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G-Bar News



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President's Article

By: Jeffrey A. Merriam

A SPECIALTY WE DO NOT NEED

During the time I have been at the Bar, the practice of law has become more and more specialized. Thirty years ago when I began practicing in Greenville, most lawyers were generalists. While a few lawyers confined their practices to a particular field, most lawyers did a little bit of everything. Those days are pretty much gone. Now, most lawyers concentrate in a few areas of practice, and many confine themselves to a specialized area of the law. The Supreme Court has recognized a move toward specialization, and has even designated certain fields as specialty fields and allowed qualified lawyers to be designated as specialists in particular areas of practice. Specialization is mostly for the good. Clients get the benefit of lawyers who have specialized training and expertise.

Because of the recent national media attention on a case in Pickens County, I have watched a number of cable television programs which featured this case and I realized that there is a new area of specialization of which I was previously unaware. That is the TV legal expert. These are lawyers that come on cable television to give self-proclaimed expert analysis on whatever criminal case that the cable networks are sensationalizing that day. It seems these experts have the following in common:

1. They are all former something: either a former prosecutor, or a former defense attorney, or a former law clerk; none of them seem to be a present anything, except a TV legal expert.

2. TV legal experts are not licensed in the jurisdiction in which the case they are covering occurred. You would think that a lawyer who practices in the state in which the case occurred would have local knowledge and expertise that would be helpful to an understanding of the case. Yet it seems that the rules of the specialty require that TV legal experts have no particularized local knowledge, and in fact local knowledge seems to be discouraged. I can understand that if the case occurs in , for instance, North Dakota, it might be difficult to find a local attorney on short notice to be the TV legal expert. However, when the case occurs in New York the TV legal experts are not from New York. They are either from Arizona or Texas or Louisiana or some place no where near New York.

(Continued on page 2)

UPCOMING EVENTS

- Summer Luncheon— July 25 (reservation deadline July 19)
- Happy Hour in honor of Summer Interns and New Associates—July 25

Inside this issue:

Announcements	2
Luncheon	3
Verdicts	4
Available Office Space	6
Probate Court Overview	6

(Continued from page 1)

3. A TV legal expert must be able to predict the outcome of the case with absolute certainty based upon viewing a video of the Defendant in an orange jumpsuit at the arraignment, a statement by the prosecutor that there is substantial evidence of guilt which will be presented to the grand jury, and a statement from the defense attorney that he/she has just gotten the case and that the public should remember that a person is innocent until proven guilty. When I hear these predictions I am reminded of Judge Frank Eppes' guidance that there are three things that you do not bet on—"when it is gonna rain, who a woman is gonna love, and what a jury is going to do."

TV legal experts are nothing more than charlatans who do nothing to enlighten the public, rather they sensationalize the cases they cover and trivialize the fundamental tenants of the criminal justice system such as the presumption of innocence, the right to counsel, and the right to a jury trial. Their philosophy seems to be that of the legendary jurist Judge Roy Bean—"we'll give him a fair trial and hang him in the morning." As I said, specialization is for the most part a good thing, but, the specialty of TV legal expert is one that needs to be eliminated.

Announcements

The law firm of **Haynsworth Sinkler Boyd, P.A.** is pleased to announce that two attorneys have joined the firm in Greenville, South Carolina. **Rosalyn H. Mattingly** is Special Counsel in the Firm's Greenville litigation practice area currently working on insurance defense, construction and personal injury matters. Prior to joining Haynsworth Sinkler Boyd, Ms. Mattingly was Assistant State Attorney for State Attorney Bill Cervone of the Eighth Judicial Circuit in Gainesville, Florida. Also joining the litigation practice group in Greenville office is **Christopher B. Major**.

Eppes & Plumblee, P.A. has been recognized in by Bar Register of Pre-eminent Lawyers for having received the highest possible rating among their peers for legal competency and ethical standards.

Ogletree, Deakins, Nash, Smoak & Stewart, P.C. is proud to announce that the firm's Greenville office has been ranked as one of the state's best law firms in the 2006 edition of *Chambers USA America's Leading Lawyers for Business*. Rated "number one" in labor and employment law, the Greenville office was recognized in the publication by peers and clients for its outstanding performance in the legal field. The firm was also commended for its general commercial litigation practice. In addition, the following four attorneys from the

firm's Greenville office were named "Leaders in their Field" in the areas of employment and general commercial litigation. They each received high marks and were praised individually by clients and peers for their exceptional legal abilities.

- Lewis T. Smoak (Employment: Defendant)
- Fred W. Suggs, Jr. (Employment: Defendant)
- J. Hamilton Stewart, III (Employment: Defendant)
- Donald A. Cockrill (Litigation: General Commercial)

Wyche, Burgess, Freeman & Parham, P.A. law firm announced today that **Melinda Davis Lux** and **Terrell W. Mills** have been named members of the firm. Melinda Davis Lux joined the Wyche firm in 2002 as an Associate and concentrates her practice in Mergers and Acquisitions, Securities and Corporate law. Terrell W. Mills concentrates his law practice in the areas of Technology, Intellectual Property and Corporate Mergers and Acquisitions.

CHIEF JUDGE ANDERSON has a changed his mailing address. His new address is 901 Richland Street, Columbia, SC 29201. He will no longer receive mail sent to the old address.

Reminder: The courthouse has a lounge for attorneys. The code to get into this lounge is 321.

**GREENVILLE COUNTY BAR ASSOCIATION
LUNCHEON IN HONOR OF
LAW CLERKS AND NEW ASSOCIATES**

SPEAKER: THE HONORABLE ROBERT N. JENKINS, SR.

**Tuesday, July 25, 2006
12:00 p.m., Poinsett Club
\$23 per person**

**Make your reservations at gbarnews@charter.net
Please distinguish the names of any Law Clerks or New Associates
that you would like recognized.**

Send in your checks to GCBA, PO Box 10145, Greenville, SC 29603

DEADLINE: JULY 19, 2006

**The Young Lawyers and the GCBA will be sponsoring a Happy Hour
in honor of Summer Interns and New Associates
at the Corner Pocket from 6-8pm on July 25, 2006.**



Verdicts

Caption: Wingspan Properties, LLC vs. Porter Evette d/
b/a/ VGP Distributors
Case No: 2004-CP-23-7690
Attorney for Plaintiff: C. Richard Stewart
Attorneys for Defendant: Emily T. Whitney, John Devlin
Cause of Action: Breach of Lease
Verdict: For the Defendant

Caption: Martha Sue Kendrick, Special Administrator
of Estate of Otha P. Watts vs. Universal Health Services,
d/b/a/ The Carolina Center for Behavioral Health
Case No: 2004-CP-23-4619
Attorneys for Plaintiff: Kenneth K. Moss and Paul J.
Ekster,
Attorney for Defendant: E. Brown Parkinson, Jr.
Cause of Action: Hospital Negligence
Verdict: Directed verdict for Defendant

Caption: Steven Edward Cowden v. Alice M. Soloman
Case No. 05-CP-23-1814
Attorney for Plaintiff: B. Allen Clardy, Jr.
Attorney for Defendant: John P. Riordan
Cause of Action: Damages
Verdict for Plaintiff: \$15,000 actual damages

Caption: William Blanton Buford vs. Jean W. Cook
Case No. 04-CP-23-8337
Attorney for Plaintiff: Ryan Beasley
Attorney for Defendant: Catherine Christophillis
Cause of Action: Fraud
Verdict for Defendant

Caption: City of Greenville vs. Evelyn Jeanette Surratt,
Trustee of Share 2 Trust under will of James E. Surratt
and William Charles Mitchell, Jr.
Case No. 05-CP-23-0035 & 0037
Attorney for Plaintiff: Mason Goldsmith, Kathleen
Kempe
Attorney for Defendant: Pat Paschal
Cause of Action: Condemnation
Verdict for Surratt property: \$975,000
For Mitchell property: \$1,825,000

Caption: Anne N. Fuller and Michael Fuller vs. Kent
Kistler MD and Neurology Associates of Greenville PA
Case No. 04-CP-23-5116
Attorney for Plaintiff: Charles Hodge
Attorney for Defendant: Pat Paschal
Cause of Action: Medical Malpractice– damages
Verdict for Defendant

Caption: Kryshonda Yvette Alleyne vs. Martha W.
Gilliland
Case No: 2005-CP-23-0964
Attorney for Plaintiff: John Reckenbeil
Attorneys for Defendant: Kyle Thompson
Cause of Action: Automobile Accident
Verdict: For the Defendant

Caption: Angelia D. Clark vs Jeffery D. Hughes
Case No: 2005-CP-23-0724
Attorney for Plaintiff: Max Singleton
Attorneys for Defendant: Marcus McGarr
Cause of Action: Automobile Accident
Verdict: For the Defendant

Caption: Superior Fire & Safety Equipment Company
Inc. Vs Amerex Corporation
Case No: 2005-CP-23-0869
Attorney for Plaintiff: Randall Hiller
Attorneys for Defendant: Thomas Stephenson
Cause of Action: Breach of Contract
Verdict: For the Defendant

Caption: Theodore Trueblood vs Greenville County Sher-
iff Steve Loftis in His Official Capacity
Case No: 2004-CP-23-1130
Attorneys for Plaintiff: T.S. Stern, Jr and Wendell Haw-
kins
Attorneys for Defendant: Russell Harter, Jr
Cause of Action: Money Demand
Verdict: Plaintiff 50% at fault, Defendant 50% at fault.
Total Damages \$100,000

Caption: Ryan Beasley vs SC Central Railroad
Case No: 2004-CP-23-7631
Attorney for Plaintiff: Ryan Beasley
Attorneys for Defendant: Charles Craig Young
Cause of Action: Wreck
Verdict for the Plaintiff, \$29,840 actual damages,
\$29,840 punitive damages

Caption: Julian Patino vs Carrie T. Lamb
Case No: 2005-CP-23-1836
Attorney for Plaintiff: Andrew Barr
Attorneys for Defendant: Wilson Sheldon
Verdict for the Plaintiff, \$20,000 actual damages,
\$1,100 punitive damages

Verdicts provided by the office of
Paul Wickensimer, Clerk of Court

Available Office Space

Office space for Sale, Lease or Lease w/Option to Buy. Approximately 2500 Square feet with ample parking at 514 and 516 East North Street (Across from the Bi-Lo Center). Call Susan Ingles at 234-7823

114 Whitsett Street; Large Office, secretarial station, reception and waiting area, two conference rooms, full kitchen and plenty of parking. Contact 467-9595.

Office space for rent—512 East North Street, Excellent parking, sharing, fax, copier, law library in walking distance of County Courthouse. Call Jim Calmes at 233-6224 for appointment and/or details.

For rent—office space in the Historic Davenport Apartments, corner of Church and Washington Streets,

across from the Federal Courthouse. This space is ideal for attorneys and is the only office space allowed within the Davenport. Convenient parking is available. Contact Bud Babb at 242-6360 to discuss your space needs, rates, to view the office space, etc.

For Lease: Several professional offices available along with shared facilities. 100 Williams St. at Pettigru. Call 250-2273.

Office building available for rent at 10 Brookside Circle. Call Jim Sarratt or Bill Clarke at 271-4100.

Office space available: 23 Wade Hampton Blvd., Greenville. \$500 per month. Call Cindy at 271-6371..

SOUTH CAROLINA UPSTATE PARALEGAL ASSOCIATION MONTHLY MEMBERSHIP MEETING

The SC Upstate Paralegal Association will hold its monthly business meeting/luncheon on **Thursday, July 13, 2006, at 12:30 p.m.**, at the Poinsett Club, 807 East Washington Street, Greenville, South Carolina. The presentation this month will be given by Mr. George L. Clauer, III, of Skinner & Assoc., on "Debts Based on Bad Checks in South Carolina Bankruptcy Court". Please make your reservation by noon on Tuesday, July 11, 2006, with Karen Smith by e-mail at ks_bklaw@bellsouth.net or (864) 232-2024. Cost of the luncheon is \$15.00 members, \$20.00 for non-members, or \$13.50 for students, including gratuity.

PROBATE COURT OVERVIEW FRIDAY SEPTEMBER 29, 2006

9 a.m. - 12:15 p.m.

WHO SHOULD ATTEND THIS SEMINAR? This seminar is an overview of the Probate Court rules and procedures for the Greenville County Probate Court and provides an opportunity to interact with the staff of the Probate Court. The Legal Staff Professionals of Greenville encourages attendance by any attorney, paralegal, legal assistant, legal secretary, and all other support staff who handle Probate Court cases and want to expand their knowledge of court procedures, recent rule changes that have been enacted, and new technology being implemented by the Court.

ABOUT THE PROGRAM AND SPEAKERS The seminar will be held on Friday, September 29, 2006, in the Greenville County Probate Courtroom, 301 University Ridge, Suite 1200, Greenville, South Carolina. Registration will begin at 8:30 a.m. and the seminar will begin promptly at 9 a.m. Lunch will be provided.

The Honorable Debora A. Faulkner, Probate Court Judge, Greenville County, will give an introduction to the Probate Court system. In addition, there will be presentations given by representatives from all areas of the Greenville County Probate Court. Each attendee will receive a comprehensive package of outlines, forms, statutes, new probate brochures, and other resource materials. Should you need a more detailed brochure regarding the various aspects of the Probate Court system that will be presented, please let us know.

This is truly a seminar you will not want to miss. The Probate Court staff will be available to answer any questions you may have regarding procedures or rules pertaining to your dealings with Probate Court. This will be an invaluable insight into the Probate Court system in Greenville County. To register contact Jimi Bullard at 864.241.1835 or jimi.bullard@ogletreedeakins.com

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***Deadline for articles or
advertisements is the 15th of
each month for the next
publication.***