

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:

Circuit Court, Fifth Judicial Circuit, Seat 3

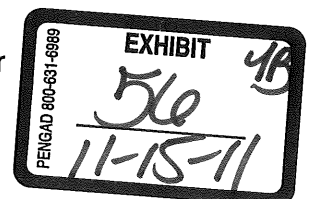
1. NAME: Mr. Grady L. Patterson, III
BUSINESS ADDRESS: P.O. Box 325
Columbia, SC 29202
TELEPHONE NUMBER: (office): (803) 771-6022
2. Date of Birth: 1952
Place of Birth: Columbia, SC
3. Are you a citizen of South Carolina? Yes.
Have you been a resident of this state for at least the immediate past five years? Yes.
5. Family status: Married on January 26, 1980, to Sarah Jordan Patterson. Never divorced; three children.
6. Have you served in the military?
Yes. September 1981 to present. SC Air National Guard. Brigadier General. Currently, Assistant Adjutant General for Air.
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) Davidson College, 1971-75, AB in Economics;
 - (b) USC School of Law, 1976-79, JD.
8. 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. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
South Carolina – admitted in 1979. Took the bar exam one time. Have not taken the bar exam in any other state.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.

Davidson College:

 - (a) Dana Scholar, 1972-73
 - (b) Student Union Representative, 1971-72
 - (c) U.S. Senate Youth Program Scholarship, 1974
 - (d) Social Fraternity, 1972-75 (Social Chairman 1974-75)
 - (e) Intramural football, basketball, and softball, 1971-75

University of South Carolina School of Law:

 - (a) Dean's Honor Student Scholarship, First year
 - (b) Member of the ABA National Moot Court Team, Second year
 - (c) Student Government Representative, Second year



- (d) Member of the Moot Court Bar, Second and Third years
Winner of the J. Woodrow Lewis Appellate Advocacy Competition,
Third year

10. Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Business Finance: What Attorneys Should Know	12/07/06;
(b) Sidebar SC Live!	12/08/06;
(c) Probate Process Start to Finish	12/20/06;
(d) Fair Debt Collection Practice	01/24/07;
(e) Richland County Bar Ethics Seminar	11/13/07;
(f) Trial Lawyers Tackle Evidence	02/08/08;
(g) Tips from the Bench VI	02/15/08;
(h) Ethics (Sporting Clays)	10/30/08;
(i) Masters in Cross Examination	02/06/09;
(j) Lawyers Tackle Evidence	02/13/09;
(k) Richland County Bar Ethics Seminar	11/06/09;
(l) Everything You Want to Know About Everything	02/19/10;
(m) Accounting and Finance for Lawyers	02/24/10;
(n) Case Study – Federal Rules of Evidence	02/25/10;
(o) Opening Statements: A Civil Trial	09/07/10;
(p) Direct Examination: A Civil Trial	09/14/10;
(q) Cross-Examination: A Civil Trial	09/21/10;
(r) Closing Argument: A Civil Trial	09/28/10;
(s) Richland County Bar Ethics Seminar	11/05/10;
(t) Lexington County Bar Ethics Seminar	12/08/10;
(u) Ethics (Sporting Clays)	04/14/11.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

- (a) Continuing Legal Education Seminar, Office of Attorney General, Discovery in Administrative Proceedings, Columbia, SC.
- (b) Continuing Legal Education Seminar, Soldiers' and Sailors' Civil Relief Act, Columbia, SC.
- (c) US Air Force CLE, Annual Survey of the Law, Denver, CO, Deployment.
- (d) U.S. Air Force CLE, Annual Survey of the Law, Denver, CO, Domestic Violence and the Military.
- (e) Lecturer at A.N.G. Commander School, Knoxville, TN.
- (f) SC Bar CLE, Advocating the Rights of Service Members, Columbia, SC.
- (g) Solicitors' Association, Drug Forfeiture Act, Myrtle Beach, SC

12. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) Co-author, Civil Forfeiture Manual (SC Attorney General, 1984);
 - (b) Materials for lectures set forth in No. 11 above.
13. 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) Supreme Court of SC, 1979;
 - (b) United States Fourth Circuit Court of Appeals, 1980;
 - (c) United States District Court, District of SC, 1982;
 - (d) United States Court of Appeals for the Armed Forces, 1982;
 - (e) United States Supreme Court, 1983;
 - (f) United States Court of Federal Claims, 1994.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

If you are a judge and are not seeking a different type of judgeship, the following questions are inapplicable:

- (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, 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 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.

Upon completion of law school and admission to the SC Bar I began practicing law with the SC Attorney General's Office. I was involved in a number of areas of the law including worker's compensation, tort claims, condemnation actions, construction law claims, enforcement actions for State agencies, drug forfeiture actions, tender offer actions, licensing board hearings, and writing legal opinions.

In connection with my worker's compensation work I represented the State Worker's Compensation Fund in all compensation cases involving the Fund which arose in one of the seven SC Industrial Commission administrative districts. I also handled tort claims against the State and State employees which, at

the time, were jury matters. The majority of my courtroom work was in connection with handling tort cases and condemnation cases.

Another significant aspect of my work with the Office concerned construction law. I was involved in contract drafting, contract administration, arbitration, and litigation.

A major responsibility of attorneys in the Attorney General's Office was representation of State agencies. Representation included defending agencies against suits and prosecuting enforcement actions for licensing agencies and rendering opinions. In connection with representing the Deputy Securities Commissioner I worked with review of tender offer securities transactions. I appeared before the Fourth Circuit Court of Appeals in defense of State tender offer review action.

I was also assigned to the Attorney General's Legislative Task Force which drafted and presented proposed legislation to the General Assembly. I helped draft amendments to the drug forfeiture act and was involved in drug forfeiture actions.

I entered private practice in 1985 with the Columbia firm of Quinn, Brown & Arndt, which later became Quinn, Patterson & Willard. I practiced with this firm until 1999. In January 2000, I began practice with the firm of Montgomery, Patterson, Potts & Willard, L.L.P. in Columbia. In April 2008, I started practicing with Patterson Law Offices, LLC. The majority of my practice has been in litigation with a focus on contracts, leases, business torts, and construction law. In addition, I have done corporate work including drafting of various contracts, leases, and other corporate documents.

I have handled a number of appeals including appeals in the SC Court of Appeals, the SC Supreme Court, the US District Court, and the US Fourth Circuit Court of Appeals. I have been involved in bankruptcy cases and have handled a case in the US Court of Federal Claims.

In addition to my regular practice I am a member of the SC Air National Guard which I joined in 1981. I attended the Air Force law school following which I was designated a Judge Advocate. In my legal work with the Guard I prosecuted and defended airmen subject to discharge before discharge boards. I have also served as the legal advisor to boards. The legal advisor serves in the role of a judge for the hearing. My judge advocate work included issues ranging from the law of armed conflict to preparing wills for deploying troops. I received civil affairs training to prepare me for work in foreign countries.

In 2003, I became a line officer and am currently the Assistant Adjutant General for Air.

In 1982, I was fortunate to have the opportunity to attend the National Institute for Trial Advocacy in Denver, Colorado. This intensive training in trial techniques and evidence law has been of great benefit to me in my practice.

My criminal work has been in magistrates, municipal, and summary military courts.

My work has been balanced between plaintiff and defense matters and jury and non-jury matters.

15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

Martindale-Hubbell AV rating.

Retired judges/justices and judges/justices applying for reelection to their current position may omit Questions 16-21. If a candidate is seeking a judgeship different than his or her current position, Questions 16-21 should be answered based on experience prior to serving on the bench.

16. What was the frequency of your court appearances during the last five years?

- (a) federal: Average of one time per year;
(b) state: Average of six times per year.

17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?

- (a) civil: 96%;
(b) criminal: 2%;
(c) domestic: 2%;
(d) other: 0%.

18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?

- (a) jury: 90%;
(b) non-jury: 10%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?

I most often served as sole counsel; however, I served with co-counsel on larger cases.

19. 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) H. Thomas Taylor v. Terry L. Cash, et al. (more than twenty cases). Suit by lessor of nursing homes who was former business partner of the Defendant whom, along with Defendant companies, we represented. Plaintiff lessor sought a declaratory judgment, alleged fraud, alleged breach of contract, sought claim and delivery of equipment, and sought ejectment of the lessees in connection with transfer of leases of six nursing homes and related covenants not to compete. Numerous issues

resulted in more than twenty suits being brought in or removed to Bankruptcy Court and handled as adversary proceedings. Four trials were held (including a number of cases consolidated for trial). Three of the cases were appealed to the US District Court where they were briefed and argued. One of the cases was appealed to the US Fourth Circuit Court of Appeals where the issues were briefed prior to settlement. A significant trial involved the issue of whether Plaintiff could sell the nursing homes and, thereby, eliminate Defendants' interests. We were successful in preventing the sale. The case involved issues of first impression and is reported at In re Taylor, 198 B.R. 142 (D.S.C. 1996).

- (b) Turner Murphy Company v. City of York (two cases). Suit by contractor against the City of York, SC, for the balance of the contract price on construction of new wastewater treatment plant. Represented the City of York in a two-week jury trial. Case was significant due to the number of issues involved including complex administrative issues involving the U.S. Environmental Protection Agency. The second suit was brought several years later by the City against the contractor and engineer for defective work when a concrete filter structure leaked. Three-day jury trial in the York County Circuit Court resulted in a verdict for the City.
 - (c) F.D.D. Ltd. v. GMK Construction, et al. (two cases). Represented the plaintiffs in a suit prosecuted by the homeowners' association of a residential development. Suit was brought against the contractor, subcontractor, and engineer for defects in roadways and piping system in the development. Settled with contractor and subcontractor. Week long jury trial in the United States District Court for the District of SC against the engineer resulted in verdict for the homeowners' association. Verdict and settlement amounts provided sufficient funds for the homeowners' association to effect all needed remedial work.
 - (d) Griggs v. Southern Electronic Manufacturing Company. Suit by manufacturer's representative against manufacturer alleging breach of an agreement to pay the representative an ongoing commission. Case involved a significant issue of whether sales commissions can be received as long as a business sells to the customer introduced by the representative. Represented the defendant and obtained summary judgment for client.
 - (e) Covington v. Genesis. Suit by former member of a real estate relocation referral service for breach of contract and franchise law. Significant issues of franchise law. Represented the defendant and obtained summary judgment for client.
20. 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) Rowe v. Hyatt, 321 S.C. 366, 468 S.E.2d 649 (1996). This case involved the question of whether an individual owner who did not participate in the sale of an automobile could be liable under the Automobile Dealers Act, S.C. Code Ann. Section 56-15-10, et seq. (Supp. 1998). Court of Appeals decision reported: Rowe v. Hyatt, 317 S.C. 172, 452 S.E.2d 356 (Ct. App. 1995).
 - (b) D & D Leasing Co. of South Carolina v. David Lipson, Ph.D., P.A., 305 S.C. 540, 409 S.E.2d 794 (Ct.App. 1991). This case involved the issue of whether an automobile lease termination clause which provided for acceleration of unpaid lease payments and sale of the repossessed automobile was valid.
 - (c) D & D Leasing Co. of South Carolina v. Gentry, 298 S.C. 342, 380 S.E.2d 823 (1989). This case involved the question of whether a commercial lease of personality was governed or controlled by Article 2 (Sales) of the Uniform Commercial Code.
 - (d) Gosnell v. South Carolina Department of Highways and Public Transp., 282 S.C. 526, 320 S.E.2d 454 (1984). This case involved whether a directed verdict should have been granted to the Department in a collision case arising out of work being done on a highway.
 - (e) McKenzie v. McKenzie, 276 S.C. 461, 279 S.E.2d 609 (1981). This case involved an attack on the doctrine of sovereign immunity.
21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. Not applicable.
22. Have you ever held judicial office? Not applicable.
23. If the answer to question 22 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. Not applicable.
24. 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? Not applicable.
25. 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. Not applicable.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? SC House of Representatives, District 79, 1988 general election.

27. 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?
SC Air National Guard (part time) 1981 – present.
(a) Judge Advocate (1981–2003);
(b) Commander of Flight and Group (2003–2005);
(c) Vice Commander of Wing (2006–2009);
(d) Assistant Adjutant General for Air (2009–present).
28. Are you now an officer or director or involved in the management of any business enterprise? Member of Patterson Law Offices, LLC. Law practice. Attorney with indefinite term of service.
29. A complete, current financial net worth statement was provided to the Commission.
30. 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. Explain how you would resolve any potential conflict of interest.
Not aware of any actual conflicts. If a conflict or potential conflict arose I would not hear the matter.
31. 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? No.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.
33. 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? No.
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law? No.
36. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No.
37. 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)? No.
38. 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? No.
39. S.C. Code § 8-13-700 provides, in part, that “[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a

member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. Not applicable.

40. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. Not applicable.
41. 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. 8/10/11 Postage: \$1.32
42. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. Not applicable.
43. 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? 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? Not applicable.
44. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? Not applicable.
45. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? Not applicable.
46. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No.
47. 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) SC Bar
 - Chairman of the Military Law Section (1990-91)
 - Member, House of Delegates for Military Law Section (1991-92)
 - Member, House of Delegates for the Fifth Judicial Circuit (1992-98)
 - Member of the Committee on Continuing Education
 - (b) Richland County Bar Association
 - Former Member of the Clerk of Court Committee
48. 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, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
 - (a) National Guard Association of the US

- (b) National Guard Association of SC
 - President
 - President-Elect
 - Executive Council
 - By-Laws Committee
 - (c) Spring Valley Homeowners Association Board of Directors
 - President (1995-98)
 - (d) United Way campaign volunteer
 - (e) Boy Scouts of America
 - Chairman, Richland County Major Gifts - 2008
 - Chairman, Richland County Leadership - 2007
 - (f) Shandon Presbyterian Church, Columbia, S.C.
 - Deacon
 - (g) SC Air National Guard
 - Graduate of USAF Air War College
 - Graduate of USAF Air Command and Staff College
 - Meritorious Service Medal (with one oak leaf cluster) Commendation Medal for service in SC during Operation Desert Storm.
49. 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.
50. References:
- (a) Karl S. Bowers, Jr.
 - Hall & Bowers, LLC
 - P.O. Box 12107
 - Columbia, SC 29211
 - (803) 454-6504
 - (b) Laura Callaway Hart
 - Duff, White & Turner, L.L.C.
 - P.O. Box 1486
 - Columbia, SC 29202
 - (803) 790-0603
 - (c) M. Richbourg Roberson
 - 4205 Blossom Street
 - Columbia, SC 29205
 - (803) 782-0399
 - (d) William H. Short
 - Haynsworth Sinkler Boyd, PA
 - P.O. Box 11889
 - Columbia, SC 29211
 - (803) 779-3080
 - (e) Shameka Grier
 - Wachovia Bank
 - 331 Harbison Boulevard

Columbia, SC 29212
(803) 749-3900

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: Grady L. Patterson

Date: August 11, 2011