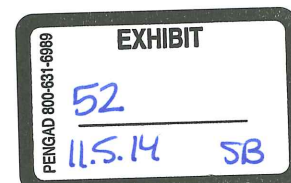


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Circuit Court, At-Large, Seat 9

1. NAME: Mr. Grady L. "Leck" 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?
1981-2012, SC Air National Guard, Brigadier General, Honorable Discharge.
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, BA 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.
SC – 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.
 - (a) Davidson College:
Dana Scholar, 1972-73
U.S. Senate Youth Program Scholarship, 1974
Student Union Representative, 1971-72
Social Fraternity, 1972 - 1975 (Social Chairman 1974-75)
Intramural football, basketball, and softball, 1971-75;
 - (b) USC School of Law:
Dean's Honor Student Scholarship, First year
Member of the ABA National Moot Court Team, Second year
Student Government Representative, Second year
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</u>
(a) Richland County Bar Ethics Seminar	11/06/09;
(b) Everything You Want to Know About Everything	02/19/10;
(c) Accounting and Finance for Lawyers	
(d) Case Study – Federal Rules of Evidence	02/25/10;
(e) Opening Statements: A Civil Trial	09/07/10;
(f) Direct Examination: A Civil Trial	09/14/10;
(g) Cross-Examination: A Civil Trial	09/21/10;
(h) Closing Argument: A Civil Trial	09/28/10;
(i) Richland County Bar Ethics Seminar	11/05/10;
(j) Lexington County Bar Ethics Seminar	12/08/10;
(k) Ethics (Sporting Clays)	04/14/11;
(l) Richland County Bar Ethics Seminar	11/04/11;
(m) 21st Annual Criminal Practice in SC	02/24/12;
(n) Civil Litigation: Deposition to Trial and Beyond	02/28/12;
(o) Richland County Bar Ethics Seminar	11/09/12;
(p) Lexington County Bar Annual Ethics CLE	12/06/12;
(q) Benefits for Veterans and Their Families	02/12/13;
(r) Lawyers Tackle Evidence	02/15/13;
(s) Ethics With the Judges (Sporting Clays)	04/25/13;
(t) Lexington County Bar Annual Ethics CLE	02/17/13;
(u) Top Lawyers Tackle Evidence	02/21/14;
(v) 2014 Tort Law Update	02/27/14.

11. 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.

- (a) Lecturer, Continuing Legal Education Seminar, Office of Attorney General, Discovery in Administrative Proceedings, Columbia, SC;
- (b) Lecturer, Continuing Legal Education Seminar, Soldiers' and Sailors' Civil Relief Act, Columbia, SC;
- (c) Lecturer, U.S. Air Force CLE, Annual Survey of the Law, Deployment, Denver, CO;
- (d) Lecturer, U.S. Air Force CLE, Annual Survey of the Law, Domestic Violence and the Military, Denver, CO;
- (e) Regular lecturer for several years at Air National Guard Commander School, Knoxville, TN;
- (f) Lecturer, SC Bar CLE, Advocating the Rights of Service Members, Columbia, SC;
- (g) Lecturer, 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) Civil Forfeiture Manual (SC Attorney General, 1984), Co-author;
- (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 Supreme Court, 1983;
 - (c) United States Fourth Circuit Court of Appeals, 1980;
 - (d) United States District Court, District of SC, 1982
 - (e) United States Court of Appeals for the Armed Forces, 1982;
 - (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.

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 in Columbia. In April 2008 I started Patterson Law Offices, LLC. My practice consists primarily of litigation with a focus on contracts, leases, business torts, and construction law, and corporate work including drafting of various contracts, leases, and other corporate documents.

I have handled a number of appeals including appeals in the SC Supreme Court, the SC Court of Appeals, the United States District Court, and the United States Fourth Circuit Court of Appeals. I have been involved in two cases brought in the original

jurisdiction of the United States Supreme Court. I have handled bankruptcy cases and a case in the United States Court of Federal Claims.

In addition to my regular practice I have been a member of the SC Air National Guard which I joined in 1981. I attended Air Force law school where I finished first in my class. I was designated a Judge Advocate by the Air Force and in my military legal work 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 following command positions I was appointed the SC 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.

I have been associated on cases in General Sessions Court. I have also handled cases in Magistrate's, municipal, and summary military courts.

My work has been balanced between plaintiff and defense matters. Most of my litigation experience is in 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.

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

- (a) federal: Average of less than one 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 past five years?

- (a) civil: 97%;
(b) criminal: 3%.

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: 95%;
(b) non-jury: 5%.

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 United States District Court where they were briefed and argued. One of the cases was appealed to the United States 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) Rumpf, et al. v. Massachusetts Mutual Life Insurance Company, et al., 357 S.C. 386, 593 S.E.2d 183 (Ct. App. 2004). This case involved a trucking company which entered a contract with Massachusetts Mutual to provide a pension plan for the company's employees. The contract gave retirement benefits to employees in the form of annuities. The issue was whether the pension plan administrator, who was deceased at the time the case was brought, had let the statute of limitations run on claims against the annuity provider. Summary judgment was granted to Defendant and the decision was upheld on appeal;
 - (b) 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);

- (c) *D & D Leasing Co. of SC 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;
 - (d) *D & D Leasing Co. of SC 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;
 - (e) *Gosnell v. SC Department of Highways and Public Transp.*, 282 S.C. 526, 320 S.E.2d 454 (1984). This case involved the question of whether a directed verdict should have been granted to the Department in a collision case arising out of work being done on a highway.
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 drafted numerous briefs while working as a clerk in the Criminal Appeals Section of the SC Attorney General's Office but have not prepared any for which I was personally responsible as an attorney.
22. Have you ever held judicial office? I have not held judicial office.
24. Have you ever held public office other than judicial office? I have not 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.
- Not applicable.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
- (a) SC House of Representatives, District 79, 1988 general election;
 - (b) Circuit Court Judge, Fifth Judicial Circuit, Seat 3, Spring 2000;
 - (c) Circuit Court Judge, Fifth Judicial Circuit, Seat 3, Fall 2011;
 - (d) Circuit Court Judge, At-Large Seat 16, Fall 2012.
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? 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.
- (a) SC Air National Guard (part time) 1981-2012.;
 - (b) Judge Advocate (1981-2003);
 - (c) Group Commander and Flight Commander (2003-05);
 - (d) Vice Commander of 169th Fighter Wing (2006-09);
 - (e) SC Assistant Adjutant General for Air (2009-12).
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 applicable.

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? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No.
37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance?
I am covered by malpractice insurance. Other than a four year period, I have been continuously covered since 1985. To my knowledge I have not been covered by a tail policy. Current coverage is \$500,000 each claim, \$1,000,000 aggregate, and \$2,500 deductible.
38. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.? Not applicable.
39. 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.
40. 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.
41. 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.
42. 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.
43. 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. 8/6/14, Postage -\$0.96
44. 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. None.

45. 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? No.
46. 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?
I have not requested that anyone contact members of the General Assembly on my behalf. I have been told by a friend that he told a member of the General Assembly that I was interested in seeking this position.
47. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
48. 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.
49. 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;
 - Member of the House of Delegates for the Fifth Judicial Circuit (1992-98)
 - Chairman of the Military Law Section (1990-91)
 - Member of the House of Delegates for Military Law Section (1991-92)
 - Member of the Committee on Continuing Education;
 - (b) Richland County Bar Association
 - Member of the Clerk of Court Committee;
 - (c) Air Force Association;
 - (d) National Guard Association of the United States
 - National Conference Delegate (2005-12);
 - (e) National Guard Association of SC
 - President
 - President-Elect
 - Executive Council
 - By-Laws Committee Chairman.
50. 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) SC Aerospace Task Force Advisory Board;
 - (b) Governor's Military Base Task Force (Adjutant General Designee)
 - Executive Committee (Adjutant General Designee);
 - (c) United Way Campaign;
 - (d) Boy Scouts of America;
 - Chairman, Richland County Major Gifts - 2008
 - Chairman, Richland County Leadership - 2007;
 - (e) SC Air National Guard;
 - Air Force Distinguished Service Medal
 - Legion of Merit Medal;

Meritorious Service Medal (with one oak leaf cluster)
Commendation Medal for service in SC during Operation Desert Storm
Global War on Terrorism Service Medal;

- (f) Graduate of USAF Air War College;
- (g) Graduate of USAF Air Command and Staff College;
- (h) Spring Valley Homeowners Association Board of Directors
President (1995-98);
- (i) Shandon Presbyterian Church, Columbia, S.C.
Deacon
Trustee.

51. 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.

52. References:

- (a) Karl S. Bowers, Jr.
Bowers Law Office, LLC
P.O. Box 50549
Columbia, SC 29250
(803) 753-1099
- (b) Laura Callaway Hart
Duff, White & Turner, L.L.C.
P.O. Box 1486
Columbia, SC 29202
(803) 790-0603
- (c) Thad L. Myers
Thad L. Myers, P.A.
1422 Laurel Street
Columbia, SC 29201
(803) 252-0005
- (d) Charles W. Whetstone, Jr.
Whetstone, Perkins & Fulda, LLC
P.O. Box 8086
Columbia, SC 29202
(803) 799-9400
- e) Stephen Pueblo
Wells Fargo Bank
1441 Main Street
Columbia, SC 29201
(803) 765-3854

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

Signature: Grady L. "Leck" Patterson, III

Date: August 7, 2014