

**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. Robert L. Reibold
BUSINESS ADDRESS: 3321 Forest Dr.
Ste. 1
Columbia, SC 29204
TELEPHONE NUMBER: (office): (803) 454-0955
2. Date of Birth: 1970
Place of Birth: Springfield, Ohio
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 April 14, 2007, to Shealy Boland Reibold. Never divorced; one child.
6. Have you served in the military? No.
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) The Pennsylvania State University, 1988-92
Bachelor of Science Degree (Finance)
 - (b) USC School of Law, 1992-95
Juris Doctor
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 1995
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.

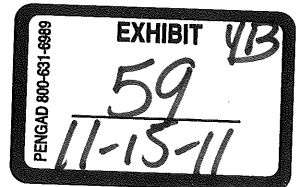
College

 - (a) Golden Key National Honor Society;
 - (b) Acacia Fraternity Scholarship Chairman.

Law School

 - (a) Moot Court;
 - (b) Order of the Barristers;
 - (c) National Moot Court Team;
 - (d) Phi Delta Phi Legal Fraternity.
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>
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|-----|---|-------------|
| (a) | Robert Masante's: Killer Expert Depositions | 4/1/2005; |
| (b) | Advanced Personal Injury Practice | 4/14/2005; |
| (c) | Writing Credit – SC Lawyer Magazine | 7/22/2005; |
| (d) | ABC's of Effective Ethical Practice | 10/14/2005; |
| (e) | E-Discovery and Evidence | 5/5/2006; |
| (f) | Legal Aspects of Condominium Regimes | 8/25/2006; |
| (g) | 6 th Annual Civil Law Update | 1/25/2008; |
| (h) | A Day in Discovery – Part 1 | 1/26/2008; |
| (i) | A Day in Discovery – Part 2 | 1/26/2008; |
| (j) | New Rules of Professional Conduct | 2/10/2008; |
| (k) | Rules, Rules, Rules | 12/12/2008; |
| (l) | Civil Court Judicial Forum | 9/30/2009; |
| (m) | Annual Free Ethics Seminar | 11/6/2009; |
| (n) | Employment & Labor Law | 1/22/2010; |
| (o) | Torts & Insurance Practice – Part 1 | 1/22/2010; |
| (p) | Torts & Insurance Practice – Part 2 | 1/23/2010; |
| (q) | Alternate Dispute Resolution | 1/2011. |

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) I made a presentation as a speaker at the Automobile Torts CLE in the Fall of 2000; and
- (b) I made a presentation as a speaker at the Masters in Equity CLE in October of 2010.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) South Carolina Equity: A Practitioner's Guide (S.C. Bar CLE 2010) (Co-Author);
- (b) Hidden Danger of Using Private Detectives (SC Lawyer, July 2005) (Author);
- (c) Cutting the Fishing Trip Short: Protecting an Adjuster's Claim File (SC Lawyer, July/August 2000) (Author);
- (d) The Big Catch: An Adjuster's Claim File (SC Lawyer, July/August 2005) (Author)
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) Admitted to practice before the SC State Courts, November 13, 1995;
- (b) Admitted to practice before the US District Court for the District of SC, July 1, 2006
- (c) Admitted to practice before the US Court of Appeal for the Fourth Circuit, July 26, 2006
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.
- My legal experience since graduation from law school has been:

- (a) 1996, law clerk to the Honorable J. Ernest Kinard, Jr., Judge of the Circuit Court;
- (b) 1996-2000, associate at Swagart & Walker, P.A.;
- (c) 2000-02, Swagart, Walker & Reibold, P.A.;
- (d) 2002-05, Swagart, Walker, Martin & Reibold, P.A.;
- (e) 2005-08, Walker, Martin & Reibold, LLC;
- (f) 2008 to the present, Walker & Reibold, LLC.

My experience in criminal matters has been limited. I had some exposure to General Sessions Court during my judicial clerkship. However, since that time, I have been involved exclusively in civil matters. I have represented both plaintiffs and defendants in Magistrates Court, Circuit Court, the SC Court of Appeals, and the SC Supreme Court. I have also represented both plaintiffs and defendants in the US District Court for the District of SC. At least 95% of my practice has been devoted to litigation. The types of matters I have handled range from personal injury actions, to include wrongful death and survival claims, employment discrimination litigation, products liability actions, breach of contract, fraud, and unfair trade practice claims.

To some extent, my background has prepared me to handle criminal actions. I became familiar with the operations of the Court of General Sessions during my judicial clerkship. I have also regularly used the SC Rules of Evidence as a civil litigator, and these rules apply equally in criminal actions. I would compensate for my lack of experience in criminal matters through education. I would attend continuing legal education seminars in criminal law and procedure. Additionally, I would engage in private study of criminal issues in order to ensure competency.

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.

I was rated BV by Martindale Hubbell when I initially applied, I have not been reevaluated in some time.

16. What was the frequency of your court appearances during the last five years?
- (a) federal:
 - (b) state:

In the past 5 years, I have handled approximately 25 cases in federal court. In the same time period, I have handled between 150 and 200 cases in SC state courts.

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

(a) civil: 100%.

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: 97%;

(b) non-jury: 3%.

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

I served as sole/chief counsel in 50% of these matters. For the remainder, I served as associate counsel.

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) Roberts v. LaConey, 375 S.C. 97, 650 S.E.2d 474 (2007). I sought permission to file an amicus brief in this case which was filed in the SC Supreme Court's original jurisdiction. The case was decided in favor of the parties represented by my firm, and helped define what constitutes the unauthorized practice of law in the State of SC;
 - (b) Brown v. Stewart, 348 S.C. 33, 557 S.E.2d 626 (Ct.App. 2001). Among other things, this case involved the question of when a corporate shareholder may maintain a breach of fiduciary action against corporate board members or directors. I assisted in the trial of this case and argued the appeal, which helped to clarify an uncertain area of law in SC.
 - (c) Fournil v. Turbeville Insurance Agency. In this matter, I represented a small start up company. The founder of the company had split off from a larger insurance agency, which became involved in litigation with my client. If the larger company's claims had been successful, the suit would crushed the new business. My clients were facing an adversary with much greater resources. To me this case is significant because its successful resolution was literally a question of the survival of my client.
 - (d) Butler v. Ford Motor Company, et al., 724 F.Supp.2d 575 (D.S.C. 2010). In this case, I represented a small tire company from Georgia who had been improperly sued in SC. The case is significant to me because I was able to have the case relocated to a proper forum, and prevent what appeared to be forum shopping.
 - (e) Long v. Wray Automotive. In this federal case, I represented a car dealership who had been sued for loss of filial consortium. I argued that such a cause of action did not exist in SC. The federal district court predicted that SC would not recognize such a claim. This decision can be found at *Long v. Wray Automotive*, 2006 WL 3612875 (D.S.C.), and helped to clarify an ambiguous area of law.
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) Brown v. Stewart, et al, November 19, 2001 (reported at 348 S.C. 33, 557 S.E.2d 676 (Ct.App. 2001) (brief and argument);
 - (b) Hall v. Fedor, March 25, 2002 (reported at 349 S.C. 169, 561 S.E.2d 654 (Ct.App. 2002) (on brief).
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. I have not handled a criminal appeal.
22. Have you ever held judicial office? I have not previously held judicial office.
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?

I have never held public office.

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?

I have not previously run for elective, judicial or other public office.

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?

Other than summer jobs while in school, I have not been employed in any occupation or business aside from the practice of law.

28. Are you now an officer or director or involved in the management of any business enterprise? .

I am a member of Walker & Reibold, LLC, the law firm at which I practice. While I am not the managing partner, I have occasional managerial duties.

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.

Apart from ownership in Walker & Reibold, LLC, the law firm at which I practice, I am unaware of any financial arrangements or business relationships that could constitute or result in a possible conflict of interest were I to be elected to the position of Circuit Court Judge. After any such election, I would withdraw from the law firm, and would automatically recuse myself from any matters which involved the firm for a period of one year. After that initial year, I would disclose any possible conflict of interest, and, if any party so requested, I would give significant deference to that party's request for recusal.

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)?
Yes. I acted as a lobbyist on one occasion in 2007. A friend and client was assaulted at an outdoor automated teller machine, or ATM. I was employed by her family to draft and help secure the passage of a law which strengthened the criminal penalties for robberies and assaults committed at ATMs. As a result of our efforts, S.C. Code Ann. Section 16-11-380 was amended. The penalty for committing a robbery at an ATM is now equal to the penalty for robbing a bank. The lobbyist principal was Saving Time, LLC, a limited liability company owned primarily by the victim's family.
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. I am not aware of any such allegations.
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. I have no knowledge of any such charges.
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.
I have spent \$10 in order to obtain fingerprinting from the Richland County Sheriff.
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.
I have made no contributions to members of the General Assembly since the announcement of my intent to seek election to a judgeship, and I am not aware of any such contributions which were made on my behalf.
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?

I have not requested the pledge of any member of the General Assembly as to my possible election to the position of circuit court judge.

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? No.
45. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
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?

I have not contacted any members of the Judicial Merit Selection Commission about my candidacy or intention to become a candidate.

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 Association, Member, House of Delegates 2008 to the present;
 - (b) Richland County Bar Association;
 - (c) American Bar Association; and
 - (d) SC Defense Trial Attorneys Association.
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) Member, Board of Directors, Keep the Midlands Beautiful Honored as Board Member of the Year for SC Keep America Beautiful Affiliates in 2005;
 - (b) Appointed Member, City of Columbia Tree and Appearance Commission, 2007 to the present;
 - (c) Advisory Board Member, Salvation Army Command of the Midlands;
 - (d) Columbia Kiwanis Club.
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.

I have been involved in community affairs for some time. Over the past 15 years, I have worked as a volunteer at public events, raised money for the American Cancer Society, and served as a board member for local non-profit organizations. I am also a member of the 2002 Leadership Columbia class. I was appointed by Columbia City Council to the Columbia Tree and Appearance Commission, where I continue to serve. I have recently been appointed as an advisory board member for the Salvation Army of the Midlands. These activities demonstrate my commitment to public service.

I have also been active in promoting the legal profession. I have been twice elected to the House of Delegates for the SC Bar Association. I have authored a number of articles and co-authored a legal text published by the SC Bar Association.

Service as a Circuit Court Judge is a natural outgrowth of this commitment service and the legal profession.

50. References:

- (a) Cameron Runyon (Banker)
The Braddock Group
JHS Capital Advisors
1333 Main St., Ste. 170
Columbia, SC 29201
(803) 779-6533
- (b) Jo Anne Wessinger-Hill, Esquire
Richardson Plowden
1900 Barnwell St.
Columbia, SC 29201
(803) 771-4400
- (c) James Y. Becker, Esquire
Haynsworth, Sinkler Boyd, P.A.
1201 Main St., Ste. 2200
Columbia, SC 29201
(803) 779-3080
- (d) Tameika Isaac Devine, Esquire
Jabber & Isaac
1419 Richland St.
Columbia, SC 29201
(803) 254-8868
- (e) Clinch H. Belser, Jr., Esquire
Belser & Belser, P.A.
1901 Main St., Ste. 1500
Columbia, SC 29201
(803) 929-0196

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: Robert L. Reibold

Date: 8/11/11