

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2024-CP-08- 02993

Sam Lawrence, Jr.,

Plaintiff,

vs.

Percy Beauford, Esquire, individually, LAW
OFFICE OF PERCY BEAUFORD, P.A., Jeffrey
Scott Weathers, Esquire, individually, and
LAW OFFICE OF JEFFREY S. WEATHERS, LLC,

Defendants.

**EXPERT AFFDAVIT OF
THOMAS A. PENDARVIS**

Personally appeared before me, Thomas A. Pendarvis, who, first being duly sworn, says:

It is my expert opinion, held to a reasonable degree of professional certainty based upon my review of the available evidence, that Defendants named in the caption committed at least one act or omission of professional negligence in breach of their professional duties proximately causing damages to Plaintiff as set forth below:

Background Facts

Percy Beauford, Esq. ("Mr. Beauford") is a lawyer licensed to practice law in South Carolina. Mr. Beauford practices or did practice law at the relevant time under the auspices of LAW OFFICE OF PERCY BEAUFORD, P.A. Jeffrey S. Weathers, Esq. ("Mr. Weathers") is also a lawyer licensed to practice law in South Carolina. Mr. Weathers practices or did practice law at the relevant time under the auspices of LAW OFFICE OF JEFFREY S. WEATHERS. Unless otherwise designated, Mr. Beauford, Mr. Weathers, and their respective law firms will be referred to collectively in this affidavit as "the Lawyers."

Sam Lawrence, Jr. ("Mr. Lawrence") is an elderly gentleman who owned an interest in property with a building in Berkeley County, that had been rented to A PLACE IN THE WOODS

SOCIAL CLUB, LLC ("Social Club"). Mr. Lawrence was not employed by, had no interest in, or control of Social Club and was not its agent. In August 2013, Sha'Quille Mi'Leak Jamal Washington ("Mr. Washington") killed Heman Manigault, III on the premises leased by Social Club. In August 2016, the Estate of Heman Manigault, III ("Manigault Estate") filed a lawsuit against Social Club, Mr. Lawrence, and Mr. Washington asserting wrongful death and survival claims ("the Lawsuit"). On December 16, 2016, Mr. Lawrence was personally served with process in the Lawsuit. On July 26, 2017, an Order of Default against Mr. Lawrence was filed.

On September 5, 2017, approximately six weeks after the Order of Default was entered, Mr. Beauford accepted the representation of Mr. Lawrence after Mr. Lawrence provided Mr. Beauford with information about the Lawsuit.

On September 28, 2017, the Manigault Estate filed via US Mail a Motion for Judgment against Mr. Lawrence and mailed a copy to him. Because the Manigault Estate had not included a motion cover sheet with the filing, the Berkeley County Clerk of Court returned the motion to counsel for the Manigault Estate to be him corrected with the filing of the motion information coversheet.

On October 11, 2017, Mr. Beauford advised Mr. Lawrence to execute five deeds Mr. Beauford had prepared transferring title to those properties to Mr. Lawrence's daughters with a life estate for Mr. Lawrence. By November 6, 2017, Mr. Beauford had recorded all five deeds.

On October 20, 2017, Mr. Weathers accepted the representation of Mr. Lawrence concerning the Lawsuit, notwithstanding a concurrent conflict of interest arising from Mr. Weather's representation of another client in a quiet title action that Mr. Weathers had filed against Mr. Lawrence and others (concerning the same property where Mr. Manigault was killed). Mr. Weathers did not obtain Mr. Lawrence's informed consent to waive the existing conflict of interest.

On October 24, 2017, the Manigault Estate refiled the Motion for Judgment against Mr. Lawrence.

Approximately three months and two weeks passed after Mr. Beauford began representing Mr. Lawrence and approximately two months after Mr. Weathers joined in the representation without either lawyer filing anything on behalf of Mr. Lawrence in the Lawsuit Notwithstanding the Order of Default or the Motion for Judgment against Mr. Lawrence.

On December 29, 2017, Mr. Beauford filed a one-page Motion to set aside the Order of Default and a two-page “Memorandum in Support of the Motion to Set Aside Default Judgment.” Neither the motion nor the memorandum in support cite any Rule of Civil Procedure nor was any evidence or testimony filed in support of motion.

On January 12, 2018, Mr. Beauford filed a two-page Answer to the Complaint on behalf of Mr. Lawrence, which simply admitted or denied or claimed lack of information in response to each of the allegations in the Complaint. Mr. Buford’s Answer did not assert any affirmative defenses, did not provide any information responding to the allegations, and did not include any evidence or otherwise advocate the meritorious defenses available in defense of the claims asserted against Mr. Lawrence.

On February 15, 2018, a hearing was held on the Motion to set aside default that Mr. Beauford filed. Although Mr. Beauford appeared at the hearing, he did not have Mr. Lawrence attend the hearing. Based on the record with the Clerk of Court, Mr. Buford did not submit any evidence or testimony on behalf of Mr. Lawrence.

On February 28, 2018, Mr. Weathers had Mr. Lawrence sign a Substitution of Counsel form, in which Mr. Beauford was relieved and Mr. Weathers was substituted as counsel for Mr. Lawrence in the Lawsuit. The Substitution of Counsel form was filed on March 9, 2018.

On March 15, 2018, an Order was entered denying the Motion to set aside default that Mr. Beauford filed. The Order found that Mr. Lawrence “was served with the form Summons clearly notifying [Mr. Lawrence] of the necessity of filing an answer within thirty days of service and that [Mr.] Lawrence clearly understood the meaning of the Summons especially since [Mr.] Lawrence, by and through his counsel, transferred most if not all of the real property to a life estate between October 13, 2017 and December 14, 2017.

On April 4, 2018, Mr. Weathers filed a motion titled to be under “Rule 59(e), SCRCP,” arguing the trial court failed

to address the arguments set forth by the Defendant’s prior attorney, Percy Beaford, as to the fact that the Defendant Lawrence had shown good cause under all of SCRCP 60 (b)1, 60(b)2 and 60b(3). Per the Order, the only grounds for the denial of Defendant Lawrence’s motion (*sic.*) is elderly and had sought out estate advice from his probate attorney. He was not on the premises on the date in

question, and he has more than a meritorious defense for that and other reasons.

On April 10, 2018, that Motion was heard, and a Form 4 Order was issued denying the Motion. On May 15, 2018, Mr. Weathers filed a Notice of Appeal. In response to Mr. Weathers' request, on June 20, 2018, the South Carolina Court of Appeals issued an Order dismissing the appeal, the remittitur on which was filed in Berkeley County on July 13, 2018.

On July 13, 2018, Mr. Weathers filed a Motion seeking relief from judgment under Rule 60(b), SCRCP.

On January 13, 2021, the trial court conducted a damages hearing, during which Mr. Weathers voluntarily withdrew the Rule 60(b) motion. Neither Mr. Beauford nor Mr. Weathers informed Mr. Lawrence the hearing on the Rule 60(b) motion and the damages hearing were being held on January 13, 2021.

On February 1, 2021, the Court issued an Order entering a \$1,000,000 judgment against Mr. Weathers. On August 17, 2021, the Manigault Estate filed a Motion for execution of the judgment against Mr. Lawrence.

Mr. Weathers did not inform Mr. Lawrence about the judgment or the Motion for execution of the judgment. Mr. Lawrence learned about the judgment in 2023 from other sources.

Expert Opinions

It is my opinion held to a reasonable degree of legal professional certainty based upon the available evidence that the Lawyers were professionally negligent in their representation of Mr. Lawrence responding to the allegations in the Lawsuit, which directly resulted in financial losses to Mr. Lawrence.

In September 2017 when Mr. Beauford (and in October when Mr. Weathers joined in the representation about a month later) began representing Mr. Lawrence, an Order of Default had been entered against Mr. Lawrence. Notwithstanding the fact that no Answer to the Complaint had been filed on behalf of Mr. Lawrence, evidence and testimony was available to support a Motion under Rule 60(b), SCRCP, to relieve Mr. Lawrence from the Order of Default.

In my opinion, had the Lawyers met the standard of care in the representation of Mr. Lawrence, a trial court, more likely than not, would have granted a Motion under Rule 60(b),

SCRCF. Meeting the standard of care has two points: First, Mr. Beauford should not have advised Mr. Lawrence to issue the five deeds to avoid the Manigault Estate's claims. The fact that Mr. Lawrence had signed those five deeds was the basis of the trial court's conclusion that Mr. Lawrence understood the requirements of the Subpoena. Issuing five deeds to avoid the Manigault Estate's claims are fraudulent and subjects Mr. Lawrence to additional sanctions and penalties. Second, the Lawyers should have argued and presented evidence showing 1) only a little over six months had passed between Mr. Lawrence being served with the Complaint and the entry of default; 2) Mr. Lawrence's advanced age and unfamiliarity with the legal process was the cause of his delay in responding to the Complaint; (3) the evidence and testimony submitted with the Rule 60 motion, including the lease agreement with Social Club, an affidavit by Mr. Lawrence containing his testimony that he was not an employee, agent, or owned any interest in Social Club, and was not on the property on the night of Mr. Manigault's death, all of which establish the existence of a meritorious defenses to Manigault Estate's claims; and (4) the lack of prejudice to Manigault Estate as it would still be able to prosecute its claims.

1. Specific errors by Mr. Beauford.

a. Advising Mr. Lawrence to issue deeds to defraud the Manigault Estate.

Mr. Beauford had, among other duties, a professional duty to protect Mr. Lawrence's interests and provide competent representation. These professional duties required Mr. Beauford not to advise and assist Mr. Lawrence in taking actions Mr. Beauford knew or should have known were fraudulent. The legal advice Mr. Beauford provided and the five deeds he prepared purporting to convey property Mr. Lawrence owned to others was fraudulent because it was designed to avoid the claims or judgment in favor of the Manigault Estate. *See* S.C. CODE ANN. § 27-23-10; *Oskin v. Johnson*, 400 S.C. 390, 397, 735 S.E.2d 459, 463 (2012) ("In interpreting [the Statute of Elizabeth], this Court has held conveyances shall be set aside under two conditions: First, where there was valuable consideration and the transfer is made by the grantor with the actual intent to defraud; and, second, where a transfer is made without actual intent to defraud but without valuable consideration."). In addition, Mr. Beauford's advice could also result in Mr. Lawrence (and his daughters) not only losing the five properties, but Mr. Lawrence may also be found to owe the Manigault Estate "forfeiture of one year's value of such lands" under S.C. CODE ANN. § 27-23-30

and subject Mr. Lawrence to imprisonment for up to 6 months.

2. Errors by the Lawyers collectively.

a. Failing to obtain relief from the Order of Default.

The Lawyers had, among other duties, a professional duty to protect Mr. Lawrence's interests and provide competent representation, including, but not limited to, filing a motion supported by evidence and testimony under Rule 60(b), SCRCP, to obtain relief from the default immediately after being retained. The available legal remedies and the Lawyers' deviations below the standard of care will be discussed in the following section below concerning the Lawyers' collective failure to properly seek relief from judgment as required to meet the standard of care in their representation of Mr. Lawrence.

Mr. Weathers had, among other duties, a professional duty to protect Lawrence's interests and provide competent representation, including, but not limited to, obtaining relief from the judgment available under Rule 60(b), SCRCP.

Because a trial on the merits is preferred over a judgment by default, *see Columbia Pools, Inc. v. Galvin*, 288 S.C. 59, 339 S.E.2d 524 (Ct. App. 1986), the procedures and professional standards for obtaining relief from a default judgment are liberally construed to see that justice is promoted and to strive for the disposition of cases on the merits. *See Rochester v. Holiday Magic, Inc.*, 253 S.C. 147, 169 S.E.2d 387 (1969); *Mann v. Walker*, 285 S.C. 194, 328 S.E.2d 659 (Ct. App. 1985). The Lawyers should have taken advantage of this liberal standard. Rule 60(b)(1), SCRCP, gives the trial court sound discretion to allow relief from a final judgment on the grounds of "mistake, inadvertence, surprise, or excusable neglect." *See BB & T v. Taylor*, 369 S.C. 548, 551, 633 S.E.2d 501, 502 (2006).

In determining whether to grant a motion for relief from a final order for mistake, inadvertence, surprise, or excusable neglect, the Lawyers knew or should have known that the trial judge would consider: (1) the promptness with which relief is sought; (2) the reasons for the failure to act promptly; (3) the existence of a meritorious defense; and (4) the prejudice to the other party. *See* Rule 60(b)(1), SCRCP; *McClurg v. Deaton*, 380 S.C. 563, 573, 671 S.E.2d 87, 93 (Ct. App. 2008); *Micronics, Inc. v. South Carolina Department of Revenue*, 345 S.C. 506, 548 S.E.2d 223 (Ct. App. 2001). Each of those standards and the Lawyers' errors in failing to obtain relief from

the Order of Default are discussed below.

i. Failed to promptly seek for relief from judgment with evidence satisfying the “excusable neglect” standard.

The “Motion to Set Aside Default Judgment” that Mr. Beauford filed on December 29, 2017, not only tried to apply a “good cause” standard under Rule 55(c), SCRCP, instead of the appropriate “excusable neglect” standard under Rule 60(b)(1), SCRCP, but Mr. Beauford failed to present any of the available evidence or testimony showing inadvertence, surprise, or excusable neglect supporting the statements in the motion. “The movant in a Rule 60(b) motion has the burden of presenting evidence proving the facts essential to entitle him to relief.” *Bowers v. Bowers*, 304 S.C. 65, 67, 403 S.E.2d 127, 129 (Ct. App. 1991).

It was below the standard of care when Mr. Beauford filed a one-page Motion to set aside the Order of Default and a bare-bones two-page “Memorandum in Support of the Motion to Set Aside Default Judgment” without any of the available evidence or testimony in support.

ii. Failed to present the evidence available showing the reasons why Mr. Lawrence did not promptly file a response to the Summons & Complaint.

Mr. Beauford’s “Motion to Set Aside Default Judgment” did not include any evidence showing the effects of Mr. Lawrence’s advanced age, including possible medical records and other evidence of his declining mental ability, as well as his unfamiliarity with the legal process. That information would have carried significant weight had Mr. Beauford not provided Mr. Lawrence the legal advice to sign the five deeds to avoid the judgment. The motion and memo in support should have also argued that only a little over six months had passed between Mr. Lawrence being served with the Complaint and the entry of default, which would not have resulted in any prejudice to the Manigault Estate’s ability to prosecute its claims.

iii. Failed to present evidence showing the meritorious defenses to the Manigault Estate’s claims.

The Motion to set aside the Order of Default and supporting Memorandum in Support should have included the lease agreement with Social Club, an affidavit by Mr. Lawrence containing his testimony that he was not an employee, agent, or owned any interest in Social Club,

and was not on the property on the night of Mr. Manigault's death, all of which establish the existence of a meritorious defenses to Manigault Estate's claims.

iv. Failed to show the lack of prejudice to the Manigault Estate's claims due to short delay in prosecuting the claims and the absence of evidence showing a proximate and causal relationship between the tort and Mr. Lawrence.

The Motion to set aside the Order of Default and supporting Memorandum in Support should have argued the Manigault Estate's claims would not be prejudiced by the trial court lifting the default, because of the relatively short delay in prosecuting its claims because of the default proceedings. The Lawyers should also have argued Manigault Estate's claims would not truly be prejudiced there was no proximate cause between any act or omission by Mr. Lawrence and Mr. Manigault's death.

v. Withdrawing the Rule 60(b) motion during the January 13, 2021 hearing.

It was clear error for Mr. Weathers to withdraw the Rule 60(b) motion during the hearing on January 13, 2021. The Rule 60(b) motion was the only viable motion available to protect Mr. Lawrence's interests, notwithstanding the deficiencies in the motion, including the lack of evidence or testimony in support.

b. Failing to keep Mr. Lawrence reasonably informed on developments in the Lawsuit.

The Lawyers had, among other duties, a professional duty to communicate with Mr. Lawrence on developments in the Lawsuit. The information the Lawyers failed to provide Mr. Lawrence was substantial and material to Mr. Lawrence's interests. For example, the Lawyers' failure to inform Mr. Lawrence about the entry of the \$1 million judgment delayed Mr. Lawrence's ability to pursue remedies. The Lawyers failed to meet the standard of care on communicating with Mr. Lawrence as required to represent Mr. Lawrence properly.

3. Summary of the Lawyers' conduct.

The available evidence indicates the Lawyers were negligent, failed to meet the standard of care, and thereby breached their professional duties to Mr. Lawrence by failing to provide

competent representation. Because the Order of Default had been entered before the Lawyers accepted the representation of Mr. Lawrence, the “good cause” standard under Rule 55(c), SCRCP, was not available and it was below the standard of care to file a motion under Rule 55(c), SCRCP, instead of “excusable neglect” under Rule 60(b), SCRCP, supported by the available evidence, which more likely than not, would have resulted in the trial court relieving Mr. Lawrence from the Order of Default. While in my professional opinion, relief from the Order of Default was available, the record shows the Lawyers filed a motion under Rule 60(b), but voluntarily abandoned all efforts to obtain relief under that motion.

From the available evidence, Mr. Lawrence sustained financial damages as a direct and proximate result of the Lawyers’ acts and omissions.

The client-lawyer relationship created professional, ethical, contractual, and fiduciary duties owed by the Lawyers to Mr. Lawrence. The Lawyers had duties, among others, to protect Mr. Lawrence’s interests by establishing Mr. Lawrence’s “excusable neglect” under Rule 60(b), SCRCP, supported by the available evidence. The Lawyers violated their duties to Mr. Lawrence in numerous ways, including, but not limited to:

- By failing to provide Mr. Lawrence with competent advice and representation;
- By failing to use the legal knowledge, skill, thoroughness, and preparation reasonably necessary in the circumstances;
- By violating the standard of care, which required the Lawyers to render legal services with the degree of skill, care, knowledge, and judgment usually possessed and exercised by members of the legal profession; and
- By otherwise failing to protect Mr. Lawrence’s interests.

In my opinion, had the Lawyers met the standard of care, more likely than not, Mr. Lawrence should have been relieved of the Order of Default, and should have been able to successfully defend the claims asserted on behalf of the Manigault Estate. The Lawyers’ breach of their duties proximately caused financial losses to Mr. Lawrence as stated above.

Qualifications

My resume, summarizing my professional qualifications, is attached as **Exhibit 1**.

I have been a lawyer licensed to practice law in South Carolina and Georgia since 1992.

I am the sole shareholder of PENDARVIS LAW OFFICES, P.C., located at 710 Boundary Street, Unit A1, Beaufort, South Carolina.

My areas of practice and expertise generally relate to litigation matters, including litigation of legal malpractice claims, breach of fiduciary duty claims, business tort claims, personal injury claims, and, on occasion, appeals from those litigated matters. I also advise lawyers on ethics and professional responsibility matters, including representing lawyers on disciplinary matters before the South Carolina Supreme Court's Office of Disciplinary Counsel and the Commission on Lawyer Conduct. I have been regularly engaged in these areas of practice since 1992. In addition, I obtained board certification in legal malpractice litigation from the AMERICAN BOARD OF PROFESSIONAL LIABILITY ATTORNEYS, and that Board Certification is recognized by the South Carolina Supreme Court.

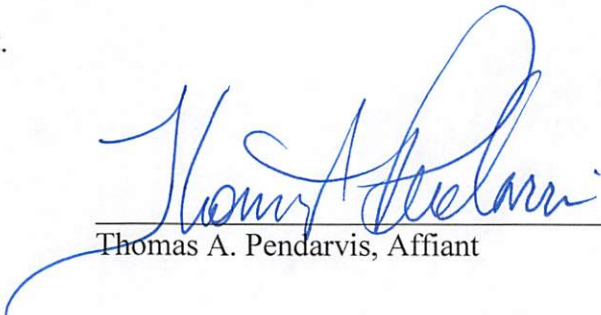
J. Clay Hopkins, Esq. with HOPKINS LAW FIRM, LLC, has retained me as an expert witness in this matter.

In rendering my opinions, I have reviewed the available evidence of the kinds of factual sources and legal authorities customarily relied upon by experts in the field of legal ethics, lawyer malpractice, and the liability of lawyers and law firms. I have had access to the factual materials available, including the following:

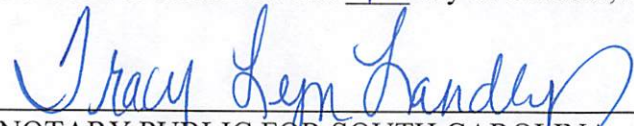
- draft Summons and Complaint against the Lawyers.
- 7-page PDF containing copies of the Lawyers' receipts from Mr. Lawrence's payments and several of the Lawyers' invoices to Mr. Lawrence.
- memorandum from the Berkeley County Clerk of Court filed July 26, 2017.
- Order of Default filed July 26, 2017, and copies of affidavits of service.
- Motion for Judgment filed October 24, 2017.
- Motion to set aside default filed December 29, 2017.
- Motion to set aside hearing on default judgment filed December 29, 2017.
- Memorandum in support of motion to set aside judgment, filed December 29, 2017.

- Answer on behalf of Mr. Lawrence, filed January 12, 2018.
- Substitution of counsel form, filed March 9, 2018.
- Order denying Mr. Lawrence's motion to set aside default filed March 19, 2018.
- Motion to alter or amend judgment filed April 4, 2018.
- Form 4 Order denying motion to alter or amend filed April 12, 2018.
- Notice of Appeal filed May 15, 2018.
- Order by the Court of Appeals dismissing the appeal, filed on July 9, 2018.
- Motion to alter or amend judgment under Rule 60 filed on July 13, 2018.
- Form 4 Order after the damages hearing directing counsel for the Manigault Estate to prepare a proposed order filed January 13, 2021.
- Form 4 Order awarding \$1 million in damages in favor of the Manigault Estate against Mr. Lawrence filed February 1, 2021.
- Order for damages filed on February 1, 2021.
- Motion for Execution filed on August 17, 2022.
- Complaint (premises liability) filed on August 24, 2016.
- Complaint filed by Mr. Weathers filed on December 5, 2016.
- Miscellaneous other documents reviewed from the public record (but not downloaded) in the *Manigault Estate v. Sam Lawrence, Jr., et al.* matter.

The Affiant further sayeth not.


Thomas A. Pendarvis, Affiant

SWORN to before me this 16 day of October, 2024


NOTARY PUBLIC FOR SOUTH CAROLINA (L.S.)
My commission expires April 16, 2034.

CURRICULUM VITAE

THOMAS A. PENDARVIS, ESQ.

BORN:

Augusta, Georgia, 1961

FAMILY:

Elizabeth Ann Pendarvis (wife)
A. Miciah Pendarvis (daughter, age 22)
Camille S. Pendarvis (daughter, age 20)
Tallie C. Pendarvis (daughter, age 18)

EDUCATION:

University of South Carolina, School of Law
Graduated May 1992
Juris Doctor

University of Georgia, School of Business
Graduated August 1984
Bachelor of Business Administration

Westside High School, Augusta, Georgia
Graduated 1979

EMPLOYMENT:

PENDARVIS LAW OFFICES, P.C.
Owner / President (May 2004 - present)

LEWIS, BABCOCK & HAWKINS, L.L.P.
Law Clerk (May 1990 - May 1992)
Associate (June 1992 - March 1997)
Partner (April 1997 - April 2004)

PENDARVIS CHEVROLET-OLDS CO., INC.
Shareholder / General Manager (1984 -1989)

BOARD CERTIFICATIONS:

American Board of Professional Liability Attorneys
Board Certified in Legal Malpractice (2011 - present)

ORGANIZATIONS:

American Bar Association (1992 - present)
 Torts and Insurance Practice Section (1993 - present)
 Litigation Section (1993 - present)
 Lawyers' Professional Liability Consortium (2006 - present)

Association of Professional Responsibility Lawyers (2020 – present)

Association of Trial Lawyers of America (1992 - 2007)
 Professional Negligence

American Association of Justice (2007 - present)
 Professional Negligence

Beaufort County Bar Association (2004 - present)

Ducks Unlimited (intermittent 1985 - present)

State Bar of Georgia (1992 - present)

National Wild Turkey Federation (intermittent 1984 - present)

Richland County Bar Association (1992 - 2004)

Rotary Club, Sea Island - Beaufort (March 2005 - 2009; inactive status)

South Carolina Bar (1992 - present)
 Torts and Insurance Practice Section Council (2006-2008)
 Professional Responsibility Committee (2009 - 2014; 2016 - present)
 Professional Liability Committee (2014 - 2016)

South Carolina Trial Lawyers Association (1992 - 2008)

South Carolina Association of Ethics Counsel (2008 - present)

South Carolina Association of Justice (2008 - present)

South Carolina Trial Lawyers Association Student Chapter (1990 -1992)

United States Court of Appeals for the Eleventh Judicial Circuit (1997 - present)

United States Court of Appeals for the Fourth Judicial Circuit (1992 - present)

United States Court of Appeals for the Ninth Judicial Circuit (2002 - present)

United States Court of Federal Claims (1997 - present)

United States District Court for the District of South Carolina (1993 - present)

United States District Court for the Middle District of Georgia (1995 - present)

United States District Court for the Northern District of Georgia (1995 - present)

United States District Court for the Southern District of Florida (1992 - present)

University of Georgia Martial Arts Club
President & Resident Black Belt (1981 - 1984)

University of South Carolina Environmental Law Journal
Member (1991 - 1992)

HONORS:

University of South Carolina School of Law Dean's List (Fall 1990, Spring 1991, Fall 1992)

University of South Carolina School of Law President's List (Spring 1992)

Diplomat with Board Certification in Legal Malpractice issued by the American Board of Professional Liability Attorneys (2011)

LECTURES / OTHER:

Moot Court Judge University of South Carolina School of Law (Fall 1995 - Fall 1997)

St. Mary's Hospital, Athens, Georgia (March 9, 2002) (Survivor 2002: The Litigation Labyrinth: Tips to Avoid Needless Professional Negligence Claims)

South Carolina Bar (March 2004) (Electronic Discovery)

South Carolina Trial Lawyers Association (August 2005) (Digital Discovery For the Trial Lawyer)

South Carolina Trial Lawyers Association (August 2006) (Paperless Office)

South Carolina Trial Lawyers Association (August 2007) (Legal Malpractice Claims)

South Carolina Bar (February 2007) (Ethical Issues to Consider in Avoiding Legal Malpractice Claims)

South Carolina Bar (December 2008) (Ethical Rules and Principles to Consider to Minimize Legal Malpractice Exposure)

South Carolina Association of Justice (August 2009) (Better Than The Bailout, Faster Than A Speeding Bullet: CaseMap and Other Case Management Programs)

South Carolina Bar (February 2011) (20/20: An Optimal View of 2010 – Current Issues in Professional Responsibility: Lawyers Leaving Law Firms and What Constitutes the Client ‘s File)

South Carolina Association of Justice (August 2012) (Avoiding Legal Malpractice Traps in Litigation)

South Carolina Bar (October 2012) (Deposition Essentials: Ethics in Witness Preparation and Deposition Conduct)

South Carolina Association of Ethics Counsel (January 2013) (Overview of Lawyer’s Duty to Report Professional Misconduct by Other Lawyers: The Lawyer ‘s Whistle-Blower Rule)

South Carolina Association of Justice (August 2013) (Digital Law Practice: So You Want to Go Paperless.....)

South Carolina Association of Ethics Counsel (January 2014) (Lawyer’s Professional Responsibility / Joint or Vicarious Liability for Co-Counsel’s Errors – “Fee Splitting”)

South Carolina Bar (February 2014) (Lawyer’s Professional Responsibility / Joint or Vicarious Liability for Co-Counsel ‘s Errors – “Fee Splitting”)

South Carolina Bar (May 2014) (Deposition Essentials: Ethics in Witness Preparation and Deposition Conduct)

South Carolina Association of Justice (August 2014) (Ethics Update & Co-Counsel Tips)

South Carolina Association of Ethics Counsel (January 2015) (Just What Are You Doing?: Defining and Limiting the Scope of the Representation)

Richardson, Patrick, law firm CLE (April 2015) (Just What Are You Doing?: Defining and Limiting the Scope of the Representation)

Inaugural CLE Program - (May 2015) (Law Firm Technology)

South Carolina Association of Justice (August 2015) (Just What Are You Doing?: Defining and Limiting the Scope of the Representation)

South Carolina Bar (September 2015) (Lawyer's Duty to Report Professional Misconduct by Other Lawyers: The Lawyer's Whistle-Blower Rule.)

South Carolina Bar (February 2016) (Torts Update – Ethics Panel)

South Carolina School of Law (March 2016) (Technology For a Paperless Small Law Firm)

South Carolina Association of Justice (August 2016) (Grieving from Grievance: “Don’t Threaten Me with a Good Time at ODC”)

South Carolina Bar (January 2017) ((Its Better in Beaufort CLE: “Deposition Essentials: Ethics in Witness Preparation and Deposition Conduct”)

South Carolina School of Law (January 2018) (Technology For a Paperless Small Law Firm)

South Carolina Bar (March 2018) (Its Better in Beaufort CLE: Technology For a Paperless Small Law Firm)

South Carolina School of Law (March 2018) (CaseMap - A Litigation Solution)

South Carolina Association of Justice (August 2018) (Just What Are You Doing?: Defining and Limiting the Scope of the Representation)

South Carolina Association of Justice (August 2018) (Preserving Sanity and Coverage: Whatcha Need to Say to Your Client and Carrier if Something Might Have Gone South)

South Carolina Bar (October 2018) (Managing your time: A Paradigm Adjusted for Ethical Compliance and Lawyer Sanity)

South Carolina Bar (November 2018) (The Ethics of Lawyer Accounting: Trust Accounts, Safe Keeping of Client Property; and Encryption of Sensitive Financial Data)

South Carolina Association of Justice (August 2019) (Ethics Rules – Confidentiality and Advertising in light of Recent Supreme Court Order)

RICHARDSON PATRICK WESTBROOK & BRICKMAN Litigation Seminar (November 2019) ((Deposition Essentials: Ethics in Witness Preparation and Deposition Conduct)

South Carolina Bar (February 2020) (Ethics in Motion Practice)

South Carolina Bar (September 2020) (Hot Tips Family Court - Video Conferencing Risk Management Considerations)

South Carolina Bar (October 2020) (Managing Time: Client Communications, Calendaring & Docket Management, File Storage & Document Retention)

South Carolina Association of Justice (August 2021) (The Ethics of Virtual Law Practice - We've got to draw the line on ethics somewhere, at least in pencil)

South Carolina Bar (October 2021) (Managing Time: Client Communications, Calendaring & Docket Management, File Storage & Document Retention)

South Carolina Bar (January 2022) (Ethics Overview for the Government Lawyer)

South Carolina Association of Justice (August 2022) (Professional Responsibility – Ethics: Lawyer's obligations in responding to a Subpoena for a client's file)

South Carolina School of Law (September 2022) (I'd Love to Tell You, But ..., - Confidentiality for Prospective Clients + Responding to Subpoena for Client File)

South Carolina Association of Justice (August 2023) (Professional Responsibility – Ethics: Duties to Prospective Clients)

South Carolina Association of Justice (August 2023) (Professional Responsibility – Ethics: Identifying Your Client & the Scope of Your Representation)

South Carolina Manufactures Alliance (October 2023) (I'd Love to Tell You, But ..., - Confidentiality for Prospective Clients)

South Carolina Association of Justice (December 2023) (Professional Responsibility – Ethics: Ethics in Witness Preparation)

BAR ADMISSIONS:

South Carolina Supreme Court
 South Carolina Court of Appeals
 Delaware Supreme Court
 United States District Court for the District of South Carolina
 United States District Court for the Southern District of Florida
 United States Court of Appeals for the Fourth Circuit
 United States Court of Appeals for the Eleventh Circuit
 United States Court of Appeals for the Ninth Circuit

January 16, 2024