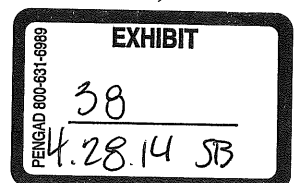


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Mr. David Whitten Wolf
BUSINESS ADDRESS: 286 Meeting Street
Charleston, SC 29407
TELEPHONE NUMBER: (office): (843) 853-9000
2. Date of Birth: 1971
Place of Birth: Indianapolis, IN
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: Married to Heather Carey Wolf on May 6, 2001. Never divorced. Two children.
6. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number, present status, and the character of your discharge or release.
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) Clemson University: Aug. 1990 – May 1994 BS Bus. Mgmt. Graduated
Aug. 1994 – May 1995 Post-Baccalaureate Accounting;
 - (b) USC: Aug. 1995 – May 1999 JD/MBA Graduated.
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 Summer 1999 (No other states)
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) 1990 & 1991 Participated in College Newspaper and Yearbook Staffs;
 - (b) 1992-94 Member of Business Fraternity – Delta Sigma Pi, which was active in professional development, academic improvement and community service – President in 1994;
 - (c) 1997-98 Active in Student Government for Law School and MBA Program; served as election coordinator for the SBA in 1998.
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) Law Office Technology	01/22/09;
(b) Mastering Cross-examination	02/06/09;
(c) Ethics in E-Discovery	02/27/09;
(d) May Your Office Be With You	06/30/09;



- | | | |
|------|--|-------------|
| (e) | Law Office Seminar | 01/23/10; |
| (f) | Lawyer Mentoring Orientation – Training Workshop | 01/28/10; |
| (g) | Masters in Opening Statements and Closing Arguments | 02/12/10; |
| (h) | Ensuring Independence and Diversity in the Judiciary | 10/08/2010; |
| (i) | Lawyer Mentoring Second Pilot Program | 12/15/2010; |
| (j) | Law Office Technology | 01/20/2011; |
| (k) | Law Firm Management | 01/20/2011; |
| (l) | American Inns of Court Meeting (Petigru) | 09/19/2011; |
| (m) | American Inns of Court Meeting (Petigru) | 10/12/2011; |
| (n) | Law Office Technology | 01/19/2011; |
| (o) | Law Firm Management | 01/21/2012; |
| (p) | What Works For Me | 02/03/2012; |
| (q) | American Inns of Court Meeting (Petigru) | 09/12/2012; |
| (r) | American Inns of Court Meeting (Petigru) | 10/10/2012; |
| (s) | American Inns of Court Meeting (Petigru) | 01/09/2013; |
| (t) | What Works For Me | 02/01/2013; |
| (u) | American Inns of Court Meeting (Petigru) | 02/13/2013; |
| (v) | Lawyer Mentoring Program | 04/29/2013; |
| (w) | Risk Management for Lawyers | 07/24/2013; |
| (x) | American Inns of Court Meeting (Petigru) | 09/11/2013; |
| (y) | Solo & Small Firm Conference | 09/20/2013; |
| (z) | American Inns of Court Meeting (Petigru) | 10/09/2013; |
| (aa) | American Inns of Court Meeting (Petigru) | 11/13/2013; |
| (bb) | American Inns of Court Meeting (Petigru) | 01/8/2014. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
I have spoken to Charleston School of Law students on the following topics:
 Setting up a private practice
 Current Issues in a Commercial and Business Law Practice
 Business and Commercial Law (various topics)
 Primer for Solicitor/Public Defender Summer Clerks
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 1999;
(b) Also admitted to practice before the Federal District Court in 2003.
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) 1999-2001 Law Clerk to the Honorable Daniel F. Pieper – Reviewed case files and prepared bench memoranda; kept notes of the evidence presented for each element of a cause of action, criminal offense, or

- defense; discussed and debated legal issues relevant to the case; and drafted judicial orders and otherwise assisted the judge in his decision making process for each hearing or trial;
- (b) 2001-03 Staff Attorney for the Charleston County Public Defender – Handled cases from assignment following arrest and bond hearing through preliminary hearing; discovery and investigation; pre-trial preparation; trials and post-trial pleadings for charges ranging from property crime enhancements and drug possession to burglary and murder;
- (c) 2003-06 Associate and Of Counsel to Savage & Savage, P.A. – Assisted the partners with handling civil and criminal matters; particularly involved in numerous high-profile criminal proceedings by reviewing discovery and investigating defenses and preparing pre-trial motions; participated in trials and post-trial pleadings; also participated in a limited number of appellate matters in Federal cases;
- (d) 2005-14 Partner in law practice primarily focusing on providing advice and services to small to medium sized businesses, including transactional and litigation matters and serving as counsel or local counsel for several large public entities in matters in the State of SC. Continue to accept a limited number of criminal matters and remain on the criminal appointment list to continue involvement in General Sessions Court.

If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity.

As business counsel in civil matters, my appearances in Master-In-Equity court have been predominantly in Supplemental Proceedings matters on behalf of judgment lien-holder seeking to satisfy their judgments when the judgment debtor has not made a reasonable effort to satisfy the judgment. Included in these are Frank Keller Plumbing Co., Inc. v. Montgomery General Contractor, Inc., 2008-CP-10--6035 (Plaintiff obtained a judgment after trial and the Defendant refused to satisfy the judgment so supplemental proceedings were instituted, but a representative of the corporation never would appear in court despite service); M.C. Dirt v. Preferred Trucking, LLC and Randolph Scott, 2008-CP-10-5443 (Plaintiff obtained a default judgment and attempted to levy against Defendants' property, but could not do so and attempted to initiate Supplemental Proceedings, but the defendants did not appear a three consecutively scheduled hearings and an arrest warrant is pending against the individual Defendant); Charleston Collision II, LLC, v. Will James, 2013-CP-10-876 (Plaintiff received a default judgment in Berkeley County, domesticated that judgment to Charleston County and initiated supplemental proceedings to locate assets to be applied against the judgment and examined the individual defendant about assets before reaching an agreement that defendant would provide an inventory of the items Plaintiff could collect to partially satisfy the judgment); Best Drivers of SC, LLC v. DLI Transportation, Inc., 2010-CP-08-3731(Plaintiff received default judgment in Charleston County and domesticated the judgment to Berkeley County and instituted Supplemental Proceedings which were

ultimately resolved after the sole shareholder of the defendant executed a promissory note to satisfy the judgment); and Jeffrey Anderson v. Robert (Bob) J. Karrer, 2012-CP-10-2144 (Represented defendant after he had a default judgment issued against him in Texas and was attempting to dispute the domestication of the judgment here in SC. Unfortunately, my client contacted me well after the statutory period for contesting the judgment and I represented him while testifying about his assets and assisted my client in the ultimate settlement of the matter below the amount of the domesticated judgment).

On occasion, I have also represented a client on a mechanic's lien matter, such as: Platt's Heating & Air Conditioning Company, Inc. v. 2817 Maybank Investment Group, LLC, 2007-CP-10-4078 (Represented tenant when the landlord was sued for breach of contract and foreclosure of a mechanic's lien and the matter was referred to the Master-In-Equity and ultimately settled after a status conference with the court).

My case load typically includes a couple of cases in the Master-in-Equity court each 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.
BV rated since 2005.
16. What was the frequency of your court appearances during the past five years?
 - (a) federal: Infrequent (approximately 3 case appearances in the last 5 years);
 - (b) state: Frequent (approximately 30 case appearances in the last 5 years).
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
 - (a) civil: 90% (primary focus in business and commercial matters);
 - (b) criminal: 5% (greater emphasis in earlier years of my practice);
 - (c) domestic:
 - (d) other: 5% (administrative).
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: 70%;
 - (b) non-jury: 30%.Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole
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) Bank of New York v. Mack et al., 2007-CP-10-4312 - Represented a Judgment Creditor who had received a judgment lien in its defense of a Mortgage Foreclosure matter before the Charleston County Master-In-Equity and successfully established that the judgment lien existed at the time of the mortgage transaction, so my client's lien had priority, such that the title insurance satisfied my client's judgment.
 - (b) Jack Deal v. Garland E. Kraft, 2007-CP-08-206 - Represented a local pastor who granted loans to individuals down on their luck financially when an individual who could repay his loan obligations refused to do so and, after securing a judgment in my client's favor, then pursued Supplemental Proceedings in which the Berkeley County Master-In-Equity ruled that the judgment debtor had assets he was willfully

refusing to apply to satisfy the judgment, whether partially or in its entirety, and ordered that those assets either be provided to my client or sold, at which time the judgment debtor began making monthly installments towards the satisfaction of the judgment.

- (c) Ralph Levine v. EMS Payment Solutions, LLC, et al., 2011-CP-10-9518 - Represented a business and its owners in an employment dispute over whether the commissioned sales representative was entitled to commissions after announcing his inability to perform his work duties and ceasing to perform services to the business, when no contract established a basis for asserting an entitlement to on-going commissions. After a jury was selected and summary judgment was granted on three of the seven causes of action, the parties were able to resolve the matter at the urging of the court based upon the possibility that a directed verdict might have been granted on the Plaintiff's remaining causes of action.
 - (d) Rodney Miller v. Louis Drake and Leonard Neal, 2009-CP-10-6482 - Represented Defendants who sold their share interests in a corporation that they held along with the Plaintiff at the urging of the Plaintiff. Plaintiff prepared the transaction paperwork and subsequently filed suit asserting the Defendants had committed fraud in failing to provide the Plaintiff physical shares of stock, even though Plaintiff's transaction document declared a transfer of all shares and that Plaintiff was the sole owner following the transaction. On the eve of trial and after establishing that the Plaintiff was the only party objecting to the transaction, Plaintiff dismissed all of his causes of action against the Defendants and granted a confession of judgment as to one of the Defendants for Plaintiff's failure to pay the monthly installments due under the transaction document he prepared.
 - (e) Wachovia Dealer Services v. Coker, 2009 -CP-10-1430 - Represented Defendant Personal Representative in the aftermath of a financial transaction that her husband entered into while in the oncology wing of a local hospital purchasing a recreational vehicle costing more than a quarter of a million dollars just eight days before he passed away, while also attempting to purchase two cars, create a foundation for the education of middle class students, and coordinating travel plans to a family reunion and to alma mater, all while displaying behaviors which led to a psychiatric referral and treatment. The case ultimately settled due to the difficulty of establishing capacity for or against the transaction at issue.
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.
None.
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.
- (a) United States of America v. Theodore Thomas Wagner, Fourth Circuit Court of Appeals, Decided February 23, 2004 in an unpublished opinion No. 03-4409 – I prepared the Anders brief while an associate at Savage & Savage, P.A. for Andrew J. Savage, III, who was counsel of record in this CJA case;
 - (b) United States of America v. Terrance Smalls, 134 Fed. Appx. 609, 616, 2005 WL 1395162 (4th Cir. 2005) (unpublished) – I prepared the appellate brief for Andrew J. Savage, III, who was counsel of record in this CJA case, asserting that the defendant's sentence was imposed in violation of the Sixth Amendment pursuant to the Supreme

Court's ruling in *United States v. Booker*, 543 U.S. 220 (2005), because the sentencing court found facts beyond those admitted by the defendant to conclude a life sentence was appropriate under the sentencing guidelines. The defendant's sentences were vacated and the matter was remanded for resentencing;

- (c) United States of America v. Terrance Smalls, Fourth Circuit Court of Appeals, Decided June 13, 2006 in an unpublished opinion No. 05-4879 – I prepared the Anders brief while Of Counsel to Savage & Savage, P.A. for Andrew J. Savage, III, who was counsel of record in this CJA case.
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?
None, except as a Notary Public.
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?
Yes. I ran for Circuit Court At Large Seat #9 in the Fall of 2010 and was found qualified, but was not selected as one of the three candidates for the Legislature's consideration.
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?
No.
28. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.
(a) Wolf & Wolf, LLC. – President - Assist in the management of the law practice, tax and other regulatory reporting. Term is indefinite;
(b) David W. Wolf, P.A. – President - Manage the professional association that is a member of Wolf & Wolf, LLC and perform tax and other regulatory reporting. Term is indefinite.
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.
The only financial arrangements I believe could create the possibility of a conflict of interest are my investments in publicly traded stocks. If any of the corporations I have invested in were to be sued in Berkeley County and the case was set for trial or a hearing, to avoid the appearance of impropriety, I would disclose the investment and, unless the parties indicated they had no issue with my presiding over the matter, I would recuse myself from handling the trial or hearing.
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?

Arrested for shoplifting in 1990 or 1991 in Anderson County while a freshman in college and after the arresting officer suggested pursuit of PTI, I was immediately referred to PTI by the Solicitor's Office. Following completion of PTI, the charge was dismissed and ultimately the arrest record expunged.

Ticketed for trespassing in 1994 in Pickens County when I, my sister (an architecture student at Clemson), and two other Clemson students (one of whom was a textile student) went and videotaped the architectural elements of an empty textile mill for an architecture course my sister was enrolled in. After explaining to the Magistrate what happened, the charges were dismissed.

I have had speeding tickets, but I don't believe any of them carried a fine in excess of \$125.

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. As part of my prior candidacy some liens for a David Wolf were brought to my attention, but it was ultimately established that these liens were for a different David Wolf.

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?

While in law school, my roommates and I moved from our rented apartment in the summer when the HVAC broke and could not be repaired over a protracted period. The landlord sued us for two months rent remaining on the lease and the matter was ultimately settled.

36. Have you ever been investigated by the Department of Social Services?

No.

37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy?.

Yes, my firm has carried malpractice for me since 2005 its founding and has a current limit of \$3,000,000.00 per occurrence, \$6,000,000.00 aggregate limit, with a deductible of \$5,000.00. To date, I have never been covered by a tail policy.

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 currently have personal pages on Facebook and LinkedIn, but not Twitter. I infrequently access these pages, logging on to Facebook once monthly or less and approximately the same for LinkedIn. My use of Facebook and LinkedIn would certainly not increase and likely would decrease (particularly LinkedIn) if I were called upon to serve in a judicial capacity. If I were advised that a judicial officer should not maintain accounts on these sites, I would cancel my accounts prior to assuming judicial duties.

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.
I have no knowledge of any charges or allegations against me or another.
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. Include the disposition, if any, of such charges or allegations.
I have no knowledge of any charges or allegations against me or another.
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?
I have not requested any pledges, nor has any pledge been given to me.
46. Have you requested a friend or colleague to contact members of the General Assembly on your behalf?
I have not requested that anyone contact, nor am I aware of anyone who has contacted, any member of the General Assembly on my behalf.
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 Association – Member of the House of Delegates;
 - (b) Charleston County Bar Association;
 - (c) James L. Petigru American Inn of Court.
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) Charleston Chamber of Commerce;
 - (b) American Cancer Society;
 - (c) Clemson University College of Business and Behavioral Sciences Accounting, Finance and Legal Studies Advisory Board;
 - (d) Charleston Charter School for Math and Science – Chairman of Board of Directors;
 - (e) BSA Pack 14 – Den Leader & Treasurer.

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.

Since my admission to the SC Bar in 1999, I have endeavored to give back to the Lowcountry community both through pro bono legal assistance and through more traditional community service. I have participated in organizations such as Kiwanis, Habitat for Humanity, and The American Cancer Society to make our community a better place. Since I went into private practice in 2003, I have continued to set aside time to give back to the community through Young Lawyer Division community service projects such as donating school supplies, Wills for Heroes and participation in Law Week events. Additionally, I have contributed significant time in free and/or reduced fee representation to people, who were not in a position to retain my services but desperately needed legal services, and charitable organizations seeking tax exempt status in order to make positive difference in our community. I believe becoming the Berkeley County Master-In-Equity would allow me to continue serving the community in a different manner while balancing the interests of the parties and deciding matters in a manner that will provide equitable outcomes for the parties in Berkeley County and on behalf of the State of SC. Based upon my exposure to the judicial function as a law clerk, I have maintained an interest and sought to expand my experience in all aspects of a Circuit Court practice, including the matters heard in a Master-In-Equity courtroom. I would put the same effort into being a successful judge as I have into being a successful law clerk, staff attorney in a public agency, and private practitioner. My practice over the last ten years is particularly germane to the contract matters related to foreclosure matters and the judgment satisfaction hearings connected with Supplemental Proceedings, so I believe I could make a smooth transition into this position if given the opportunity.

52. References:

- (a) Mrs. Kristen Moran
- (b) Mrs. Nichole Hinske
- (c) Mr. Kirby Klotz
- (d) Mr. Mark Hurd

(e) Ms. Caroline Lesesne (Banker)

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

Signature: David W. Wolf

Date: March 20, 2014