

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Master-in-Equity, Dorchester County

1. NAME: Mr. Paul B. Ferrara III
BUSINESS ADDRESS: 2300 Otranto Road
N. Charleston, SC 29406
TELEPHONE NUMBER: (office): 843-569-5511
2. Date of Birth: 1974
Place of Birth: Charleston, 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 June 1, 2002, to Janel K. Ferrara. Never divorced; no children.
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) University of SC-Aiken 1994-97, B.A. Political Science, with Honors;
 - (b) Thomas M. Cooley Law School 1997-2000, Juris Doctor, Cum Laude;
 - (c) Georgetown University Law Center, Master of Laws Securities & Financial Regulation
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.
 - (a) Michigan- 2000- did not pass;
 - (b) South Carolina- 2002;
 - (c) North Carolina- 2003.
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) Student Government Association-President (1996-97);
 - (b) USC-A Speech Team- 1st Place Improptu speaking (1996-97);
 - (c) Student Government Association- Parliamentarian (1999-2000).
10. Describe your continuing legal or judicial education during the past five years.

| Conference/CLE Name | Date(s) |
|---|------------|
| (a) SC Traffic & DUI update | 9-17-2010; |
| (b) Ninth Annual CCBA "What Works for Me" Seminar | 2-4-2011; |
| (c) Real Estate/Title Insurance Update | 10-9-2009; |



- (d) It's All a Game: Top Trial Lawyers Tackle Evidence 2-5-2010;
 - (e) Using a Mechanic's Lien 4-12-2007;
 - (f) Real Estate Seminar 10-12-2007;
 - (g) Sidebar SC Torts 2-28-2007;
 - (h) Differences in Federal and State Court 2-28-2007;
 - (i) Packing your Parachute: Preparing 1-6-2006;
 - (j) Real Estate Grievances 7-27-2006;
 - (k) Choice of Entity 2-19-2007;
 - (l) Agent's underwriting Seminar 10-14-2005.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- In law school, I tutored law students in the area of constitutional law, contracts, torts and property law.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- ADA, T.M. Cooley Journal of Practical & Clinical Law, V.3, Issue 2 (March 2000)
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 State Courts of South Carolina in 2002;
 - (b) Also admitted to practice before the Federal District Court and Fourth Circuit Court of Appeals in 2003;
 - (c) Admitted to practice before the State Courts of North Carolina in 2003;
 - (d) Also admitted to practice before the U.S. Supreme Court in
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:
- (a) 2002-04- Associate at Bogoslow, Jones, Stephens & Duffie, P.A.
At the beginning of my practice, in 2002-04, I primarily appeared before special referees in Colleton county, Master Patrick Watts in Dorchester county, Judge Roger Young in Charleston and Master Marvin Dukes, aside from appearing in circuit court before Honorable Perry Buckner, James Williams, Dianne Goodstein, Judge Early, and Judge Rodney Peoples.
 - (b) 2004-Present- Practitioner and Principal Ferrara Law Firm, PLLC
From 2004 to present, I have appeared with regular frequency before Judge Scarborough, Judge Watts, Judge Watson and a few times before Judge J. Stanton Cross in Horry County. The above matters have been foreclosure prosecution, foreclosure defense, mortgage

priority disputes, partitions, foreclosure of liens and supplemental proceedings. Occasionally, the case may not be referred to the Master and may be tried by the circuit court.

(c) In the past five years, some of my legal experience is as follows. I have solely handled the following cases:

1. Anderson vs. Anderson - Quiet title action clearing property from the 1900's;
2. First Federal vs. Beach First- Mortgage priority dispute;
3. Chase vs. Skirboll- Mortgage foreclosure defense;
4. Bank of America vs. Wickersham- foreclosure defense;
5. Platts vs. CLI- lien foreclosure;
6. Butler vs. Helfgott-mortgage foreclosure;
7. Forsyth vs. Forsyth- action to quiet title;
8. Wachovia vs. Pitchford- foreclosure defense;
9. BB&T vs. Carter- foreclosure defense;
10. New Carolina Mortgage vs. Helen Hall- fraudulent mortgage;
11. Suntrust vs. Diepietro- suit on a personal guarantee;
12. First National Bank of SC vs. Evans- suit on guarantee;
13. Bank of America vs. Cills- mortgage foreclosure;
14. Jarrell Holdings vs. Luke et. al- foreclosure of mechanic's lien;
15. Woodard Trust vs. Middleton- accounting and mortgage foreclosure defense.

I have been before the Master-in-Equity court with regular frequency, every three months or less, in Charleston, Berkeley and Dorchester counties for the last 3-4 years. I also appear in Jasper, Berkeley, and Horry counties courts at least 2-5 times per year.

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 am rated as #3 in "weekly profile out of 148 lawyers in North Charleston. I am not sure what that means. I could not find a rating on Martindale-Hubble other than the above.

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

- (a) federal: 3 times;
- (b) state: estimated at 50-75 appearances.

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

- (a) civil: 75%;
- (b) criminal: 15%;
- (c) domestic: 2% (uncontested divorces only);
- (d) other: 8% Transaction work such as real estate closings, property transfers, trusts, etc.

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

(a) jury: 60%;

(b) non-jury: 15%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole/Chief 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) Greene vs. SCDC- This jury trial case was important as it clarified that the state could be liable under the S.C. Tort Claims Act for injury to a non-employee independent contractor. Trial Judge: Rodney Peoples

(b) Williams vs. Orangeburg Sheriff Department, et. al- This jury trial case involved the issue of whether a single act of multiple murders would trigger an "occurrence" under the tort claims act. Case settled at trial. Trial Judge: Rodney Peoples

(c) Piedmont Furniture Designs vs. Rush Enterprises, LLC- This jury trial case involved the rare issue of whether a foreign corporation can maintain a suit in S.C. despite not being authorized to do business in the state. Case was tried by jury and an appeal followed. Trial Judge: Dianne Goodstein

(d) First Federal vs. Beach First, et al.- This non-jury case, tried before the Master-in-Equity involved a priority battle between lien holders despite non-compliance of the recording act by Horry County. Trial Judge: H. Stanton Cross.

(e) Abraham vs. Home Team BBQ- This jury case involved the application of limited liability company act and an improper ouster of a minority member. My client was paid a substantial sum for his wrongful ouster. The case settled on March 7, 2011, despite it being set for trial the week of March 14, 2011.

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) Widdicombe vs. Tucker-Cales- This case involved the UCCJA and PKPA and clarified the standard of jurisdiction for family court when a minor is being constantly moved from location to location. Reported at 366 S.C. 75, 620 S.E.2d 333 (Ct. App 2005); Affirmed in part, Opinion No. 26388, filed November 5, 2007.

(b) Greene vs. SCDC- This case was significant because it involved the issue of whether a S.C. governmental agency could be liable for negligent infliction of emotional distress. Case settled prior to opinion being rendered.

(c) Sessions v. Platt- Appeal from summary judgment grant when questions of fact remained. This case is significant as it poses the novel question

of whether improvement of an easement is a trespass. All briefs have been submitted and the case is still pending appeal.

- (d) Piedmont Furniture Designs vs. Rush Enterprises, LLC- This case involved the rare issue of whether a foreign corporation can maintain a suit in S.C. despite not being authorized to do business in the state. Case was tried by jury, appealed and settled prior to the Court of Appeals
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. None
22. Have you ever held judicial office? No.
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? No.
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? No.
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?
- (a) From 1990-92 I was a bag boy and Cashier for Piggly Wiggly in Charleston, SC;
 - (b) In 1992-93, I worked at Chuck E. Cheeses as a server, attendant;
 - (c) In 1994, I worked as a counterman and driver for Big A Auto Parts;
 - (d) From 1994-97, I worked as work study at USC and was also the student body President in 1996-97;
 - (e) I also interned at the Savannah River Site in the summer of 1995;
 - (f) In 1998-99, I was on the law journal board and Student Government Association;
 - (g) In 2000, I assisted professor at Georgetown University Law Center and Justice Ruth Bader Ginsberg with research for her book regarding the history of the White House.
 - (h) In 2000-01, I also worked for Roy Tesler of Tesler & Werblood, P.A. as a legal assistant.
28. Are you now an officer or director or involved in the management of any business enterprise? No. I am a member of American Wholesalers and merely contribute financial support when needed.
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. None.
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? None.
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?
 Yes. Melissa Anderson d/b/a Red's Tree Service sued me for alleged breach of contract. I counter-claimed and asserted that she breached the contract and still owed me money for the costs to complete the job. The case was tried by magistrate's court jury and I prevailed with a verdict of \$250.00. The case was appealed and is awaiting a hearing. 2010-SC-87-0246 Charleston County.
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. None.
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. None.

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.
- (a) March 8, 2011 SLED report- \$ _____
 - (b) March 7, 2011 Copies- \$10.00
 - (c) March 8, 2011 Courier Fee \$110.00
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. None.
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? No.
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? 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) Colleton County Bar Association;
 - (b) Charleston County Bar 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) 2000 John Rutledge Class Distinguished Student Award- 1 of 3 out of entire class;
 - (b) Business Network International- President, V. President, Secretary;
 - (c) Notable Networker Award 2008 & 2009;
 - (d) Charleston County Republican Party-member.
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 believe that I have proven myself to be a leader in all that I do. I am very cognizant of my ethics, appearance and how others perceive the court system. I believe that I can restore the faith in the judiciary, specifically, the

Master-in-Equity's office in Dorchester County, and provide a forum for fair and unbiased due process.

50. References:

- (a) Ryan Benton
1035 Folly Road
Charleston, SC 29412
843-406-6652
- (b) Gina Mcalhany
100 S. Main Street, Suite M.
Summerville, SC 29483
843-832-8025
- (c) Marvin Jones
P.O. Box 420
Ridgeland, SC 29936
843-726-5403
- (d) Stephen J. Butler
P.O. Box 95
Cross, SC 29438
843-729-2909
- (e) Oscar Stan Utheim
318 N. Cedar Street
Summerville, SC 29483
843-873-0620

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: Paul B. Ferrara, III

Date: March 8, 2011