



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2023**

Court, Position, and Seat # for which you are applying: Circuit Court At-Large Seat 8

1. Name: Mr. Thomas William McGee III
Mrs.
Ms.

Name that you are known by if different from above
(Example: A Nickname): Billy

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, etc.)
No

Home Address: [Redacted]

County of Residence: Richland

Business Address: Nelson Mullins Riley & Scarborough LLP
1320 Main Street, 17th Floor
Columbia, SC 29201

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): (803) 255-9431
(cell): [Redacted]

2. Date of Birth: [Redacted] 1970
Place of Birth: Columbia, SC
Social Security Number: [Redacted]

3. Are you a citizen of South Carolina?
Yes
Have you been a resident of this state for at least the immediate past five years?
Yes

4. SCDL# or SCHD#: [Redacted]
Voter Registration Number: [Redacted]

5. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.
No

6. Family Status:
 - (a) State whether you are single, married, widowed, divorced, or separated.
Married

 - (b) If married, state the date of your marriage and your spouse's full name and occupation.
Married on December 6, 2003, to Shannon Elizabeth Leonard, who does not currently work outside the home.

 - (c) If widowed, list the name(s) of spouse(s).
N/A

 - (d) If you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds.
N/A

 - (e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.
[Redacted]

7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) Clemson University, 1988 – May 1990; August 1991 – December 1992, Bachelor of Arts in Political Science.
 - (b) Furman University, August – December 1990. I did not obtain a degree from Furman – I attended it for one semester before working as a runner at a law firm in Charleston, SC from January – July 1991. I then returned to Clemson University where I graduated in December 1992.
 - (c) University of South Carolina School of Law, 1993 - 1996, Juris Doctor.

8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
 - (a) Student Bar Association (1993-1996) – assisted in planning and attending sponsored events such as guest speakers, fundraisers, and other similar programs.
 - (b) Publications Editor of the South Carolina Environmental Law Journal (1995-1996) - reviewed research and proposed articles, edited articles, worked on articles to be published, and focused on expanding the circulation of the SCELJ.

9. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. Please indicate the number of times you took the exam in each state.
- (a) I was admitted to practice law in South Carolina in 1996 and took the bar exam one time;
 - (b) I was admitted to practice law in North Carolina in 2013 and took the bar exam one time;
 - (c) I was admitted to practice law in the District of Columbia in 2014 without having to take a separate bar exam.
10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.
- (a) Law Clerk for Hon. M. Duane Shuler, South Carolina Judicial Department, 1996 –1997: As Judge Shuler’s law clerk, I was heavily involved in the scheduling of criminal and civil matters (hearings and trials), legal research for the judge, drafting of proposed orders, and working with attorneys and court staff to coordinate proceedings with Judge Shuler;
 - (b) Holmes & Thomson LLP, Associate 1997 – 1999: During my early associate career, I did a substantial amount of legal research, brief writing, and learning the practical skills of a litigator: taking depositions, arguing motions, sitting second chair at larger trials, acting as lead counsel in smaller trials, and developing skills needed to work with clients, other counsel, witnesses and retained experts. I did not have any responsibility for the administrative or financial management of Holmes & Thomson;
 - (c) Nelson Mullins Riley & Scarborough LLP, Associate 1999 – 2004, Partner 2005 – Present: After Holmes & Thomson ceased operations in May 1999, I immediately received an offer to work at Nelson Mullins’ Columbia office. At Nelson Mullins I continued to develop as a litigator in state and federal court, with more of a focus on complex commercial litigation and cases involving banking and finance issues and class actions. With the expansion of my banking litigation practice, I took the North Carolina Bar Exam in 2013 and was licensed in the District of Columbia the following year. I made partner in 2005 and served on many firm committees and subcommittees. I later became certified as an arbitrator and mediator in South Carolina Circuit Courts and approved as a mediator by the United States District Court for the District of South Carolina. I am also an approved arbitrator with the American Arbitration Association, American Health Law Association, and FORUM. I do not have any responsibility for the administrative or financial management of Nelson Mullins.

Justices/judges applying for re-election to their current position may omit Questions 11–17. If you are a full-time judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience *prior to serving on the bench.*

11. Please answer the following:

- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court judge. Please also indicate the frequency of your appearances before a Family Court judge within the past five years.

N/A

- (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years, and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years, and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, and whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Circuit Court judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court judge within the past five years.

Experience in Criminal Matters

Even though the majority of my legal career has focused on civil matters, I have gained experience in prosecuting and defending a number of criminal matters as well. For more than a decade, I defended a substantial number of criminal clients in cases appointed to me and my partners by Circuit Courts in Charleston, Richland, and Chesterfield Counties. This pro bono work involved meeting with clients, conducting discovery, negotiations with solicitors, motions practice, and other court appearances. I also performed legal research, motions and brief writing, and advised and represented my clients in guilty pleas.

In addition to my work in defending criminal cases, I gained experience on the prosecution side of criminal cases as well. More specifically, in 2007 I was appointed a Special Assistant Attorney General by then Attorney General Henry McMaster. This was part of a pro bono program prosecuting first offense criminal domestic violence (“CDV”) cases in counties where those Magistrate Court offenses were handled by non-lawyers. After receiving specialized training in criminal procedure and evidence, I coordinated the interviewing of witnesses, conducted investigations, and prosecuted CDV defendants at trial. This was an especially important program and a rewarding experience.

Lastly, in my civil litigation practice, I have also worked with state and federal criminal courts and prosecutors, lawyers and investigators from state and federal law enforcement, and government agencies investigating potential criminal actions of my clients and others (i.e., FBI, FDIC, Federal Reserve, State Attorney General, South Carolina Office of the Inspector General, Special Investigator General for TARP, etc.). All of these experiences have given me a strong appreciation and understanding of the important aspects of criminal law matters. Moreover, I am currently enrolled in two criminal law CLE classes this summer: 2023 Criminal Law Practice Essentials (8.0 hours) and 32nd Annual Criminal Practice in South Carolina (6.5 hours). These detailed courses will provide me with additional knowledge and information about the most current developments in state criminal law practice and trends.

Experience in Civil Matters

In my 26 years in private practice, the majority of my experience has been in civil litigation. During this time, I have represented clients and tried jury and nonjury cases from simple matters in Magistrate's Court to complex disputes in Circuit Court and Federal Court, to arguing appeals in the South Carolina appellate courts and the Fourth Circuit Court of Appeals. In the past and in my current caseload, I represented clients as both plaintiffs and defendants. As my practice developed over time, I focused more on complex civil litigation between businesses, defense of class actions, and binding arbitrations (both as an attorney and as the presiding arbitrator). While I am licensed in South Carolina, North Carolina, and the District of Columbia, I have also appeared in many other jurisdictions, both in state and federal courts. I also frequently serve as local counsel for parties and lawyers who need advice on South Carolina law, court appearances before South Carolina courts, and developing case strategies.

While trials have decreased in frequency since COVID, I have appeared regularly before state and federal judges in-person or via remote video. While I prefer appearing in court to attending by video, the flexibility and efficiency of remote hearings, status conferences, and other proceedings has its benefits and I feel confident in my ability to work with this technology to maximize effectiveness.

Lastly, my work as a certified mediator and arbitrator has given me an excellent perspective on many of the skills needed by Circuit Court judges. In addition to being asked by other attorneys to serve in these capacities, I am also approved as an arbitrator by the American Arbitration Association, the American Health Law Association, and FORUM. In these cases, I have to consider and rule on discovery matters, dispositive motions, and ultimately serve as the trier of fact in rendering a decision on the merits after a trial.

- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.

N/A

- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

N/A

12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?

- (a) Federal: Much more regular before COVID, but generally a dozen or more times a year;
- (b) State: Much more regular before COVID, but generally 30 or more times a year.

13. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?

- (a) Civil: 90% (including service as a mediator and arbitrator);
- (b) Criminal: about 3% (pro bono, appointed cases, work with matters involving Attorney General, state and federal law enforcement and similar agencies, etc.);
- (c) Domestic: about 2% (pro bono or appointed cases);
- (d) Other: 5% (litigation in Probate Court, before governmental agencies, internal investigations, consulting/general advice, etc.).

14. During the past five years

- (a) What percentage of your practice was in trial court, including cases that settled prior to trial?

Approximately 90% of my practice was in trial court, including settled cases

- (b) What number of cases went to trial and resulted in a verdict?

Two trials that went to conclusion – this excludes arbitrations that went to full hearing on merits

- (c) What number of cases went to trial and resolved after the plaintiff's or State's case? (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.)

One

- (d) What number of your cases settled after a jury was selected but prior to opening statements?

Zero in past five years

During the past five years, did you most often serve as sole counsel, chief counsel, or co-counsel?

Primarily chief counsel but occasionally as associate counsel when mentoring younger attorneys.

For sitting judges seeking a judgeship different than your current position:

During the five years prior to your election to the bench, what percentage of your practice was in trial court, including matters that settled prior to trial?

N/A

15. List five of the most significant litigated matters you have personally handled in either trial or appellate court, or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.

- (a) Fernando Contreras Alcala v. Claudia Garcia Hernandez, 4:14-cv-04176-RBH (D.S.C. 2014)

This was my first case involving a claim in federal court under the Hague Convention, which allows a parent to seek redress when his or her child is removed from their home country by the other parent. In this matter I represented a father in Mexico who sought the return of his son, who was abducted by the mother and taken to the United States. The father had no resources to bring the case, so my firm and I took the matter on a pro bono basis. I tried the case – which involved several interpreters and remote testimony from Mexico – but we did not prevail. We then filed an expedited appeal to the Fourth Circuit, and I argued the matter before that court in Richmond, Virginia. The decision was affirmed and, because there is a split among the federal circuits on some of the legal issues involved, we filed an appeal with the United States Supreme Court. However, after full briefing to the Court, our petition for cert was denied and the trial court’s ruling became final. While we were not the prevailing party in this matter, it served as an excellent learning experience on a complex case with the United States Department of State (I am one of a small number of lawyers on its referral list for Hague Convention cases in South Carolina). As a result of this case, a partner and I were asked by our State Department contact to come to Washington, D.C., to hear oral arguments in the Supreme Court for another Hague case involving some of the same issues we raised in our appeal.

- (b) Jose Luis Vite-Cruiz v. Yadira Del Carmen Sanchez, 3:18-cv-01943-DCC (D.S.C. 2018)

This was another Hague Convention case in which I represented a father from Brazil whose son was brought the United States without his knowledge or consent. I again tried the case in federal court and this time we prevailed on all counts. As a result, the child was immediately reunited with his father after the verdict in Columbia. A partner and I had the privilege of taking them to a minor league baseball game before they flew home together. I am not sure I have felt better after the conclusion of any case than that day.

- (c) Gibson v. Bank of Am., N.A., 383 S.C. 399, 410, 680 S.E.2d 778, 784 (Ct. App. 2009)

I tried this case over a week in Florence County against an excellent attorney before one of the best Circuit Court judges in the state. Late Friday afternoon the jury returned a substantial verdict in favor of the Plaintiffs. However, during the trial we raised a statute of limitations argument that had been accepted in other states but not in South Carolina. We filed a timely appeal, and I argued the case before the South Carolina Court of Appeals, which reversed the verdict and judgment against my client based on our statute of limitations argument. Losing at trial and prevailing on appeal is difficult but rewarding because it requires close attention to error preservation during the trial and strong brief writing and oral argument on appeal.

- (f) Synovus Bank v. Tracy, et al., 1:10-cv-00172-MR-DLH (W.D.N.C. 2010)

After the stock market and real estate collapse in 2008, my banking litigation practice spiked for about five or six years. I represented many banks in dealing with the sudden, numerous, and sustained loan and mortgage defaults. These matters

included claims in North Carolina, South Carolina, and Georgia. (In fact, I had so many cases in North Carolina that I had to take the bar exam there in 2013). These cases involved residential, commercial, and development loans and brought by single, multiple, and class representative borrowers. Many of these claims involved complex theories of recovery and defenses based on multiple states' tort and contract law. This case was brought by a number of plaintiff borrowers in North Carolina federal court and raised several common law and state and federal statutory claims, as well as defenses common to a host of other then-pending cases arising from a failed real estate development outside of Asheville, North Carolina. After extensive discovery and briefing, the District Court granted our motion for summary judgment on all grounds. Not only did this ruling resolve the claims against my client by the named plaintiffs, it established precedent as to the enforceability of certain common contractual provisions and limitations, as well as the validity of defenses that were common across dozens of other pending claims against the same client and other lenders in similar cases. Because of the far-reaching effect of the ruling, it was appealed to the Fourth Circuit Court of Appeals, which affirmed the order in a unanimous decision. See Synovus Bank v. Tracy, et al., 14-1163, United States Court of Appeals for the Fourth Circuit, March 2, 2015. After the decision was affirmed, we were able to resolve almost all of the pending claims on terms very favorable to my client in a much more efficient manner.

(g) Grice v. Independent Bank, 7:20-cv-01948-TMC (D.S.C. 2020)

This matter is currently pending in South Carolina federal court, and we are expecting an appeal to the Fourth Circuit shortly. It involves a proposed class action against a bank based in Michigan with no presence in South Carolina. The named Plaintiff is a South Carolina resident who has asked the court to certify a nationwide class against the bank. After extensive discovery and multiple motions involving disputes over jurisdiction and class certification, the federal magistrate recommended the denial of Plaintiff's proposed nationwide class based on, among other grounds, the South Carolina Door Closing Statute. Plaintiff's counsel are all from outside South Carolina and they are seeking to have this state statute declared void and contrary to federal law. If the denial of class certification is upheld, this case will reaffirm the South Carolina Legislature's right to limit the potential misuse of its courts by those with no connection to this state.

16. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.

- (a) Fernando Contreras Alcala v. Claudia Garcia Hernandez, 15-2471, United States Court of Appeals for the Fourth Circuit, June 15, 2016.
- (b) Gibson v. Bank of Am., N.A., 383 S.C. 399, 410, 680 S.E.2d 778, 784 (Ct. App. 2009).
- (c) TD Bank, N.A. v. Lalla, Appellate Case No. 2015-000295 (S.C. Ct. App. August 26, 2016).
- (d) Carew v. RBC Centura Bank, et al., 2014 WL 2579698 (S.C. Ct. App. February 19, 2014).
- (e) Doherty v. PNC Mortgage, 17-1350, United States Court of Appeals for the Fourth Circuit, August 21, 2017.

17. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.
None to date.
18. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
No.
19. If the answer to question 18 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also, list citations to any appellate review of these orders or opinions.
N/A
20. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
(a) South Carolina, November 18, 1996;
(b) North Carolina, September 20, 2013;
(c) District of Columbia, September 12, 2014;
(d) U.S. District Court for the District of South Carolina, August 18, 1997;
(e) U.S. District Court for the Eastern District of North Carolina, November 1, 2013;
(f) U.S. District Court for the Middle District of North Carolina, October 31, 2013;
(g) U.S. District Court for the Western District of North Carolina, October 8, 2013;
(h) U.S. District Court for the District of Columbia, May 16, 2017;
(i) U.S. Court of Appeals for the Fourth Judicial Circuit, July 6, 1999; and
(j) U.S. Supreme Court, January 9, 2007.
21. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.
Over the twenty-four years at my firm, I have helped with training and educating partners, associates, and law clerks regarding legal matters dozens of times at internal meetings and events. I have also served as a judge for mock trial competitions. However, I have not presented any CLEs or other formal bar events.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
The requested reports for South Carolina and North Carolina CLEs are attached hereto. The District of Columbia does not require separate CLEs.
23. List all published books and articles you have written and give citations and the dates of publication for each.
(a) DRI – The Voice of the Defense Bar's 50-State Compendium on Covenants Not-To-Compete (2007), Co-Author of South Carolina Section.

(b) DRI – The Voice of the Defense Bar's 50-State Compendium on Unfair Trade Practices Acts (2005), Author of South Carolina Section.

24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

The requested writing examples are attached hereto. Also, because my practice involves having at least two attorneys on every case – typically a partner and an associate – very few documents are 100% written by a single author. For example, before motions, memoranda or pleadings are filed, I typically ask an associate or partner to review and suggest any minor edits to grammar, citations, or other parts of the document. With this caveat in mind, I am the primary author of the attached two examples.

25. What is your rating or membership status, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.
- (a) Martindale-Hubbell AV;
 - (b) Best Lawyers, Commercial Litigation, Litigation – Banking and Finance, Qui Tam Law (2023); and
 - (c) Best Lawyers, Lawyer of the Year, Litigation - Banking and Finance, Columbia, SC (2023).
26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) Richland County Bar Association (1999-present);
 - (b) South Carolina Bar Association (1996-present);
 - (c) Mecklenburg County Bar Association (2003-present);
 - (d) North Carolina Bar Association (2003-present);
 - (e) District of Columbia Bar Association (2004-present);
 - (f) American Bar Association (1999-present);
 - (g) International Association of Defense Counsel (IADC) (2007-present); and
 - (h) Defense Research Institute (DRI) (2000-present) (also have been member of Steering Committee, Lawyers Professionalism and Ethics Committee).
27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.
- No.

28. For sitting or former judges, list all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor.
N/A
29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
No.
30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.
None since passing the South Carolina Bar Examination in 1996.
31. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.
No.
32. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
No.
33. Provide, as a separate attachment, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
 - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

(A net worth statement form is provided with this questionnaire, and you must use this format for submission of your financial statement.)

A complete, current financial net worth statement has been provided to the Commission.

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

34. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for

bankruptcy? If so, give details. Also, proof of satisfaction of any liens or defaults must be submitted with your application package.

No.

35. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

No.

36. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

None to date.

37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years. If you are a sitting judge, please include such contributions since your last screening.

N/A

38. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.

No.

39. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek or currently hold. Explain how you would resolve any potential conflict of interest.

I own a very small share of a business entity called Legal Marketing Group, LLC. While I intend to divest my interest if I am elected, if any matter came before me that remotely involved this entity or any interest it may have, I would immediately disclose all such information to the parties and counsel on the record and recuse myself from the matter.

40. Describe any interest you or a member of your immediate family has in real property:

(a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency; N/A

(b) in which there have been public improvements of \$200 or more that adjoins property in which there have been public improvements of \$200 or more; N/A or

(c) which was sold, leased, or rented to a state or local public agency in South Carolina.

N/A

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest; N/A
- (b) nature and value of any public improvements; and N/A
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property. N/A

Attach a copy of any contract or agreement.

N/A

41. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.

N/A

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.

N/A

43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.

N/A

44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?

N/A

45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

(a) 03/01/1986 (estimated date) – City of Columbia Police Department – I was accused of taking a plywood sign. The charges were dropped before any hearing on the matter.

(b) 07/01/1988 – City of Clemson Municipal Court – Citation Number: 1046-88/Offense: Malicious Damage to Real Property – I was accused of throwing eggs at a house. The charges were dropped.

(c) 01/11/1989 - City of Clemson Municipal Court – Citation Number: 00054NA/Offense: Possession of Liquor Under 21 – When I was a freshman in college, I was given a ticket for underage possession of alcohol. I paid a fine and no further action was taken.

(d) 05/15/1989 (estimated date) – City of Columbia Municipal Court – Offense: Driving without motorcycle license/insurance – I was charged with operating a motorcycle

without motorcycle insurance and a motorcycle driver's license. I believe I paid a fine and my automobile driver's license was suspended for 30 days.

- (e) 10/15/1989 (estimated date) - City of Columbia Municipal Court – Offense: Driving Under Suspension – I was charged with driving under a suspended license while in college. There was an apparent mix-up because when I provide the necessary documents to verify my license was not suspended to the officer and/or court, the matter was dismissed.
- (f) 08/18/1992 - City of Clemson Municipal Court – Citation Number: 09402TR/Offense: Open Container – When I was a 21-year-old senior in college, I was charged with possession of an open container of alcohol while on foot. I performed 28 hours of community service in lieu of a \$142.00 fine and no further action was taken.
- (g) 05/30/2001 – Richland County Dutch Fork Magistrate Court – Case Number: 614483 – I received a ticket from Department of Natural Resources for creating a wake while in a no-wake zone on Lake Murray. I pled no contest and case was disposed of on July 20, 2001.

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.
No.

47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

I have never been sued by a client. I have been a named party in the following matters:

- (a) McGee v. South Carolina Farm Bureau Mut. Ins. Co., 2013-cv-40-111-0003 (Richland Co. Mag. Ct.). On January 8, 2013, I filed a complaint with the Richland County Magistrate's Court against my insurance company for failure to pay a claim resulting from theft of copper in an HVAC unit at a rental property my wife and I owned at the time. A bench trial took place on May 23, 2013, and a verdict was issued in my favor.
- (b) McGee v. Grimsley, 2014-cv-32-1080837 (Lexington Co. Mag. Ct.). In the summer of 2014, my wife and I hired a contractor to do repairs and renovations to our home. The contractor was paid but did not complete the work. I sent several letters and tried to get him to either complete the work or refund the amounts at issue, but he did not respond. On July 8, 2014, my wife and I filed a complaint against the contractor seeking the amount he was paid for certain work but did not perform. We were able to reach a settlement and the case was formally dismissed on February 6, 2015.

48. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.

Yes, I have been covered by my current firm's malpractice insurance since my date of hire on May 24, 1999. The current policy is with Attorneys' Liability Assurance Society Ltd. (ALAS). The current coverage amount with ALAS is \$100 million per claim, \$200 million aggregate per year, with a \$2.5 million per claim SIR and \$5 million aggregate

SIR per year. On top of the primary ALAS coverage is another \$100 million per claim, \$200 million aggregate that is made up by multiple insurers (16 different carriers) in various amounts.

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution.
A very short home visit was conducted in January 2022, during which the caseworker said she did not believe any such involvement was necessary and promptly closed the matter as unfounded.

Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details.

No.

51. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened, or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? If so, give details.

No.

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

No.

53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?

Yes.

54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.
No.

55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application.*
(a) E. Bart Daniel, [Redacted]
(b) Norah C. Rogers, [Redacted]
(c) James H. Burns, [Redacted]
(d) William C. Hubbard, [Redacted]
(e) Michael J. Anzelmo, [Redacted]

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.?
Yes.

If so, please list the account names for each account and the relevant platform.

- (a) LinkedIn: [Redacted]
- (b) Facebook: [Redacted]
- (c) Twitter: [Redacted]
- (d) Instagram: [Redacted]

How would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

I am not an active poster or commenter on social media and my use would not change if elected.

57. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, and any professional honors, awards, or other forms of recognition received and not listed elsewhere.

While I have handled dozens of pro bono matters and been an active supporter of several local and other charitable causes in the past five years, I have not held any formal memberships during this time period. In 2016, I received the Claude M. Scarborough, Jr. Award from Nelson Mullins, the highest award for the provision of pro bono services at the firm. Also, I have appeared on the South Carolina Supreme Court's Pro Bono Honor Roll in 2019, 2020, 2021, and 2022.

58. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

I was born and raised in South Carolina and have worked here all my life. From bagging groceries and busing tables as a 15-year-old to becoming a partner at a large law firm today, I have always had a very strong work ethic and drive to do my best. During my 26-year legal career in private practice, I have represented large corporations in multi-million dollar class actions and homeless families seeking assistance with housing and employment issues. Since I joined Nelson Mullins in 1999, I have provided more than 3,500 hours in pro bono legal services to programs, individuals, and charitable causes here in South Carolina. I strongly believe that my experience in working with a broad spectrum of clients on a wide variety of legal matters gives me a unique perspective on the civil and criminal matters I would face on a daily basis as a Circuit Court judge. Lastly, at work and at home I have learned the importance of being patient, learning quickly, and working hard. If given the opportunity to serve South Carolina as a Circuit Court judge, I will apply these traits to my job every day and do my best to be a worthy representative of our judicial system.

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: _____

Sworn to before me this ____ day of _____, 2023.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____