carmen Thomas Elizabeth Cook Olivia Jones | 799-2000 799-2000 771-8900 400-1975 799-9668 |
| Recognition | Reece Williams Joe Berry | 256-2371 779-2650 |
| Young Lawyers | Matt Bogan Rebecca Roser Jay Bressler | 255-9589 779-8900 779-3080 |

Members who wish to offer assistance or ideas are welcome to call the committee chair. Many things are being planned by your association and the RCBA welcomes your input.

Howdy folks. It appears I'm off double-secret probation, as I've been allowed a few ¶s to remind you of our presence on the interweb. Our website was totally overhauled a couple of years ago. Have you seen the new layout? I'll not ask if you ever saw the old one, and can probably arrange a grant of amnesty if you'll go take a look at our happening new site.

While there, you'll learn that the Richland County Bar is the largest voluntary Bar in South Carolina and was established to promote the common business and professional interests of lawyers practicing and/or residing in Richland County, South Carolina. Membership has grown to over 1,700 attorneys. I know this because I cut and pasted it from the home page.

Fabulous home page aside, you can also find an online directory of all our members, many with pictures (and for those who don't have pictures, you aren't reduced to a graphic of a set of scales). You can register for RCBA events online, or read about the evolution and growth

of the Association. You might even find that event photo that you hoped would go away forever after you destroyed all those copies of that issue of *Richbar News*. (Smile! Say cheese! Hey, what's that in my teeth?)

But wait—there's more! There's a nice summary of our mission statement and the Association bylaw, links to other midlands area county bar association sites, a link to our Facebook page, an archive of past issues of the *Richbar News*, and links to the decisions of various courts, including the South Carolina Administrative Law Court.

So don't wait—click on over and bookmark us. The RCBA welcomes your feedback on our website and invites you to register on our site to take advantage of all of the benefits that your membership provides.

Only don't click here to complete a feedback form. Our link is busted. But we're working on it, I'm sure. NOW how much would you pay? – submitted by John Hearn

Proven STABILITY and INTEGRITY Exactly What You Need

**Your South Carolina Bar endorsed professional liability program
and the legal community's trusted advisor for over 20 years**



**FOR YOUR NO-OBLIGATION QUOTE CALL (800) 367-2577
OR VISIT US ONLINE AT WWW.ALPNET.COM**

NOMINATIONS DUE FOR ANNUAL AWARDS

It is again time to discuss the RCBA's important annual awards with your colleagues. We encourage you to submit your nominations for the Executive Committee to consider. The awards will be presented at the Annual Meeting of the RCBA on Thursday, December 9th at the Columbia Museum of Art. Members who wish to submit nominations must do so in writing to the Recognition Committee chair, Reece Williams, at reecewilliams@ctrlawfirm.com.

"Tootie" Williams Award

The John W. Williams Distinguished Service Award, affectionately known as the "Tootie" Williams Award, is based upon distinguished and meritorious service to the legal profession or to the public in professional related activities.

The Williams Distinguished Service Award is the highest recognition given by our association and it is determined by the Executive Committee based upon written nominations from members of our association.

Past recipients of the award include Chief Justice Jean H. Toal, the Honorable Matthew J. Perry, the Honorable Carol Connor, the Honorable Robert Burnside, Tom McCutchen, Julian Nexsen, David Robinson, John Gregg McMaster, Alex Sanders, Ed Mullins, Jr., I.S. Leevy Johnson, Terrell Glenn, Julius McKay, Heyward McDonald, Jeter Rhoads, Lester Bates, Jr., Henry Hammer, the Honorable Jasper Cureton, Claude Scarborough, D. Reece Williams, Joe Berry, Jr., Luther Batiste, William C. Hubbard, and Ken Suggs.

Civic Star Award

The Executive Committee of the RCBA also selects an attorney to receive the Civic Star Award from among the nominees submitted by the membership.

The Civic Star Award is based upon exceptional and meritorious service to the Richland County community by a member of the RCBA for activities outside of the legal profession. Commitment to community service is important to the members of RCBA. Most members volunteer in the community and some give many hours of their time and talents. Sometimes only their friends and co-workers know the depth of their giving.

Recent recipients of this award have been Matt Hill, Anthony Hayes, George Cauthen, Cravens Ravenel, David Belton, Mike Kelly, Michelle Childs, Rosalyn Frierson, Jane Trinkley, Amy Hill, Steve Benjamin, James E. Smith, and Gray Culbreath.

Matthew J. Perry, Jr. Civility Award

The Civility Award of the RCBA is named after the US District Judge Matthew J. Perry, Jr. It is awarded to the judge and to the lawyer who, in the opinion of the Executive Committee of the RCBA, best exemplifies the word "civility." The Executive Committee recognizes that it is a high honor to be nominated or selected for this recognition as attorneys perform their responsibilities in various capacities of the legal profession.

The past recipients of the award include the Honorable G. Thomas Cooper, Danny Crowe, the Honorable Casey Manning, the Honorable Bratton Davis, Jim Leventis, Susi McWilliams, the Honorable Marvin "Buddy" Kittrell, Bobby Fuller, and the Honorable George James.



**RICHARD G.
WHITING**

**CERTIFIED
FAMILY COURT
MEDIATOR**

**JD, MBA,
B.S. BUSINESS
ADMINISTRATION**

**EXTENSIVE LITIGATION &
DISPUTE RESOLUTION EXPERIENCE**

MEDIATION

ARBITRATION

Law Offices of Richard G. Whiting

1515 Lady Street (29201)

Post Office Box 7877

Columbia, SC 29202

(803) 256-9067

dick.whiting@whitinglawsc.com

NOTEWORTHY NEWS & ANNOUNCEMENTS

Aimee J. Zmroczek announces the relocation of **A.J.Z. Law Firm** to 309 Arstook Ct. Lexington 29072. Phone: 403-7750.

The Law Offices of **Arie D. Bax** announces that it has changed its name to **The Bax Law Firm PA** located at 1720 Main St. #301, 29201. Phone: 255-0087

The Law Office of **Richard J. Breibart** announces that **Jesse Near** has become an associate of the firm at 201 W. Main St., Lexington 29072. Phone: 359-7996.

Bruner Powell Robbins Wall & Mullins announces that **Ronald E. Robbins** is retiring. The firm's name has changed to **Bruner Powell Wall & Mullins LLC**.

Callison Tighe announces that **Malissa Burnette** has joined the firm as a partner, beginning August 1. The firm is located at 1812 Lincoln St. 29201. Phone: 404-6900.

Nekki Shutt, of **Callison Tighe**, has been elected to lead the SC Bar's Section on Employment and Labor Law.

Callison Tighe announces that three of its attorneys **Ralph Robinson**, **Nekki Shutt** and **Malissa Burnette** will be included in the 2011 edition of *"Best lawyers in America."*

Kathleen McDaniel of **Callison Tighe** has been appointed to the Richland County Planning Commission.

Collins & Lacy announces that eight attorneys have been selected for inclusion in the 2010 edition

of *"The Best lawyers in America"*: **Joel Collins**, **Stan Lacy**, **Gray Culbreath**, **Pete Dworjanyn**, **Ellen Adams**, **Donald Van Riper**, **Henry McKellar** and **Jack Griffeth**.

Collins & Lacy also announce that **Charles L. Appleby** has been selected for the 2011 class of **Leadership Columbia**.

David C. Shea Law Firm announces that **Emma I Bryson** has joined the firm located at 1916 Henderson St. 29201. Phone: 779-3099.

Breon Walker of **Duff White & Turner** has received the **Gary Walker Memorial Scholarship** to attend the **International Association of Defense Counsel's Trial Academy** at **Stanford University**.

Edward D. Sullivan announces the opening of his law offices, **Edward D. Sullivan Attorney at Law** located at 1331 Elmwood Ave. #305, Columbia 29201. Phone: 451-2775. Fax: 451-2770.

Ellis Lawhorne announces that **F. Earl Ellis Jr.**, **William R. Harbison**, **Ernest G. Lawhorne**, **Mary Sowell League**, **Lana H. Sims Jr.**, **Rita Bragg Cullum**, **David C. Sojourner, Jr.**, **Karen Hudson Thomas**, **William O. Higgins**, **William P. McElveen Jr.**, **Robert P. Bethea Jr.**, **John T. Lay Jr.**, **John L. McCants** and **W. Cliff Moore III** have been selected to appear in the 2010 edition of *"Best lawyers in America"*.

Christian L. Rogers of **Ellis Lawhorne** has been elected to the board of the **Columbia Development Corporation**.

Ernest G. Lawhorne, of **Ellis Lawhorne** has been voted "Best Attorney" by the readers of *The State* newspaper. The firm also announces that **Christian L. Rogers** has been elected to the Board of the **Columbia Development Corporation**.



John L. McCants of **Ellis Lawhorne**, has been named vice chair of the national **DRI construction Law Seminar**.

W. Cliff Moore III of **Ellis Lawhorne** has been recognized by the **USC School of Law** with a **2010 Compleat Lawyer Award**.

Phillip Florence Jr. of **Hedrick Gardner & Kincheloe** has been elected chair of the **State Ethics Commission**.

McAngus Goudelock & Courie announces that seven of its **Columbia** attorneys, **Weston Adams III**, **Scott B. Garrett**, **A. Mundi George**, **J. Russell Goudelock III**, **Thomas E. Lydon**, **W. Hugh McAngus** and **M. McMullen Taylor**, have been selected for inclusion in the 2011 edition of *"Best Lawyers in America"* edition.

McAngus Goudelock & Courie announces **Harry M. Lightsey III** has joined the firm as the leader of the firm's **Business Practice Group**. The firm also announces that **Eric G. Fosmire** has joined the firm's office located at 700 Gervais St. Phone: 779-2300.

continued on page 13....

Jay Courie of McAngus Goudelock & Courie has been honored by SC Lawyers Weekly with the Leadership in Law Award. McAngus also announces that the firm has been named one of the **Best Places to Work in South Carolina** for 2010 in the small/medium category.

McKay Cauthen Settana & Stubley announces that **Temus C. Miles Jr.** has become an associate of the firm located at 1303 Blanding St., 29201. Phone: 256-4645.

McNair Law Firm announces the following attorneys have been selected for inclusion in the 2010 edition of *"Best lawyers in America"*: **Michael M. Beal, Robert R. Bockman, M. John Bowen Jr., Carl B. Carruth, O. Wayne Corley, M. Elizabeth Crum, John W. Currie, Robert W. Dibble Jr., Erik P. Doerring, James P. Fields Jr., M. Craig Garner Jr., Joel E. Gottlieb, Paul D. Harrill, Dorothy M. Helms, Celeste T. Jones, Judith L. McInnis, Richard J. Morgan, William M. Musser, Jonathan H. Nason, Benjamin E. Nicholson V., Sara S. Rogers, James C. Siokos, W. Marshall Taylor Jr., Joseph C. Walker, Ethan R. Ware and Lee W. Zimmerman.**

McNair Law Firm announces that **Michael H. Weaver** has been selected for the 2011 class of Leadership Columbia.

McNair Law Firm announces that **Adam B. Landy** has become an associate of the firm located at 1301 Gervais St., 29201. Phone: 799-9800.

Paul A. Meding announces the relocation of his office to 1415 Richland St. PO Box 2461, 29202. Phone: 779-0774

Moore Taylor & Thomas announces that **S. Jahue Moore, Jr.** has been named a Partner with the firm.

Nelson Mullins announces that four of its attorneys have been recognized by *"Who's Who Legal."* Managing Partner **David Dukes** recognized as one of the "most highly regarded individuals" in product liability law in the United States. Also recognized from Richland County are **Stephen Morrison and Ed Mullins.**

Nelson Mullins announces that **Stuart M. Andrews Jr., George S. Bailey, Edward D. Barnhill Jr., C. Mitchell Brown, George B. Cauthen, Karen Aldridge Crawford, Christopher J. Daniels, Clarence Davis, Gus M. Dixon, Dwight F. Drake, David E. Dukes, Mark C. Dukes, Carl B. Epps III, Robert W. Foster Jr., Daniel J. Fritze, James C. Gray Jr., Sue Erwin Harper, Bernard F. Hawkins Jr., M. Mason Hogue Jr., William C. Hubbard, S. Keith Hutto, Kenneth Allan Janik, Frank B.B. Knowlton, D. Larry Kristinik III, John F. Kuppens, James K. Lehman, Steven A. McKelvey Jr., John T. Moore, Stephen G. Morrison, Edward W. Mullins Jr., R Bruce Shaw, B. Rush Smith III, David G. Traylor Jr., Ralston B. Vanzant II, Daniel J. Westbrook, and George B. Wolfe** have been selected for inclusion in *"The Best Lawyers in America"* 2011 edition.

Edward W. Mullins Jr. of Nelson

Mullins has been appointed to the National Board of Commissioners for Promotion of Uniformity of Legislation in the United States.

NexsenPruet announces that twenty-five of its Columbia attorneys have been selected for inclusion in the 2011 edition of *"The Best Lawyers in America"*: **Ralph Barbier, Mark L. Bender, Michael T. Brittingham, Henry W. Brown, Russell T. Burke, David E. Dubberly, C. Jones DuBose Jr., Victoria L. Eslinger, William H. Floyd III, Julian Hennig III, Timothy L. Hewson, Fred L. Kingsmore Jr. William Y. Klett III, G. Marcus Knight, W. Thomas Lavender Jr., Alan M. Lipsitz, W. Leighton Lord III, Burnet R. Maybank III, Susan P. McWilliams, Julio E. Mendoza Jr., Edward G. Menzie, William G. Newsome III, James W. Potter, Matthew B. Roberts and John A. Sowards.**

Nexsen Pruet announces that **Briani Bennett Mellen** has become an associate of the firm located at 1230 Main St. 29201. Phone: 779-0774. The firm also announces that **Edward Bender** has been selected for the 2011 class of Leadership Columbia.

Rose Dugan Manos of Nexsen Pruet has been recertified as a specialist in bankruptcy and debtor-creditor law by the SC Supreme Court.

continued on page 15...



NOTEWORTHY...continued from page 14

Bob Coble of Nexsen Pruet has been awarded the Order of the Palmetto, the state's highest civilian honor presented by the Governor of South Carolina.

Nexsen Pruet has been named one of the "Best Companies in the Midlands for Working Moms" by *The Greater Columbia Business Monthly*.

The law firm of Ogletree Deakins Nash Smoak & Stewart announces that **Steve Benjamin** has joined the firm located at 1320 Main St. #600, 29201. Phone: 252-1300.

James H. Fowles III of Ogletree Law Firm has been recertified as a specialist in employment and labor law by the SC Supreme Court.

Proffitt & Cox announces that **Ronald B. Cox** has been appointed Chair of the Practice and Procedure Committee of the SC Bar.

Richardson Plowden Law Firm announces that six of its attorneys, **Leslie A. Cotter, Frederick A. Crawford, Steven W. Hamm, Francis M. Mack, Frank E. Robinson II** and **Franklin J. Smith Jr.** have been selected to appear in the 2011 edition of *"Best lawyers in America."*

Douglas S. Strickler announces that **E. Fielding Pringle** has been appointed Chief County Public Defender and **Jennifer Davis** has been appointed Deputy Public Defender for Richland County with offices located at 1701 Main St. 29201. Phone: 765-2592.

Riley Pope and Laney announce that **Heidi B. Carey** has become a partner of the firm.

Rogers Townsend and Thomas announces the formation of Alternative Dispute Resolution Practice Group consisting of **Kristine Cato, Darra James Coleman, Amy Landers May, Ryan McCabe, Steven Moon, Kathleen Palinski, John Phillips, Paul Platte** and **Bob Thomas**.

Rogers Townsend & Thomas announces that **Bryan Barnes** has been selected for inclusion in the 2011 edition of *"The Best Lawyers in America."*

Carl Solomon announces the formation of the **Solomon Law Group**. **Carl L. Solomon, Dwayne T. Mazyck** and **Natalie Armstrong** are attorneys of the firm. **W.A. Nickles II** and **Dona L. Guffey** are Of Counsel. The firm is located at 1519 Richland St. 29201. Phone: 391-3120.

Sowell Gray announces that eight of its attorneys have been selected for inclusion in the 2011 edition of *"Best lawyers in America"*: **Grady L. Beard, Elizabeth Van Doren Gray, Daniel W. Hayes, Rebecca Laffitte, Thornwell F. Sowell, Robert E. Stepp, Montieth P. Todd** and **J. Calhoun Watson**.

Sowell Gray announces that **B. Gibbs Leaphart** has been honored by the SC Bar Young Lawyers Division as a "Star of the Quarter" citing his outstanding contribution to the Justice Jam Committee.

Nicholas Haigler of Sowell Gray Stepp & Laffitte has received the Glenn Jacobus Award from Leadership Columbia, which honors the outstanding leader from each class. He has also been appointed to the Leadership Columbia Board of Directors.

Benchmark Litigation, a definitive guide to the country's leading lawyers and firms, has named **Sowell Gray Stepp & Laffitte** one of the top litigation firm in S.C. and also names (as in previous issues) **Thornwell Sowell, Elizabeth Van Doren Gray** and **Robert Stepp** as local litigation stars. **Elizabeth Gray** has also been selected to receive a Leadership in Law Award from *South Carolina Lawyers Weekly*.

R. David Massey has been recertified as a specialist in estate planning and probate law by the SC Supreme Court.

Turner Padget Graham & Laney announces that **J. David Johnson IV**, shareholder, has joined the Columbia office located at 1901 Main St. 29201. Phone: 254-2200. The firm also announces that **David Johnson** has been selected to participate in the 2011 Leadership Columbia class. The firm also announces that it has launched a new website, aimed at providing resources and news to South Carolina businesses (www.turnerpadget.com).

Turner Padget Graham & Laney announces that **Stephen A. Husman** has been approved by the SC Board

continued on page 15...

NOTEWORTHY

...continued from page 14

of Arbitrator and Mediator Certification as a Circuit Court Mediator and Arbitrator.

Turner Padget announces that **D. Andrew Williams** has been appointed to serve as national co-chair of the Construction Litigation Committee of the ABA.

Turner Padget announces that **Danny Crowe, Franklin G. Shuler Jr., Lanneau W. Lambert Jr., Curtis L. Ott, Duvall Spruill, John E. Cuttino, Thomas C. Salane, Steven W. Ouzts, Charles E. Hill, Edward W. Laney IV, J. Kenneth Carter Jr., John E. Cuttino, Catherine H. Kennedy, Michael E. Chase and Cynthia C. Dooley** have been selected to appear in the 2011 edition of "Best Lawyers in America" edition. The firm is also ranked number one in Columbia in the categories of Alternative Dispute Resolution, Medical Malpractice and Municipal Law.

Whetstone Myers Perkins & Young LLC announces a firm name change to **Whetstone Myers Perkins & Fulda LLC**.

Whitener and Wharton announces that **Alexis S. Bell** has become an associate of the firm located at 2001 Park St. 29201. Phone: 779-7830.

MEMBER HEADSHOTS

If you go to the Member Directory on www.richbar.org and see that your headshot is missing, please e-mail it in jpeg format to rcba@sc-bar.org so that we can add it to the website.

ANNUAL FREE ETHICS SEMINAR

The RCBA's annual free ethics seminar will be held on Friday, November 5, 2010 at the University of South Carolina School of Law's auditorium. This year's program will include Chief Justice Jean Toal, who will be speaking on "Civility: Does it Matter?" Her presentation will be followed by attorney Amy Hill, of Sowell Gray Stepp & Laffitte, LLC, and attorney Peter Protopapas, of Lewis and Babcock, LLP, who will be speaking on ethical pitfalls for the lawyer starting a law practice. Following their presentations, Professor John Freeman will speak on ethics you weren't taught in law school. The next speaker of the morning will be Reece Williams, of Callison Tighe & Robinson, LLC, who will be speaking on the subject of electronic discovery. This presentation will be followed by a talk by R. Davis Howser of Howser, Newman & Besley, LLC, on ethics and legal malpractice. The program will conclude with a presentation by Professor Robert Wilcox on recent decisions regarding the unauthorized practice of law.

Registration will begin at 8:00 am and your printed material will be provided at that time. A complimentary continental breakfast will be provided before the program begins, with refreshments at the break. The program will be begin at 9:00 am and will end at 12:15 pm. The program is approved for three hours of ethics credit.



Gerald F. Smith
J.D., CFP®, CDFA™

- 38 Years Practicing Attorney
- Certified Financial Planner™
- Certified Divorce Financial Analyst™

Consultant and Expert Witness:

Financial Planning
Investments
Equitable Distribution
Spousal Support
Retirement Planning
Long-term Care Planning

Gerald F. Smith
1229 Lincoln Street
Columbia, SC 29201
803.767.8243
gerald@smithfinancialnetwork.com

CLASSIFIEDS

OFFICE SPACE FOR LEASE: 1226 Pickens St., individual offices for firms or sole practitioner, 500 to 5000 sq. ft. Ample parking, Call: 256-4500.



OFFICE SPACE: 1911 Barnwell St. Attractive, professional office suite; reception area; two offices, conference room; direct parking; \$600 per month plus utilities. Call 779-6365.

OFFICE SPACE FOR RENT: 1313

Elmwood Avenue. Space is entire first floor of 1400 sq. feet. New heater and air system. \$1000.00 per month. Includes parking. Call 254-5563.

FURNISHED OFFICE SPACE AVAILABLE: Secretarial assistance. Library/conference room. One block away from Five Points. Call 254-8000.

LAW OFFICE FOR SALE OR LEASE: 1421 Calhoun Street. Conference room, reception area and 5 offices. Call (803)771-0936.



MEDIATION DEFINED BY SUCCESS

F. BARRON GRIER III

*Certified Mediator and Arbitrator
in South Carolina and Federal
Courts with 40 Years Experience
in all types of litigation*

AREAS OF EMPHASIS:

| | | |
|--------------------|--------------------|--------------------|
| Personal Injury | Wrongful Death | Product Liability |
| Medical Negligence | Construction | Premises Liability |
| Contracts | Insurance Coverage | |

CONTACT:

F. Barron Grier III
Grier, Cox & Cranshaw LLC
P.O. Box 2823
Columbia, SC 29202

PHYSICAL ADDRESS:

2999 Sunset Boulevard #200
West Columbia, SC 29169

Ph: 803-731-0030

Fx: 803-731-4059

www.griercoxandcranshaw.com

email: grier@griercoxandcranshaw.com