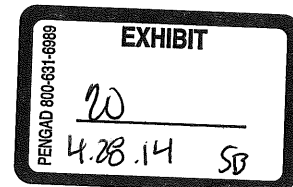


JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:  
Circuit Court, Sixteenth Judicial Circuit, Seat 2

1. NAME: Mr. William Angus McKinnon  
BUSINESS ADDRESS: 1539 Health Care Drive  
Rock Hill, SC 29732  
TELEPHONE NUMBER: (office): (803) 327-7800
2. Date of Birth: 1973  
Place of Birth: Raleigh, NC
3. Are you a citizen of SC? Yes  
Have you been a resident of this state for at least the immediate past five years?  
Yes
5. Family Status: Single, never divorced; no children.
6. Have you served in the military?  
Have not served.
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) Princeton University, AB in Classics, 1991-95;
  - (b) University of North Carolina-Greensboro, Summer 1993, Summer student only;
  - (c) Rutgers University, 1995-96, took classes while working out of interest (no degree);
  - (d) USC School of Law, JD, magna cum laude, 1998-2001.
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) SC - 2001;
  - (b) Washington, DC - 2004.
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) College  
Princeton Evangelical Fellowship (1991-95);  
Princeton First Aid and Rescue Squad (1992-96, President);  
Student Volunteer Council (1991-95);  
Westerly Road Church, Member and Youth Leader (1991-95);  
Princeton Review Newspaper (1991-93);  
Private SAT and Math Tutor (1991-96).
  - (b) Law School  
SC Law Review (1999-2001);  
Christian Legal Society (1998-2000);  
Math Teacher, Cardinal Newman Middle School (1998-99, during first year of law school);



Tutor for 1Ls (2000);  
 Order of Wig and Robe (Chief Justice, 2000-01);  
 Phi Delta Phi (unsure of dates, I think 1999-2001);  
 Private SAT and Math Tutor (1998-2001);  
 Compleat Lawyer Award (2001);  
 Dean's Medallion (first in class) (2001).

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) Ethical Considerations for the Criminal Lawyer	1/29/09;
(b) Ethical Considerations in Marketing Your Law Firm	1/29/09;
(c) SCAJ Annual Convention	08/06/09;
(d) Ethical Considerations Surrounding Technology	2/23/10;
(e) Richland County Bar Ethics Seminar	2/24/10;
(f) Ethics and ADR Revisited	2/24/10;
(g) New and Old DUI	2/25/10;
(h) SCAJ Annual Convention	08/05/10;
(i) Legal Ethics and Practice	2/17/11;
(j) ADR: An Ethical Perspective	2/18/11;
(k) Staying Out of E-Trouble	2/21/11;
(l) The SC LLC	2/10/12;
(m) Lawyer Depression	2/21/12;
(n) Duke Lacrosse Case	2/21/12;
(o) Criminal Practice Annual	2/24/12;
(p) Tort Law Update	2/8/13;
(q) Top Trial Lawyers Tackle Evidence	2/15/13;
(r) Lions of the Bar	2/18/13;
(s) Everything You Need About Ethics	1/17/14;
(t) Richland County Bar Ethics	2/26/14;
(u) International Child Adoption	2/26/14;
(v) Tort Law Update	2/27/14.

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.

I have lectured at the 2008 SCAJ Annual Convention about Email Subpoenas to Third-Party Internet Service Providers

12. List all published books and articles you have written and give citations and the dates of publication for each.

None.

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 SC in 2001;  
 (b) Also admitted to practice before the Courts of Washington, DC, in 2004;  
 (c) Also admitted to practice before the Federal District Court of SC and Fourth Circuit Court of Appeals in 2002;

- (d) Also admitted to the Ninth Circuit Court of Appeals in 2003, and the Eleventh Circuit Court of Appeals in 2004;
  - (e) Also admitted to the United States Supreme Court in 2014.
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.
- (a) Law Clerk to the Hon. Joseph F. Anderson, Jr., Chief Judge of the United States District Court for the District of SC (2001-2002);
  - (b) Law Clerk to the Hon. Andrew J. Kleinfeld, Circuit Judge, United States Court of Appeals for the Ninth Circuit (2002-2003);
  - (c) Covington & Burling, Washington, DC, (2003-2004). 100% litigation with a nationwide practice, split approximately 50/50 between complex corporate litigation (representing defendants) and white collar criminal defense, including defense of securities violations;
  - (d) Lewis, Babcock & Hawkins, Columbia, SC (2004-2006). 100% civil litigation, including complex civil cases in the federal and state courts of SC, and appeals in both the federal and SC appellate courts. My practice included all aspects of civil litigation, and was approximately 2/3 plaintiff-side and 1/3 defense side;
  - (e) Solo Private Practice, Columbia, SC (2006-2007). 100% civil litigation, almost entirely a single plaintiff-side trust litigation matter involving a prominent family and a significant amount of money;
  - (f) McGowan, Hood & Felder, LLC, Rock Hill, SC (2007-Present). 80% civil litigation, which was entirely plaintiff-side, and 20% criminal defense. My civil practice consists of about 50% medical malpractice work and the remainder is complex civil litigation in the federal and state courts, including appeals. My criminal defense work is in the state court system only. I assist other lawyers with ethics issues on a pro-bono basis.

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.

My civil litigation experience includes medical malpractice, insurance law, copyright law, general person injury, school liability, Federal §1983 claims, jail liability, employment law, motor vehicle accidents, and truck accidents with medical malpractice being my primary concentration. I have experience with all procedural aspects, including appeals, jury trials, motions practice, discovery practice, and have taken many, many depositions. My practice is currently 100% plaintiff, but I have represented defendants

earlier in my career at Covington & Burling and Lewis, Babcock and Hawkins. I also assist other lawyers, on a pro-bono basis, who have ethical issues. My practice focuses on cases with significant damages and/or death cases.

My criminal experience is entirely within the Sixteenth Circuit General Sessions Court (other than a small handful in the York County Magistrates' Court). Approximately half of the cases I have handled involve drug charges of some sort, with the remainder ranging from armed robbery to grand larceny to assault and everything in between. I am not death penalty qualified. I am familiar with both PTI and Drug Court from assisting clients into those diversion programs.

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.

None I know of – have never responded or cooperated with these groups.

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 five years?
- (a) federal: approx. 3-4/year;
  - (b) state: approx. 15-20/year.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
- (a) civil: 80 %;
  - (b) criminal: 20 %;
  - (c) domestic: 0%;
  - (d) other: 0%.
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: 95%;
  - (b) non-jury: 5%.

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

Most often as sole 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) White v. Palmetto Health Alliance, et al. Complex medical malpractice case involving three different doctors attending an expectant mother for a delivery lasting four days, with severe brain damage to the infant during delivery. Seven figure settlement;
  - (b) Wise v. Doctor's Care, et al. Complex medical malpractice case involving four physician defendants, a hospital, an urgent care clinic, and allegations of comparative negligence on the part of the decedent. Seven figure settlement;
  - (c) Mattel Lead Paint Class Action – Part of Plaintiff's leadership in national class action involving lead paint on toys, resulting in eight-figure national settlement;

- (d) Dash v. WWE and Floyd Mayweather. Copyright action against World Wrestling Entertainment and boxer Floyd Mayweather for unauthorized use of song in Wrestlemania pay per view. Issues of first impression regarding damages in copyright law, certiori petition currently pending in US Supreme Court. Dash v. Mayweather, et al., 731 F.3d 303 (4<sup>th</sup> Cir. 2013) (cert. pet. pending);
- (e) Grier v. Amisub. Medical malpractice case originally dismissed because Notice of Intent to File Suit did not have causation opinion from physician. Dismissal reversed by SC Supreme Court, settling issue of whether causation opinion is necessary in physician affidavit. Case settled after remand. Grier v. Amisub, 397 S.C. 532 (2012).
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) Grier v. Amisub, SC Supreme Court, May 2, 2012, 397 S.C. 532 (2012);
- (b) Dash v. Mayweather, et al., US Court of Appeals for the Fourth Circuit, September 26, 2013, 731 F.3d 303 (4<sup>th</sup> Cir. 2013) (cert. pet. pending);
- (c) Hearn v. Lancaster County, US Court of Appeals for the Fourth Circuit, argued January 30, 2014 and awaiting decision;
- (d) Layman v. State, 368 S.C. 631 (2006) (I wrote the briefs, but did not argue this appeal);
- (e) Morris v. SC Workers' Comp. Comm'n, 370 S.C. 85 (2006) (I wrote the briefs, but did not argue this appeal).
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?
- 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.
- N/A.
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?
- I was a middle school teacher prior to attending law school:
- (a) American Boychoir School, (1995-96);
- (b) Aiken Preparatory School (1996-98);
- (c) Cardinal Newman Middle School (1998-99, this was during my 1L year, and I taught a combined Pre-Algebra/Algebra I class in the morning each before law school).
28. Are you now an officer or director or involved in the management of any business enterprise?
- No.
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.

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.

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?

South Carolina instituted a tax lien against me in 2008, based on 2006 state taxes. I had an unexpectedly high state tax bill that year, and had to ask for a payment plan. Despite my compliance with the payment plan, SC filed a lien (apparently this is routine). It was paid off the same year. I have never filed bankruptcy or been in default on student loans.

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. I was a defendant in a civil action resulting from a car accident in New Jersey in 1995. It was Lences v. McKinnon, in Mercer Co. Superior Court in New Jersey. The case was settled with a payment by my insurer, USAA. I do not remember the amount. The case was filed in 1997 and settled, as best as I can remember, in late 2001.

35. Have you ever, in SC or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned for lawyer, judicial, or other professional misconduct or been found to have committed such misconduct?

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?

Yes. I am covered by malpractice insurance with a \$2/4 million limit and a \$50,000 deductible. I have never been covered by a tail policy. I was first covered by a malpractice policy while working at Covington & Burling, in Washington, DC, beginning in 2003.

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?

I am not active on any social media sites, though I have used Facebook in the past and been "depicted" on it. I do occasionally check Twitter and Instagram to see what my friends have posted, but do not post anything myself. I do not anticipate any of these practices would change if I served as a judge.

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.  
None.
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.  
None.
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.  
None.
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?  
No requests, but at least 2 friends (not in political office) have told me they have made phone calls to find out how the process works, etc., after I told them I was running.
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 Association for Justice (SCAJ);
  - (b) American Association for Justice (AAJ).
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) National Rifle Association – Firearm Safety and Pistol Instructor;
  - (b) Westminster Presbyterian Church – Formerly a Deacon and now an Elder.
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.

Until this year, when I was elected an Elder, I served as a Deacon at Westminster Presbyterian Church in Rock Hill. My job in the diaconate was “emergency care” of congregational members. That is, if someone lost their job and couldn’t pay their power bill, or their air conditioner broke in the summer and they couldn’t pay to fix it, I would get that call. I spent a lot of time assisting, counseling, and praying with people struggling with some very difficult circumstances. I do think this experience changed me. I think that as a result of this work, I will be more able to put myself in the shoes of litigants, victims, and defendants. Additionally, I have significant experience with students, having been a teacher and currently a volunteer with the youth group at my church, experience which has given me significant insight into how children are impacted by difficult family situations.

Finally, I think my wide range of experience will help me be more effective as a judge. I have worked at a firm with over 300 lawyers in one office, and been a solo practitioner. I’ve appeared in Magistrate’s Court a few times, and right now have a petition pending with the US Supreme Court. I’ve been a law clerk in a trial court and an appellate court. I’ve argued about every type of motion that exists. I’ve defended criminal clients. I think this breadth of experience will help me better relate to, and work with, all of the various lawyers we have in the Sixteenth Circuit, as well as the members of the public who come before me as litigants or defendants.

52. References:
- (a) USAA Federal Savings Bank  
10750 McDermott Freeway  
San Antonio, TX 78288  
(800) 531-8722
  - (b) Paul Basha  
1385 E. Alexander Love Hwy.  
York, SC 29745  
(803) 984-3999
  - (c) Rev. Dr. Shelton Sanford  
1300 India Hook Rd.  
Rock Hill, SC 29732.  
(803) 984-6803
  - (d) Peter Protopapas  
1329 Blanding St,



Columbia, SC 29201  
(803) 360-3643  
(e) Philip Jamieson  
242 Oakland Ave.  
Rock Hill, SC 29730  
(803) 984-9935

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

Signature: William Angus McKinnon

Date: March 10, 2014

# McGowan, Hood & Felder, LLC

Chad A. McGowan (SC,GA,NC)  
S. Randall Hood  
John G. Felder, Jr.  
W. Jones Andrews, Jr.  
Jordan C. Calloway  
Susan F. Campbell  
Ashley White Creech  
Ruskin C. Foster  
Lara Pettiss Harrill



Whitney Harrison  
Patrick M. Killen  
William A. McKinnon (SC,DC)  
Daniel "Ernie" Peagler  
Robert V. Phillips  
Seth Rose  
James Stephen Welch\* (SC,OK)  
Joseph G. Wright, III\*  
Of Counsel\*

April 24, 2014

Mr. Robert E. Maldonado  
Senate Judiciary Committee  
PO Box 142  
Columbia, SC 29202

Mr. Maldonado,

I am writing to update question number 43 of my PDQ for the Circuit Court, Sixteenth Circuit. The amended response is:

I have spent the following amounts:  
\$34.24 on April 24, 2014 on nametags  
\$128.40 on April 24, 2014 on printed biographical cards

Please contact me if I can provide further information.

Sincerely,

  
William A. McKinnon

Cc: Jane O. Shuler  
Chief Counsel, Judicial Merit Selection Commission  
Room 104 Gressette Building  
Columbia, S.C. 29202

1539 Health Care Drive, Rock Hill, SC 29732 · Tel: 803-327-7800 · Fax: 803-328-5656  
Rock Hill · Columbia · Anderson · Sumter · Georgetown

[www.mcgowanhood.com](http://www.mcgowanhood.com)