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# G-Bar News



Attorney Spotlight—Eric Knox Graben

### Submitted by Amy Sutherland

When we made the decision to pursue a career in law, we knew that representing indigent clients would come with the territory. But most of us had no concept of how much pro bono work would come with that prestigious degree. Rule 608 has placed a greater burden on every private practitioner's billable hours. We are forced to go into the "Twilight Zone" of Courts where we lack expertise. We take small comfort in the knowledge that we are now allowed to choose our poison: civil matters (translated Family Court appointments) or criminal matters. It is easy to feel that as individuals and as a profession we are being asked to give too much.

Are we being asked to give too much? Or could we be doing more? Let's take a look at one of our own Greenville practitioners, Eric K. Graben. He practices corporate securities law with Wyche, Burgess, Freeman and Parham, P.A. He is married and has two small children. Like all members of the Greenville Bar, he is assigned his share of pro bono appointments. However, Eric gives the term "pro bono" new meaning.

Eric completed the Guardian Ad Litem training program in 1997 and immediately became active in the program. In one of his first cases, Eric had to recommend to the Court that two chil-

dren be removed from their mother's home. Rather than bring the problem to the Court with only foster care as the solution, Eric found relatives in Florence who were willing to take the children. In another case, he drove from Greenville to Moncks Corner to attend a school expulsion hearing for one of his children in an effort to work with school authorities to develop an appropriate consequence for the child's misbehavior without denying him access to an education. Eric plays basketball and teaches a bible lesson one night a week with a group of teenage boys who are in foster care at the Palmetto Boys Shelter. Eric continues to stay in touch with children from three families he mentored in a Big Brothers-type program in Charlottesville, Virginia where he attended law school. All of the above volunteer activity earned Eric the Pro Bono Lawyer of the Year Award for 1999 from the South Carolina Bar.

However, Eric's career as an advocate for children did not stop when he won the Pro Bono Lawyer of the Year Award. Some time in 2001, Eric was assigned to protect the interests of 15 children who were removed from a home in Greenville for suspected abuse and neglect. These children had a variety of special needs, and

they ranged in age from five to sixteen. From its earliest stages the case required many hearings involving procedural matters as well as matters pertinent to the day-to-day health and welfare needs of the children. Eric spent literally hundreds of hours personally interviewing each child and the various foster parents and therapeutic professionals assigned to treat various issues of each child. He not only knew each child by name, he knew each child's history before the child came to live in the home from which they had been removed. He knew each child's physical, emotional, and educational needs. He knew each child's attitude about the caregivers who had set up the home for the children. He could discuss the finer points of each child's personality as though each child was his own. He treated each child as a special individual, as though that child was the only child in the case. To date, Eric has put hundreds of hours into protecting the interests of the children in the case. Eric's involvement in the case did not come through a Rule 608 appointment. Eric took the case as a volunteer guardian through the South Carolina Volunteer Guardian Ad Litem Program.

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July 2002

### Upcoming Events:

- Reception on August 20, 4–6 p.m. at the Courthouse to view photographs and enjoy the Attorneys Conference Room.
- The Supreme Court will hold hearings in Greenville on November 7. A reception will be held on November 6 at the Greenville Country Club.
- The GCBA Christmas Party - Thursday, December 5.
- CLE—Friday, December 6.

### Inside this issue:

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New Judges' Receptions



## Verdicts

**Caption:** Michael Ross v. D. J. Maxwell  
d/b/a PMMCO & Associates  
**Case No.:** 01-CP-23-1421  
**Attorneys for Plaintiff(s):** David Gantt  
**Attorneys for Defendant(s):** James Duckett  
**Cause of Action:** Breach of contract  
**Verdict:** Plaintiff, \$96,500 actual

**Caption:** Paul Boston v. Thomas V. Burrows  
**Case No.:** 01-CP-23-4044  
**Attorneys for Plaintiff(s):** Darren Haley  
**Attorneys for Defendant(s):** Wallace Lightsey  
**Cause of Action:** Automobile accident  
**Verdict:** Defendant

**Caption:** Beverly Diane Bryant v. Landum S. Randolph  
**Case No.:** 01-CP-23-4052  
**Attorneys for Plaintiff(s):** Hank Ehlies  
**Attorneys for Defendant(s):** Bill Wilson, Marshall Winn  
**Cause of Action:** Damages  
**Verdict:** Defendant

**Caption:** Jamara Johnson by her guardian ad Litem Trina Gilliam v. Greer Commission of Public Works  
**Case No.:** 01-CP-23-4326

**Attorneys for Plaintiff(s):** Clifford Gaddy  
**Attorneys for Defendant(s):** Knox Haynsworth, III  
**Cause of Action:** Damages  
**Verdict:** Defendant

**Caption:** Jerry Sutherland v. D & M Housing Corp.  
**Case No.:** 01-CP-23-4591  
**Attorneys for Plaintiff(s):** Rodney Pillsbury  
**Attorneys for Defendant(s):** Ivan Toney  
**Cause of Action:** Negligence, implied warranty, fraud  
**Verdict:** Plaintiff, \$90,000 actual, \$50,000 punitive

**Caption:** Palmetto Beverage Management d/b/a Green's Package Store v. Harvard Wine & Beverage, Inc. & Lawrence A. Forest  
**Case No.:** 00-CP-23-7295  
**Attorneys for Plaintiff(s):** Stephen J. Shaw, John B. Hardaway, III, Ingrid B. Erwin  
**Attorneys for Defendant(s):** William Brown, James D. Calmer, III  
**Cause of Action:** Breach of Contract, S. C. Trade Secrets Act  
**Verdict:** Plaintiff, \$13,8971.92 actual, injunction against Defendants

## TERMS OF COURT

### CIRCUIT COURT

August 5, 2002  
Greenville GS—Short  
Greenville GS—Kittredge  
Greenville GS—Simmons  
Greenville CPNJ—Few

August 12, 2002

Greenville GS—Kittredge  
Greenville GS—Patterson  
Greenville CP—Pyle  
Greenville CP—Watson

August 19, 2002

Pickens GS/State Grand  
Jury—Floyd  
Greenville CPNJ—Simmons

August 26, 2002

Greenville CPNJ/PCR—  
Kittredge

### FAMILY COURT

August 5, 2002  
Greenville—Jenkins, Brown,  
Johnson, K., Bartlett  
Pickens—Johnson, A.

August 12, 2002

Greenville—Jenkins, John-  
son, K., Bartlett, Brown  
Pickens—Johnson, A.

August 19, 2002

Greenville—Bartlett, Brown,  
Johnson, K., Jenkins  
Pickens—Johnson, A.

August 26, 2002

Greenville—Jenkins, Bart-  
lett, Brown, Johnson, K.,  
Rucker  
Pickens—Johnson, A.

U. S. District Court—Jury  
Selection

Anderson—Sept. 3  
(Anderson, G. Ross)  
Greenville—Sept. 4  
(Herlong)

## Announcements

The Tommy Thomason  
Award

The Tommy Thomason  
Award was established by  
the Greenville County Bar  
Association in 1993 to  
honor a Greenville lawyer  
whom best exemplifies the  
wonderful qualities of  
Tommy Thomason:

- \*compassionate and sensitive to all people regardless of their station in life;
- \*friendly, unassuming, humble with a warm, genuine and abiding faith in all people;
- \*strong personal values, optimism and faith;
- \*positive diplomacy that works to minimize conflict and resolve disputes in the least hostile manner;
- \*unshakable integrity, coupled with an instinct for fairness;
- \*dedicated to community interest, public service and improvement of the community;
- \*loves the practice of law

and pursues the practice as a service to people;  
\*dedicated to the improvement of the legal system and justice for all people;  
and \*widely respected and admired by peers for personal and professional achievement.

There is no requirement that a recipient be selected each year; however if you have someone to nominate please send a written nomination to Robert Rosenfeld at P. O. Box 4277, Greenville, SC 29608. Send all nominations in by September 1, 2002. The Tommy Thomason Award, if awarded this year, will be presented at a luncheon on November 19.

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Jeff Phillips is pleased to announce that Brian Martin has become an associate of The Phillips Law Firm at 1425 Augusta Street, Greenville, SC 29605 (864)

233-7373. Mr. Martin will concentrate in the area of real estate while also handling civil litigation and business law cases.

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McNair Law Firm, P.A. is pleased to announce that Oscar A. "Chip" Towler, III, has joined the Firm as Special Counsel in the Greenville office. Mr. Towler serves on the S. C. Bar Committee on Intellectual Property and Unfair Trade Practices and is a member of the Board of the Carolina Patent, Trademark and Copyright Lawyers Association. His practice area is Intellectual property with a special emphasis in biotechnology. The McNair Firm also announces that Lee W. Zimmerman has joined the Columbia office in the area of environmental law.

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## Announcements (con't)

**Greenville Association of Legal Assistants will meet on September 12, 2002 at the Phoenix Inn for a seminar which includes a session for attorneys entitled "The Utilization of Paralegals." Attorneys receive 2.5 CLE credits and 1.0 ethics credit. Contact Dorothy Sizemore at 298-2714 for information.**

**Also, GALA is holding a yard sale/bake sale on Saturday, August 24 from 7 a.m.—noon in the lower parking lot of Love Thornton Arnold & Thomason. Money raised will be used to help fund GALA's educational projects for the remainder of the year.**

The firm of Leatherwood, Walker, Todd & Mann is pleased to announce the following: Laurel R. Blair and John ("Jack") P. Riordan, were both included in the Greenville Magazine's Best & Brightest Class of 2002; Natalma ("Tami") McKnew has been elected to the Board of Attorneys Liability Protection Society (ALPS), a risk retention group headquartered in Missoula, Montana; Matthew H. Henrikson has joined the firm as a litigator practicing in the areas of insurance coverage issues and professional negligence.

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B. Allen Clardy, Jr. has withdrawn from the law firm of Jordan & Clardy, L.L.C. He has become partner in The Dick James Law Firm at 611 North Main Street, in Greenville, SC. The phone number is 298-0000 and the email address is bac@dickjameslawfirm.com.

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Phillip E. Reeves, partner with the law firm of Gallivan, White & Boyd, P.A. (GWB) has become a member of the International Association of Defense Council (IADDC).

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Harold J. Willson, Jr. and Jeffrey S. Jones are pleased to announce the opening of Willson & Jones, LLC, concentrating its practice in workers' compensation defense. Joining the firm as associates are Tracy Welsh Tiddy and Laura M. Tillitt. The firm is located at 200 E. Camperdown Way, Suite D, Greenville, SC 29601. The mailing address is P. O. Box 1448, Greenville, SC 29602.

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Haynsworth Sinkler Boyd, P.A. is pleased to announce the following: Matthew P. Utecht was recognized as one of "Greenville's Best and Brightest 35 and Under" by Greenville First Bank; John B. McLeod was recently elected the President of the University of South Carolina Society; Arthur F. McLean, III, was presented with the Silver Antelope Award by the Boy Scouts of America for more than 30 years of involvement with the Boy Scouts; and Anne S. Ellefson, will represent the 13th Judicial Circuit in the House of Delegates.

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South Carolina Women Lawyers Association (SCWLA) meets for lunch at 12:30 p.m. at the Provencia Restaurant in the downtown Greenville Hyatt on the third Wednesday of each month. At the August 21 meeting, Ruth McDonough, Licensed Massage Therapist and Certified Reflexologist specializing in stress management and relaxation therapies, will present "Stress Management Tips." A drawing will be held for a free one-hour massage at Blue Ridge Sports and Therapeutic Massage. At the September 18 meeting, Clare Marshall Wood will present "Career Tips for Women Lawyers." Clare Marshall Wood, owner of Integrated Strategies, is a professional coach and writes bi-weekly for "The Coach's corner" column in the Greenville Journal. All members, potential members, and their guests are welcome to attend. Please contact SCWLA Regional Representative, Kristin M. Burrell at 268-1542 or kburrell@scbar.org if you would like information about SCWLA or to receive (continued page 5)

## ATTORNEY'S SPOTLIGHT (CONTINUED)

We cannot all be like Eric Graben. But we should be proud that we chose the only profession that requires its members to give free services to those who cannot afford it. Our pro bono work bolsters the public's confidence in our profession as a whole. Our willingness to reach out in the community to help less fortunate people translates to

the community at large as integrity and honor for the whole profession. Remember Eric the next time you get that communication from the Court that your name has come around –again - for a Rule 608 appointment. Consider it good public relations for your practice or for your firm and for the reputation of your chosen profession.

## Advertisements

Office building available for rent at 10 Brookside Circle; ideal for one lawyer and staff; suitable for two lawyers with modifications. Terms negotiable. Call Jim Sarratt or Bill Clarke at 271-4100.

Office space available (August 1, 2002); 2 good-sized offices with access to a lobby, conference room and kitchen. Approximately 800 to 1000 square feet located at 202 West Stone Avenue. For details call 282-8575.

\*\*\*Law office available on Whitsett Street. Separate office and secretarial areas.

Shared reception area and conference room. Ample, accessible parking. Available now. \$750 per month. Please call Tom Patrick at 271-4360 for additional details.

Office space for rent—historic Pettigru Area. Receptionist available. Please call Kimberly Dunham or Stacy Greene at (864) 282-8686.

Large office in downtown historic district available with separate secretarial space and access to Library/Conference room. Receptionist sharing possible. Available July 1. Call 242-5133.

310 Mills Ave. Professional Center (condominium), 2305 Sq. Ft. on street level. Excellent parking and no steps to entrance. Office presently has 11 large rooms, extremely good use of space. Walls are non-loan bearing. Property sits on city tax free island grandfathered by city when Mills Mill office was on this location. Property is near county offices and has a traffic light to Mills Ave. Sales Price \$110/sq. ft., rental \$2,500/month. Contact Bob Ray at 233-4555.

**The Greenville County Legal Auxiliary invites you to their Low Country Boil. Mark your calendars for Thursday, October 3, 2002, beginning at 6:30 p.m. at Clement's Lake. Event will be catered by Mary Frances Brock (Key West Connection). SHAG to beach music provided by DJ and owner Ray Clement. There will be a shagging demonstration and 50/50 raffle. The cost is \$30 per couple and \$15 per individual. Contact Judy Suggs at jhsuggs@bellsouth.net.**

**Also, The Legal Auxiliary will have a new member social on Thursday, September 5, from 7 p.m. to 9 p.m. at Wendy Wilson's home, 46 W. Avondale Drive. Meet new friends and learn about our exciting plans for 2002-2003. Please join us!**

## Announcements (con't)

**email announcements of upcoming events. To become a member of the SCWLA, visit [scwla.org](http://scwla.org) and click on the "about" tab to download the membership application.**

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The Honorable Debra A. Faulkner and the Greenville county Probate Court announce the Fourth Annual town Meeting on Friday, September 20, 2002, from 9:00 a.m. until 12:00 p.m. at the Greenville County Council Chambers, Greenville County Square, 301 University Ridge.

This year's Town Meeting will focus on Mental Health in our community. Speakers will include law enforce-

ment agencies, medical and mental health professional. Speakers will address the issue of Quality Treatment in the Face of Declining Resources. Speakers will be available for a Question and Answer session following the program. This program is free of charge.

Also, remember the Probate court Overview seminar on Friday, August 23, 2002, from 9 a.m.—12:15 p.m. This seminar is sponsored by the Legal Staff Professional of Greenville. Contact Jimi Bullard at 241-1835 for more information. The cost of the seminar is \$65 for NALS Member; \$85 for nonmembers and is approved for 3.0 CLE credit

hours.

### LEGAL STAFF PROFESSIONALS OF GREENVILLE

LSPG meets on the third Wednesday of each month at the Greenville City Club from 12:30 to 1:30 p.m., and membership is open to all legal support staff—you need not be a member to attend a meeting. For information, contact Paula Davis at 271.7410 or by email at [paula@gvl.haynsworth.com](mailto:paula@gvl.haynsworth.com).

### MARK YOUR CALENDAR:

- ✓ July 19-21, 2002—Region 4 Educational Conference, Callaway Gardens, Pine Mountain, GA

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## Announcements (con't)

- ✓ August 23, 2002—Probate Court Overview, Greenville, SC
- ✓ September 28, 2002—ALS/PLS exams, Greenville, SC
- ✓ **October 24-27, 2002—NALS 51<sup>st</sup> Annual Education Conference, Greenville, SC!!!**

LSPG is part of *NALS . . . the association for legal professionals.*

Membership is open to all legal support staff. For more information please contact Darlene Dockins at 271-7410 or [Darlene@gvl.haynsworth.com](mailto:Darlene@gvl.haynsworth.com). Also, visit the NALS website at [www.nals.org](http://www.nals.org)

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**NOTICE FROM S. C. COURT OF APPEALS:** To improve recordkeep-

ing, original records on appeal and final briefs will be scanned. The originals of these documents should be submitted unbound. Please secure in a large envelope or with paper clips or rubber bands. Contact Clerk Richstad at the Court of Appeals for more information.

## Positions Available

Two attorney law firm has position available for a paralegal in a general litigation firm whose areas of practice include civil, real estate and criminal. Excellent phone etiquette, customer service, organizational skills and a thorough knowledge of Microsoft Word is required. Working knowledge of Time Matters would be a plus. Looking for someone with common sense and initiative. Salary will depend upon experience and qualifications. Please fax resume to (864) 233-7377.

Downtown litigation-oriented firm has immediate opening for an experienced legal secretary. Applicant should possess typing of 70-775 wpm, Microsoft Word, and familiarity with computerized time-keeping/billing. Benefits include excellent salary, 401(k) plan and paid annual leave. Interested parties should send cover letter and resume to Legal Secretary, Post Office Box 10828, Greenville, SC 29603.

## CLE Seminars

**Friday, August 16**  
**Fiduciary Administration for the Total Return Era: The Essentials**  
DoubleTree Guest Suites, Charleston  
6.0 MCLE credit hours

**Friday, September 6**  
**Federal Practice in the District of SC**  
USC School of Law Auditorium and five video sites  
6.0 MCLE credit hours

**Friday, September 20**  
**Hot Tips from the Best Domestic Law Practitioners**  
USC School of Law and 13 video sites  
6.0 MCLE credit hours

**7th Annual Seminar for Legal Professionals. September 12, 2002, The Phoenix Inn, 246 N. Pleasantburg Dr., Greenville, SC. 10:45am—12:15pm—Utilization of Paralegals led by Steve Kern, Elizabeth Mann and Jack Grif-feth. CLE Credit for attorneys has been approved for this workshop. Contact Dorothy Sizemore at 864-298-2714 for details. Register by September 6, 2002.**

## **Receptions for Judge Miller and Judge Konduros**

**A reception for Judge Ned Miller will be held on Thursday, August 29, 2002, at The Greenville Country Club beginning at 5:30 p.m. Members of the Greenville County Bar Association are invited to attend. The swearing in service will be held prior to the reception, at 4 p.m. at the Greenville County Courthouse.**

**A reception for Judge Aphrodite Konduros will be held on Monday, August 19, 2002, beginning at 5:30 p.m. at Johann's at the West End. Members of the Greenville County Bar Association are invited to attend.**