



# G-Bar News

A Publication of the Greenville County Bar

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## The Old Is Passed Away; All Things Become New by Debra J. Gammons



The new year brings promises of reaching new goals and making new friends, becoming and doing better. As we begin the new year for the Greenville County Bar Association, I am reminded of the quotation, “the old is passed away; all things become new.” Of course, the context in which those words were written thousands of years ago is different from the context in which I use them.

We move constantly from one stage to the next. The old must always give way to the new. However, in the giving way, we should not forget the old. We learn from those who have come before us. Abraham Lincoln said, “From every person I can learn something; if not what to do, then what not to do.” In order to learn we must look to the past. January provides an apt time for us to look backward and forward. January is named after the ancient Roman god, Janus. Janus was the god of the beginning. Janus was depicted with two faces – one facing backward and one facing forward. He could look to the past and to the future at the same time.

Like Janus, I look backward as I look forward to the course that is set before me. Under the leadership of recent past Presidents, Jeff Merriam, Chip Price, Grant Burns, Jennifer Johnsen, Jo Watson Hackl, Bobby Rosenfeld, and Brent Clinkscale, the Greenville Bar has grown steadily and has increased its activities. We have continuing legal education seminars, Law Week events, luncheons, and social events. Chief Justice Jean Hoefer Toal, Judge Matthew Perry, Judge Robert N. Jenkins, Sr., Judge John Kittredge, Judge Chuck Simmons, former Chief Justice Ernest Finney, Judge John Few, and Judge Bill Traxler are a few of the spectacular speakers who have enlightened us about the law and about ourselves. I aim to take the lessons learned from our past Presidents and speakers and apply them to this new term.

Lessons. Goals. Aspirations. Work. These are all tied together. Success of the Greenville Bar depends on all of us working together. My goals as President are to encourage all attorneys to become members of the Greenville Bar; to encourage all attorneys to attend at least five events this year; to encourage attorneys to work on a Committee; to encourage attorneys to give the Executive Committee ideas to make the Greenville Bar an excellent Bar for new attorneys, old attorneys, young attorneys, attorneys of all colors, female and male attorneys. The Officers, the Committee Chairpersons, and I are available to serve you. Our job is only partly done if you do not share in the activities with us. I implore you to make the Greenville Bar an outstanding Bar through your participation. Like Janus, we will be able to do our best and be our best by looking backward to lessons learned and feats accomplished and simultaneously looking forward to the work before us. The old is passed away; all things become new. Yet, in welcoming the new, the past is still with us. Happy New Year! ¡Tengas un año nuevo prospero!

196th edition

January 2007

### UPCOMING EVENTS

- SC Bar High School Mock Trial Competition: Feb 24
- Law Day: May 1

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## Announcements

**Christian and Davis** announces that **Matthew W. Christian** has become a partner in the firm located at 1007 E. Washington St., Greenville, SC 29601.

**Luanne Lambert Runge**, a shareholder with **Gallivan, White & Boyd, P.A.**, has been selected to serve as General Counsel for the Greater Greenville Chamber of Commerce for 2007. Runge's previous involvement at the Chamber includes service on the Board of Directors as Vice Chair for Workforce Development and Education, and on the Board of Governors. She has also served the Chamber as Chair of the Board of Regents for Leadership Development and Chair of the Corporate Partnership for Operational Excellence. She practices in the areas of business and commercial litigation, health care, and class actions.

**John I. Mauldin**, Public Defender for Greenville County, announces the appointment of **Thomas M. Hoskinson** as **Assistant Public Defender** in the offices located at the Greenville County Courthouse.


**Gallivan, White & Boyd, P.A.** is pleased to announce that **Stephanie G. Flynn** has become a Partner with the Firm. Flynn joined the firm in 1999 after earning a J. D., cum laude, from The University of South Carolina School of Law. She is a member of the firm's Litigation team, focusing her practice in Commercial Transportation and Railroad, Toxic and Mass Torts, and Products Liability.

**Herman E. Cox** and **J. Kirk Fisher** are pleased to announce the formation of **Cox & Fisher, LLC** located at 115 Broadus Ave, Greenville, SC 29601. 864-242-4711

**Ogletree, Deakins, Nash, Smoak & Stewart, P.C.** is pleased to announce that Greenville attorney **Merl F. Code** has been elected to the Palmetto Institute's Board of Directors. He will serve a two-year term on the board beginning December 11. The Palmetto Institute is a research and educational organization dedicated to creating a business, community, political, and educational environment that produces prolonged growth in the creation, distribution, and retention of wealth for all South Carolinians. The Institute carries out its mission by bringing forth issues of importance to the state through sound research and policy options. Mr. Code joined Ogletree Deakins in 2005 and concentrates his practice in the areas of positive employee relations and diversity.

**Turner, Padgett, Graham & Laney, P.A.** and **Scott & Associates** merged on December 1, 2006, bringing the total number of Turner Padgett attorneys to 85 for the fifth largest law firm in South Carolina. J. Munford Scott, Jr. Esq., John M. Scott, III, Esq., J. David Johnson, IV, Esq. and their staff relocated to the Turner Padgett Florence office, located at 1831 West Evans Street (BB&T Building), 4<sup>th</sup> Floor in Florence, SC on December 1.

**O. Shayne Williams** begins year 2007 as a shareholder at **Turner, Padgett, Graham, & Laney, P.A.** He practices in the area of workers' compensation law. Williams attended the University of South Carolina School of Law and graduated in May 2000. He has practiced exclusively in the area of workers' compensation defense since joining Turner Padgett in August of 2000.



### Verdicts

**Caption: Forest Oaks HOA, Inc. vs. Capital Funding Inc., Forest Oaks Inc., and W.P. Sligh**  
**Case No. 2005-CP-23-5674 & 5675**  
**Attorney for Plaintiff: Craig Allen**  
**Attorney for Defendant: David Belding**  
**Cause of Action: Debt Collection**  
**Verdict for the Plaintiff: \$34,443.47**

**Want to make sure your verdict appears here?**  
**Send information to Melinda at**  
**gbarnews@charter.net or fax to 297-1599**

### Do you have an idea for a CLE Topic?

Please send any ideas to  
gbarnews@charter.net or call 297-1599

## OPPORTUNITIES FOR ATTORNEYS

The Greenville County Bar Association offers opportunities for attorneys to expand their volunteer activities and give back to the community. Check out the Committees on which you may serve:

**Programs** - Responsible for organizing educational and/or fun programs for the Bar and the community



**Law Week** - Responsible for organizing events to celebrate this national recognition of our Constitution and laws, Law Day (May 1)

**Social** - Responsible for organizing relaxed events for networking and pleasure

**Continuing Legal Education** - Responsible for organizing and implementing seminars for convenient and inexpensive ways to fulfill our continuing legal education obligations

**Public Relations** - Responsible for publicizing our events for greater attorney and community involvement and enlightenment

**Memorial** - Responsible for organizing the Memorial Service that celebrates the lives of those who have died

**Judicial Relations/Liaison** - Responsible for ensuring open lines of communication between the Bench and the Greenville Bar

**Caring** - Responsible for contacting members who are ill or who have experienced a tragedy

Please contact Melinda Davidson at [GBARNEWS@charter.net](mailto:GBARNEWS@charter.net) or Debra J. Gammons at [gammond@greatergreenville.com](mailto:gammond@greatergreenville.com) or 467-5758 for more information or the name of the Committee on which you would like to serve in 2007.

## QUOTATIONS THAT INSPIRE

And as imagination bodies forth  
The forms of things unknown, the poet's pen  
Turns them to shapes and gives to airy nothing  
A local habitation and a name.

- William Shakespeare, *A Midsummer Night's Dream*, Act V, Scene 1  
Submitted by Sandi Wilson, Attorney at Law, Womble Carlyle Sandridge & Rice, PLLC

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## Job Opportunities

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McAngus Goudelock & Courie, LLC, a regional law firm with five locations across the Carolinas, seeks full-time Workers' Compensation Associates with 3-5 years of experience for our Greenville, SC office. Generous relocation assistance is available. Our firm offers competitive compensation, excellent benefits, and a positive work environment. All inquiries will be kept confidential. Submit resumes to Jay Courie, Managing Partner, at PO Box 12519, Columbia, SC 29211 or email [jcourie@mgclaw.com](mailto:jcourie@mgclaw.com).

McAngus Goudelock & Courie, LLC, a regional law firm with five locations across the Carolinas, seeks full-time Litigation Associates with 3-5 years of experience for our Greenville, SC office. Generous relocation assistance is available. Trial experience is required. Our firm offers competitive compensation, excellent benefits, and a positive work environment. All inquiries will be kept confidential. Submit resumes to Jay Courie, Managing Partner, at PO Box 12519, Columbia, SC 29211 or email [jcourie@mgclaw.com](mailto:jcourie@mgclaw.com).

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## LIFE IN THE COURTROOM “LITIGATION ROLLER COASTER”

Keith Munson was in the process of picking a jury in a personal injury matter in which he was defending a railroad. During *voir dire*, a prospective juror informed the Court that his car had been hit by one of the railroad's trains. The Judge asked the prospective juror if he could, nevertheless, be fair. The juror responded, “Yes” and he was qualified by the Court. Shortly thereafter, a middle-aged female juror, upon being asked about any dealings with the railroad, began to sob hysterically, pointed directly at the railroad's representative and cried out that one of the railroad's trains had killed her mother (when the juror was just 16 years old). She then ran from the courtroom in tears. Although she was dismissed, the Judge proceeded with the jury panel that had witnessed the emotional accusations against the railroad. The

trial was out-of-town and lasted four days. While Keith prepared for the next day's witnesses, his legal cohort reported back to the firm with increasingly gloomy reports (which began gloomy enough after the jury selection). Oblivious, Keith thought it had gone pretty well. When he got back to the office with a defense verdict in hand, people were stunned (thanks mostly to the rock-solid low expectations that had developed). All seemingly for naught, however. The next week, the Judge granted a new trial under the 13<sup>th</sup> juror doctrine (which, thankfully, the Supreme Court found didn't apply as this case was brought under a federal statute).

Submitted by Keith D. Munson, Attorney at Law, Womble Carlyle Sandridge & Rice, PLLC

## Available Office Space

**Office space for rent, 638 E. Washington Street.** Share common reception area, conference room, and kitchen (all fully furnished) with one attorney. Separate large office (with private bath) and separate staff office for individual use. Security system, telephone, computer networking, and internet lines installed. Good visibility. Ample parking. Rent and utilities split. Contact 271-1389.

**Office space available for rent. 406 Pettigru Street.** Good location. Off street parking available. Basement file storage. Utilities included. Good spot for sole practitioner. Call 232-9700 for more information.

**Newly remodeled three room office suite** with private entrance and onsite parking in downtown Greenville. 101 W. Park Avenue. Call Leah at 232-5800

**Office condominium space for rent** at intersection of Faris and Cleveland Street. Five minutes from Greenville Courts. Convenient parking, reception area, conference room, internet, phone with all utilities included. All offices cleaned biweekly. Eight hundred dollars/month. Call Jane at 233-3100.

### Office Building for Sale 1413 Laurens Road

- \* 1400+ SF Office Building ideal for professional firm
- \* Beautiful and welcoming office space ~1 mile from Downtown Greenville
- \* Includes large conference room, 3+ offices, reception area and storage space
- \* Lot includes current rental property

For further information please contact  
Susanne at 864-242-0700



## AVAILABLE OFFICE SPACE

**For Lease: Historic "West End Market"  
Building**

**2nd Floor Office (845 to 1950 sq. ft.)**

**Free Parking Within 100 ft.**

**Great view- Space overlooks Augusta Street  
And Main Street.**

**Contact Property Manager at (864) 325-6492**

**George Clauer Ad**

**Case Lode Ad**

**Anthony  
Proietta ad**

## **Thanks to the 2006 Executive Committee!!**

Jeff Merriam	Debra Gammons
David W. Edwards	Jim Warren
William Lucius	Nicole Buntin
Courtney Atkinson	Rosalyn Mattingly
Christopher B. Roberts	Chip Price
Jason Elliott	Michael Bogle
Matthew Johnson	Jack Griffeth
William Clarke	Chip Price
Frank Eppes	

**We have several new features this year.  
Please submit your favorite quotes and memories to  
gbarnews@charter.net**

### **One Day in Law School ...**

**When my grandfather, J. Frank Eppes, was in law school at Carolina, Richland County was a dry county. My grandfather, a graduate of Erskine College, didn't drink. One of his classmates was given a gallon of pure alcohol to wash a cut he had gotten, and he was scared to keep it in his own room because of his roommates, so he asked my grandfather to keep it in his room on the Horseshoe. Unfortunately, on the way over some classmates saw the tell-tale glass jug and hollered across the lawn, "Hey Frank, what's in the jug?" My grandfather didn't hesitate, he yelled back, "A gallon of the purest grain alcohol money can buy." He said that everybody heard him and nobody believed him, so telling the truth turned out to be the best way to keep the liquor safe. There is a lesson in that story, I am sure of it. It might be as simple as "Honesty is the best policy," but I think there is more to it than that. I usually think of the story whenever I am tempted to stray from the truth.**

**Submitted by Frank L. Eppes, Attorney at Law, Eppes & Plumblee**

# RUMINATIONS

by Debra J. Gammons

## HENRY F. FLOYD

United States District Court Judge



### Judge Floyd, Why did you choose to go to Law School?

Well, my grandfather, Furman Holder, was involved in politics and my great uncle, Felix Finley, was a lawyer. I spent a great deal of time with

them in Pickens as a little boy and teenager and they encouraged me to pursue a career in politics and law. My grandfather and I would play horse-shoes and ride horses together, something I enjoyed very much. I was 16 years old when my grandfather died.

### What was the best part of Law School?

I enjoyed the Socratic method of teaching. It was a different way of thinking and processing information.

### What was significant about your Law School career?

It wasn't significant but I ran for the State House of Representatives after my second year in Law School. I survived a Primary Election and the General Election in 1972.

### How did you run for office, win, and serve in the House while in Law School?

Well, I did a lot of politicking on the weekends during the semester before the Primary. I campaigned and worked that summer. When I was elected, I did miss class sometime.

### How many terms did you serve in the House?

Three.

Judge Floyd, When I first moved to this area, I worked for an attorney who had been disbarred earlier. I did not know this beforehand. One of

the frustrating experiences I had was this attorney's giving me a file at the end of the day and telling me I had to try the case the next day; sometimes, it would be a few hours before I had to appear in Court. I remember explaining my plight to you and you would nod your head and say, "I understand." You were encouraging, patient, and kind. I have always appreciated your kindness. Are you naturally a patient person or did you have to learn patience?

I am not naturally a patient person. I have two signs in my office now that I had when I was on the Circuit Court bench. One says, "Remember you were once a trial lawyer." The second one says, "Patience." I find that the easier going you can be and the nicer you can be as a lawyer and judge, you can accomplish more.

### What has been the foundation of your success?

Let's see. I would have to say to be prepared and to have patience. Being prepared is extremely important to me.

### What has been most challenging to you in your life?

Being prepared. I have a Type A personality. I want to make sure that I am kept abreast of the issues in which I deal. I guess the main reason for my stressing that one always be prepared is not to embarrass oneself.

### Where did you go to High School?

Pickens.

### What were your extra curricular activities?

I was Vice President of the Student Body. I played basketball and golf. I was a photographer for the Annual. I was in the Beta Club. And I played in the Band.

### What instrument did you play?

Clarinet.

(Continued on page 9)

**Do you still play the clarinet?**

I can. Maybe at Christmas time, my daughter, wife, and I will play together. My daughter plays the viola and my wife plays the piano. Those instruments work together on different keys but we have found some music that we can play together.

**What are your hobbies?**

Cooking, reading, walking, and playing golf. I walk to meditate; I walk for patience.

**What do you consider to be the underlying principles that have inspired you to succeed?**

I was highly motivated in large part thanks to my parents (Frank Floyd and Margaret Floyd). They taught me and my brother to work hard, study hard, make good grades. I remember that in my competitions when I was younger I would usually come in second place. My Daddy would say, "How did you do?" after every competition. I would reluctantly tell him. Then when I was confirmed to serve on the Federal Bench, I told him at the confirmation, "I finally finished first!"

**How did you meet your wife, Elizabeth Hunt Floyd ("Libba")?**

We knew each other since we were children. But we did not start dating until our Senior year in High School. It is kinda weird but I have this photograph of the two of us that was taken in Vacation Bible School and she has her head on my shoulder; it was taken around 1953 or '54. Her Daddy was a principal and she has pursued a career in education. Both of us have a strong commitment to public education.

**What do your children do?**

Hank works in a landscaping business and in golf course work. Betts is an investment banker with the Royal Bank of Canada.

**Where did you go to undergraduate school?**

Wofford.

**Why did you choose Wofford?**

It was known for its academic reputation.

**What were your extra curricular activities at Wof-****ford?**

I was Treasurer of the Student Body, in Blue Key (National Honor Society), Scabard and Blade (National Military Honor Society). I was in Who's Who Among Colleges and Universities.

**Why didn't you run for Student Government President?**

Because one of my best friends ran and I did not want to run against him.

**What was your major?**

I was a History major and the readings and papers that I wrote while at Wofford had a big influence on my life. I developed my reading and writing skills that prepared me for Law School.

**Who is your favorite author?**

John Steinbeck.

**What is your favorite book?**

*Anna Karenina* by Leo Tolstoy.

**Who is your favorite historical figure?**

Thomas Jefferson fascinates me the most. His intellect, writing skills, and wealth of knowledge were amazing. He was truly a Renaissance Man.

**I admire your ability to see people as people – not as a color or gender. Were you taught this early?**

A person who worked with my Daddy, Clemont Gowens, had a great influence on me. I worked with him at my Dad's Feed and Seed store in Pickens. Clemont was a black person and he was my friend. I watched him. He taught me about courtesy and being fair with everyone. I saw his mistreatment by others and he always remained calm. He had all sorts of sayings that he would come up with. He was at my swearing-in ceremony. He taught me about color-blindness and gender-blindness. My Daddy retired in 1991 and Clemont said he would retire when my Daddy retired. He was in his late 80s when he died. He was a wonderful person.

## **JUDGES NEEDED**

The South Carolina High School Mock Trial  
will be held on February 24, 2007  
at the Greenville County Courthouse.

Attorneys are needed to serve as judges for this event.

Want to serve?  
Contact Debra Gammons at 467-5758 or  
at [gammond@greatergreenville.com](mailto:gammond@greatergreenville.com)

## **Call for Judges and Jurors**

Furman University is seeking lawyers to serve as judges and members of the community to serve as jurors at the South Atlantic Mock Trial Regional Tournament, January 26-27. Participants must be at least 16 years old and be willing to serve for one trial. Total time commitment is four hours.

To learn more about the competition or to register as a judge or juror, please visit the tournament's Web Site :  
<http://ps.furman.edu/engaged/mocktrial>

## **DID YOU KNOW??**

South Carolina was once ahead of all other English-speaking jurisdictions in the area of criminal procedure; for example, an Act of the Criminal Assembly in 1731 provided for the random selection of jurors; mandated that in all criminal trials the accused must have a copy of the indictment before trial, be allowed to present sworn witnesses, be represented by counsel, and have counsel appointed for representation if the accused could not afford to hire an attorney.

Guide to South Carolina Criminal Law and Procedure  
by Patricia Seet Watson and William Shepard McAninch.

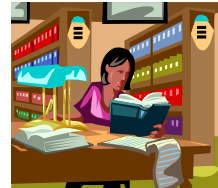
# Education and Certification Seminar

Sponsored by  
**Legal Staff Professionals of Greenville**

**SATURDAY, FEBRUARY 10, 2007**  
**Registration: 8:30 a.m. – Seminar 9 a.m. to 5 p.m.**

**Womble Carlyle Sandridge & Rice ♦ 550 S. Main Street, Suite 400**

Anyone interested in basic certification (ALS), advanced certification (PLS), or professional paralegal certification (PP) should take advantage of this low-cost, one-day preparation seminar. Cost includes all study materials and lunch.



## REGISTRATION INFORMATION

Name: \_\_\_\_\_

Employer: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

NALS Member No. (if applicable): \_\_\_\_\_

<b>FEES:</b>	NALS Member	\$75
	Nonmember	95
	Student	70

**No refunds will be given after February 1, 2007.**

**CLE CREDIT:** 7.0 hours

Return this registration sheet with your check payable to **LSPG** to:  
**Tara Prevatte ♦ LSPG Treasurer ♦ 11 McGee Street ♦ Greenville, SC 29601**

Questions or comments? Contact:

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**For further information please visit our website at  
[www.lspg.org](http://www.lspg.org)**

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***Deadline for articles or  
advertisements for next  
month's publication will be the  
January 20.***