

## JUDICIAL MERIT SELECTION COMMISSION PERSONAL DATA QUESTIONNAIRE

## Court, Position, and Seat # for which you are applying: Supreme Court, Seat 2

1. Name: The Honorable John Cannon Few

Are you currently serving in some capacity as a judge? Chief Judge, Court of Appeals

Business Address:

1220 Senate Street

Columbia, SC 29201

Telephone Number:

(office):(803) 734-1925

Date of Birth: 2.

1963

Place of Birth:

Anderson, SC

Are you a citizen of South Carolina? Yes 3.

Have you been a resident of this state for at least the immediate past five years? Yes

Family Status: Divorced on December 9, 2005, Family Court of Laurens County on the 5. grounds of one year's continuous separation. Three children.

Have you served in the military?. 6.

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.
  - **Duke University** (a)

1981-85, BA;

USC School of Law 1985-88, JD. (b)

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, 1988. I took only the SC Bar exam, only once.

- 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.
  - In college I served as the Duke Blue Devil during my junior year, 1983-84; (a)
  - (b) In law school, I served on the Law Review as a Student Works Editor during my senior year, 1987-88.
- Describe your continuing legal or judicial education during the past five years. 10.

Confe	erence/CLE Name	Date
(a)	SC Judicial Conference	08/18-20/10;
(b)	Court of Appeals Workers' Compensation CLE	10/15/10;
(c)	Conference of Chief Judges, Napa, CA	11/9-13/10;
(d)	SC Bar Convention	01/20-22/11;
(e)	It's All a Game Evidence CLE	02/18/11;
(f)	SC Judicial Conference	08/17-19/11;
(g)	Southern High Court Conference	09/15-17/11;
(h)	Conference of Chief Judges, Miami, FL	10/23-27/11;
(i)	SC Bar Convention	01/19-21/12;

(j)	It's All a Game Evidence CLE	02/17/12;
(k)	SC Judicial Conference	08/22-24/12;
(1)	SC Bar Convention	01/24-26/13;
(m)	American Board of Trial Advocates—Mock Trial	02/01/13;
(n)	It's All a Game Evidence CLE	02/15/13;
(o)	Court of Appeals Workers' Compensation CLE	04/17/13;
(p)	SC Judicial Conference	08/21-23/13;
(q)	Appellate Practice Project CLE	10/24/13;
(r)	Conference of Chief Judges, St. Louis, MO	10/29-11/02/13;
(s)	National Center for State Courts Annual Meeting	11/21/13;
(t)	SC Bar Convention	01/23-25/14;
(u)	It's All a Game Evidence CLE	02/21/14;
(v)	South Carolina Judicial Conference	08/20-22/14;
(w)	Conference of Chief Judges, New Orleans, LA	11/19-22/14;
(x)	SC Bar Convention	01/22-24/15;
(y)	It's All a Game Evidence CLE	02/20/15;
(z)	Court of Appeals Workers' Compensation CLE	05/20/15;
(aa)	Roscoe Pound Civil Justice Institute	07/11/15.
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- 11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
  - (a) August 3, 2015; "Practice before the SC Appellate Courts;" SC Bar/Bridge the Gap; West Columbia, SC
  - (b) July 9, 2015; "Appellate Court;" Orientation School for New Circuit Judges; Columbia, SC
  - (c) March 9, 2015; "Practice before the SC Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC
  - (d) February 27, 2015; "Panel Moderator: Significant Appellate Decisions from 2014;" Criminal Law Update CLE; SC Bar; Columbia, SC
  - (e) February 20, 2015; "It's All A Game Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC
  - (f) February 13, 2015; "Recent Developments in Criminal Law;" Greenville County Bar "Year End" CLE; Greenville, SC
  - (g) February 13, 2015; "Appellate Practice Project;" Greenville County Bar "Year End" CLE; Greenville, SC
  - (h) January 9, 2015; "Practice before the SC Appellate Courts;" SC Bar/Bridge the Gap; Charleston, SC
  - (i) October 17, 2014; "Reflections on What it Means to be a Lawyer;" SCIRF Law Enforcement Defense Counsel Annual Meeting; Columbia, SC
  - (j) September 24, 2014; "Court of Appeals Update;" Public Defenders Conference; Myrtle Beach, SC
  - (k) September 22, 2014; "Significant Cases 2013-2014;" Solicitors' Conference; Hilton Head, SC
  - (l) August 4, 2014; "Practice Before the South Carolina Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC

- (m) July 10, 2014; "What It Means To Be a Lawyer in a Central Staff Attorneys' Office;" National Association of Appellate Court Attorneys Annual Meeting; Savannah, Georgia
- (n) May 3, 2014; "The Courage of a Lawyer;" Defense Research Institute—Regional Meeting; Charleston, SC
- (o) April 10, 2014; "The Courage of a Lawyer;" Defense Research Institute—Product Liability Conference; Phoenix, Arizona
- (p) March 10, 2014; "Practice Before the SC Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC
- (q) February 28, 2014; "Panel Moderator: Update on Recent Appellate Decisions;" Criminal Law Update CLE; SC Bar; Columbia, SC
- (r) February 27, 2014; "In Depth View of South Carolina Appellate Torts Cases;" SC Bar Tort Law Update CLE; Columbia, SC
- (s) February 21, 2014; "It's All A Game Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC
- (t) February 10, 2014; "The Courage of a Lawyer;" International Association of Defense Counsel; Carlsbad, California
- (u) January 24, 2014; "The Appellate Practice Project and Update on the Court of Appeals;" Trial and Appellate Advocacy Section "Civil Update" Seminar; SC Bar Convention; Kiawah Island, SC
- (v) January 2, 2014; "Practice Before the SC Appellate Courts;" SC Bar/Bridge the Gap; Charleston, SC
- (w) November 8, 2013; "Perspective from the Court of Appeals—with Judge Huff;" Injured Workers' Advocates Annual Meeting; Asheville, North Carolina
- (x) October 24, 2013; "The Diverse Experience of a Great Lawyer;" Appellate Practice Project CLE; SC Bar; Columbia, SC
- (y) October 11, 2013; "Briggs v. Elliott and the Lawyers Who Made it Happen;" Civil Rights Ride; Northeastern University School of Law; Camden/Summerton, SC
- (z) September 23, 2013; "Panel Moderator: Behind the Bench—the Rulings, the Realities, & the Ramifications;" SC Solicitors' Conference; Myrtle Beach, SC
- (aa) September 5, 2013; "Role of a Trial Judge in the Administration of Justice;" Magistrate Judges' Annual Conference; Myrtle Beach, SC
- (bb) August 5, 2013; "Practice Before the SC Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC
- (cc) August 1, 2013; "Panelist: Criminal Law Panel;" SCAJ Annual Meeting; Hilton Head Island, SC
- (dd) July 12, 2013; "Thinking About Appeals;" New Judges' Orientation; Columbia, SC
- (ee) May 23, 2013; "Panelist: Trial Motions CLE;" South Carolina Defense Trial Attorneys' Association; Greenville, SC
- (ff) May 2, 2013; "Panel Moderator: Current Issues in Criminal Court;" Circuit Judges Conference; Greenville, SC
- (gg) May 2, 2013; "Current Issues with Evidence;" Circuit Judges Conference; Greenville, SC

- (hh) March 28, 2013; "The Importance of Dissent in a Civilized Society;" Haynsworth/Perry Inn of Court; Greenville, SC
- (ii) March 11, 2013; "Practice Before the SC Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC
- (jj) February 22, 2013; "Panel Moderator: Update on Recent Appellate Decisions;" Criminal Law Update CLE; SC Bar; Columbia, SC
- (kk) February 15, 2013; "It's All A Game Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC
- (ll) January 25, 2013; "Evidence 'Boot Camp' for Young Lawyers;" Young Lawyers Division Seminar; SC Bar Convention; Myrtle Beach, SC
- (mm) January 25, 2013; "Issue Preservation;" SC Bar Convention; Myrtle Beach, SC
- (nn) December 16, 2012; "What It Means To Be a Lawyer;" Charleston School of Law Commencement Address; Charleston, SC
- (00) November 2, 2012; "Making a Compelling Case Before the Court of Appeals and Supreme Court of SC;" Injured Workers Advocates Annual Meeting; Asheville, North Carolina
- (pp) October 15, 2012; "Practicing Workers' Compensation Before the Court of Appeals;" SC Workers' Compensation Education Association Annual Conference; Hilton Head Island, SC
- (qq) October 12, 2012; "Panelist: Judiciary Squares;" Master in Equity Bench/Bar CLE; SC Bar; Columbia, SC
- (rr) October 1, 2012; "Panelist: Access to Justice and the Judiciary;" National Legal Services Corporation Regional Meeting; Duke Fuqua School of Business; Durham, North Carolina
- (ss) September 27, 2012; "Evidence 'Boot Camp' for Young Lawyers;" SC Defense Trial Attorneys' Association; Greenville, SC
- (tt) September 26, 2012; "Panel Moderator: The Most Significant Judicial Decisions from the Part Year and How They Impact How You Do Your Job;" SC Solicitors' Conference; Myrtle Beach, SC
- (uu) September 24, 2012; "Preserving Issues for Appeal;" Public Defender Conference; Myrtle Beach, SC
- (vv) September 11, 2012; "The Other Side of Civility;" American Board of Trial Advocates; Columbia, SC
- (ww) September 6, 2012; "Thinking Through the Structure of Evidence;" SC Magistrates' Conference; Kingston Plantation; Myrtle Beach, SC
- (xx) August 6, 2012; "The Role of Local Government in the Future of Our Courts;" SC Association of County Attorneys Annual Meeting; Hilton Head Island, SC
- (yy) August 2, 2012; "Panelist: Fee Awards—Ethics and Practice;" SC Association for Justice; Hilton Head Island, SC
- (zz) July 31, 2012; "Practice Before the SC Appellate Courts;" SCBar/Bridge the Gap; Columbia, SC
- (aaa) April 11, 2012; "Common Pitfalls For, and Mistakes Made By, Young Lawyers;" Sowell Gray CLE at Trustus Theatre; Columbia, SC
- (bbb) March 6, 2012; "Practice Before the SC Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC

- (ccc) February 24, 2012; "Panel Moderator: Update on Recent Appellate Decisions;" Criminal Law Update CLE; SC Bar; Columbia, SC
- (ddd) February 17, 2012; "It's All A Game Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC
- (eee) February 17, 2012; "Ethics: The Importance of Dissent in a Democratic Society;" SC Bar; Columbia, SC
- (fff) January 20, 2012; "Playing to the Discretion of a Trial Judge: Practicing the Art of Evidence from a Trial Lawyer's Perspective;" Criminal Law CLE; SC Bar Convention; Columbia, SC
- (ggg) January 20, 2012; "Developing Yourself as a CLE Speaker;" Young Lawyers Division Seminar; SC Bar Convention; Columbia, SC
- (hhh) January 6, 2012; "Panelist: Play By the Rules; Evidence and Civil Procedure in Tort Cases;" SC Bar Tort Law Update; Columbia, SC
- (iii) October 14, 2011; "Judicial Ethics;" Domestic Violence Seminar; Spartanburg, SC
- (jjj) October 4, 2011; "The Importance of Dissent in a Civilized Society;" John Belton O'Neall Inn of Court; Columbia, SC
- (kkk) September 16, 2011; "The Courage of a Lawyer;" North Carolina/SC Construction Sections Joint Meeting; SC Bar; Wild Dunes, SC
- (III) August 2, 2011; "Practice Before the SC Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC
- (mmm)June 3, 2011; "The Importance of What You Do;" SC Family Court Judges Conference; Fripp Island, SC
- (nnn) February 18, 2011; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (000) February 11, 2011; "The Courage of a Lawyer;" Greenville County Year End CLE; Greenville, SC
- (ppp) February 4, 2011; "The Tactical Use of Allegations of Misconduct Against a Judge;" VIP GlobalNet Webinar Presentation
- (qqq) February 4, 2011; "The Tactical Use of Allegations of Misconduct Against a Judge;" ABOTA Ethics CLE; USC Law School; Columbia, SC
- (rrr) January 14, 2011; "The Tactical Use of Allegations of Misconduct Against a Judge;" VIP GlobalNet Webinar Presentation
- (sss) December 21, 2010; "The Tactical Use of Allegations of Misconduct Against a Judge;" VIP GlobalNet Webinar Presentation
- (ttt) November 19, 2010; "Panelist: Judicial Panel;" SC Legal Services Annual Meeting; Myrtle Beach, SC
- (uuu) November 18, 2010; "The Courage of a Lawyer;" SC Legal Services Annual Meeting; Myrtle Beach, SC
- (vvv) November 5, 2010; "Workers' Compensation Update;" Injured Workers Advocates Annual Convention; Asheville, North Carolina
- (www) September 24, 2010; "Judicial Ethics;" Domestic Violence Seminar; Spartanburg, SC
- (xxx) August 5, 2010; Criminal Appellate Advocacy Seminar; National Advocacy Center; Columbia, SC

- (yyy) August 3, 2010; "Practice Before the SC Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC
- (zzz) June 25, 2010; "Appeals From the Commission to the Court of Appeals;" 75<sup>th</sup> Anniversary of the Workers' Compensation Act; SC Bar; Columbia, SC
- (aaaa) May 6, 2010; "Reflections of a Circuit Judge;" Circuit Court Judges Association Conference; Litchfield, SC
- (bbbb) April 22, 2010; "The SC Court of Appeals;" Family Court Judges Association Conference; Columbia, SC
- (cccc) March 5, 2010; "Thinking Through the Structure of Evidence;" SC Bar Golf Getaway CLE; Kiawah Island, SC
- (dddd) February 12, 2010; "Opening Statements and Closing Arguments;" Masters in Trial; American Board of Trial Advocates and SC Bar; Columbia, SC
- (eeee) February 5, 2010; "It's All A Game Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC
- (ffff) January 22, 2010; "Differences Between the State and Federal Rules of Evidence;" Criminal Law Update; SC Bar Convention; Kiawah Island, SC
- (gggg) November 7, 2009; "Panelist: Judge's Panel;" SC Defense Trial Attorneys Association; Savannah, Georgia
- (hhhh) October 29, 2009; "The Courage of a Lawyer;" Attorney's Information Exchange Group; Charleston, SC
- (iiii) October 2, 2009; "Judicial Ethics;" SAFE Homes Rape Crisis Coalition; Spartanburg, SC
- (jjjj) September 27, 2009; "The Courage of a Lawyer;" SC Solicitor's Association; Hilton Head, SC
- (kkkk) September 21-24, 2009; "Fundamentals of Evidence;" National Judicial College/New Mexico Judicial Education Center; Albuquerque, New Mexico
- (Illl) May 4, 2009; "The Courage of a Lawyer;" Thirteenth Circuit Solicitor's Office; Clemson, SC
- (mmmm) February 13, 2009; "It's All A Game Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC
- (nnnn) February 10, 2009; "The Courage of a Lawyer;" Michelin Regional Counsel Meeting; Greenville, SC
- (0000) December 5, 2008; Ethics: "The Courage of a Lawyer;" SC Association for Justice Auto Torts Seminar; Atlanta, Georgia
- (pppp) November 21, 2008; "What It Means to Be a Lawyer;" Nexsen Pruet Associates Meeting; Greenville, SC
- (qqqq) November 15, 2008; "The Courage of a Lawyer; and the Introduction of Matthew Perry;" SC Defense Trial Attorneys Association; Amelia Island, Florida
- (rrrr) October 3, 2008; "Judicial Ethics;" SAFE Homes Rape Crisis Coalition; Spartanburg, SC
- (ssss) September 19, 2008; "What Civil Court Judges Want You To Know;" National Business Institute Judicial Forum; Greenville, SC
- (tttt) September 19, 2008; "What a Paralegal Means, to Who a Lawyer Is, to the People We Serve;" SC Upstate Paralegal Association; Greenville, SC
- (uuuu) July 26, 2008; Ethics: "The Courage of a Lawyer;" SC Defense Trial Attorneys' Association; Asheville, North Carolina

- (vvvv) February 8, 2008; "It's All A Game Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC
- (wwww) November 30, 2007; "Discovery, Evidence and Technology;" National Business Institute Advanced Discovery and Evidence; Columbia, SC
- (xxxx) November 29, 2007; "Discovery, Evidence and Technology;" National Business Institute Advanced Discovery and Evidence; Greenville, SC
- (yyyy) November 3, 2007; "Panelist: Expert witnesses: Changing SC Law;" SC Defense Trial Attorneys' Association; Pinehurst, North Carolina
- (zzzz) October 26, 2007; "A View From the Bench;" SC Tort Law Update; SC Bar; Columbia, SC
- (aaaaa) October 26, 2007; "Judicial Ethics Workshop;" SAFE Homes Rape Crisis Coalition; Spartanburg, SC
- (bbbbb) September 15, 2007; "A View From the Bench—Preparing for Trial in a Construction Case;" North and SC Bars Construction Law Sections Biennial Meeting; Wild Dunes, Charleston, SC
- (ccccc) August 20-23, 2007; "Fundamentals of Evidence;" National Judicial College; Reno, Nevada
- (ddddd) June 8, 2007; "A Circuit Judge's Look Back, and Forward At the Role of the Lawyer;" Greenville County Bar Association; Greenville, SC
- (eeeee) February 22, 2007; "Complex Case / Class Action;" SC Judicial Seminar for Chief Judges of the Circuit Court; Columbia, SC
- (fffff) July 28, 2006; "The Circuit Court Courtroom in the 21<sup>st</sup> Century: Technology and Tradition;" SC Defense Trial Attorneys' Association; Grove Park Inn, Asheville, North Carolina
- (ggggg) November 14-17, 2005; "Fundamentals of Evidence;" National Judicial College; Reno, Nevada
- (hhhhh) November 11, 2004; "Perspective;" Michelin Regional Counsel Meeting; Greenville, SC
- (iiiii) November 5, 2004; "Thinking Through the Structure of Evidence;" SC Bar Beyond the Bar II; Greenville, SC
- (jjjjj) December 3, 2004; "An Ethical View From the Bench;" Greenville County Bar Association; Greenville, SC
- (kkkkk) December 5, 2003; "An Ethical View From the Bench;" Greenville County Bar Association; Greenville, SC
- (llll) December 13, 2002; "An Ethical View From the Bench;" Greenville County Bar Association; Greenville, SC
- (mmmmm) December 12, 2001; "Tips from the Bench Guilty Pleas;" SC Bar; Kiawah Island, SC
- (nnnnn) December 7, 2001; "Ethics;" Greenville County Bar Association; Greenville, SC
- (00000) November 8, 2001; "Panelist: Products Liability Panel;" SC Defense Trial Attorneys' Association; Kiawah Island, SC
- (ppppp) January 29, 2001; "The Fundamentals of Trial Advocacy;" Thirteenth Circuit Solicitor's Office; Clemson, SC
- (qqqqq) August 3, 2000; "Environmental Lit. In the New Millennium and Its Expert Witnesses, If Any;" SC Trial Lawyers Association; Hilton Head Island, SC

- 12. List all published books and articles you have written and give citations and the dates of publication for each.
  - (a) The Courage of a Lawyer, ABA Litigation Journal, Winter 2013
    This article was also published in Voir Dire, the magazine of the American Board of Trial Advocates, and will soon be republished in SC Lawyer;
  - (b) <u>artofevidence</u>, http://artofevidence.wordpress.com/
    This is a blog I publish for my students, formerly at the Charleston School of Law, currently at the USC School of Law;
  - (c) <u>Appellate Advocacy—"Speaking Frankly"</u>, Foreword to Charleston Law Review, volume 5 number 1 (Fall 2010).

I have not published any other books or articles since I became a judge in 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)	SC	1988;
(b)	US District Court, DSC	1989;
(c)	US Court of Appeals, 4th Circuit	1990;
(d)	LIS Supreme Court	1995

- 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) 1989-1997 Private Civil Practice with my father, J. Kendall Few;
  - (b) 1997-2000 Private Civil Practice by myself;
  - (c) 2000-2010 Circuit Court Judge;
  - (d) 2010-Present Chief Judge, SC Court of Appeals.
- 15. Please answer the following (if you are a judge and <u>are not seeking a different type of judgeship</u>, this question is inapplicable):
  - (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background has prepared you to preside over such matters as a Family Court Judge.
  - (b) 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.

- If you are a candidate for Master-In-Equity, please provide a brief written (c) 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.
- If you are a candidate for Administrative Law Judge, please provide a brief written (d) description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law Judge Court.

Despite the introduction indicating I should answer this question, the subquestions apply only to candidates for trial judge positions, not to appellate judges. In 2009 when I was running for the Court of Appeals, I did not answer this question for that reason. If the Commission would prefer I answer this question, I will be happy to do so.

What is your rating, if any, by any legal rating organization, such as, Best Lawyers, 16. 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

I am not aware that I have been rated by any other organization.

- What was the frequency of your court appearances during the past five years? 17.
  - federal: (a)

At least once a month;

(b) state: At least once a month.

- What percentage of your practice involved civil, criminal, domestic, and other matters 18. during the past five years?
  - civil: (a)

100%;

- (b) criminal:
- 0;
- 0 (I was appointed in 2 or 3 domestic cases over 11 years); domestic: (c)
- (d) other:

- What percentage of your practice in trial court during the past five years involved matters 19. that went to a jury, including those that settled prior to trial?
  - iury: (a)

90%;

(b) non-jury: 10%.

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

The types of cases I handled while practicing law usually called for more than one lawyer. I almost always served as either chief or associate counsel.

- List five of the most significant litigated matters you have personally handled in either trial 20. or appellate court or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.
  - Bagwell v. Nissan, US District Court, District of SC. (a) This case is significant because I was able to play a major role in enabling a severely disabled quadriplegic, who was otherwise unable to provide for himself financially, to have his basic needs met for the rest of his life;
  - Shockley v. Hoechst Celanese, 793 F.Supp. 670 (D.S.C. 1992). (b) This case is significant because an Order I wrote at the request of the district judge was published in the Federal Supplement, and has played a significant role in the development of the law of environmental contamination. The appeal of this case is listed in response to question 21;

- (c) Roshto v. Spartanburg Petroleum.
  - This Laurens County case was significant in that my co-counsel and I were able to get a settlement for a hotel (the old Holiday Inn at SC 56 and I-26) owner and operator that enabled the business to stay in operation despite the unwillingness of banks to finance the business because of groundwater contamination on the property caused by a gas station on adjoining property;
- (d) Shook v. Golden Rule, 1993 WL 18754 (D.S.C. Jan. 7, 1993).

  This case against a medical insurance provider is significant in that my co-counsel and I were able to get medical insurance payments immediately made for a severely disabled accident victim whose medical insurance had been denied in violation of the terms of the policy;
- (e) <u>Cameron v. General Motors Corp.</u>, 158 F.R.D. 581 (1994).

  This case is significant because of the fact that the US District Judge who presided over it was essentially disqualified by the Fourth Circuit, and the case was transferred to a District Judge from West Virginia. The legal issues were substantial, and eventually involved litigation in West Virginia and Detroit, Michigan, in addition to SC.
- 21. 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) <u>Shockley v. Hoechst Celanese Corp.</u>, 996 F.2d 1212 (4th Cir. 1993). I wrote the brief in this case, but did not personally argue the appeal;
  - (b) Ehlies v. Shirley, 2000-UP-250;
  - (c) Phillips v. Southland Life Insurance Co.

    This was the first case I ever tried, and the first appeal I argued in State court. I do not have the case number of the unpublished opinion. I lost both the trial and the
  - (d) <u>Clark v. Greenville County</u>, 313 S.C. 205, 437 S.E.2d 117 (1993). I do not think I actually argued this appeal, but I wrote or substantially wrote the briefs:
  - (e) <u>Kelly v. Para-Chem Southern, Inc.</u>, 311 S.C. 223, 428 S.E.2d 703 (1993). I do not have copies of any of the briefs, nor do I know how I could get them.
- 22. 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 never handled a criminal appeal.
- 23. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
  - Yes. I served as a Circuit Judge from July 1, 2000 to February 3, 2010. Since that date I have served as the Chief Judge of the SC Court of Appeals. I was elected to each position by the General Assembly. The jurisdiction of the Circuit Court is defined generally by Article V, Section 11 of the SC Constitution and more specifically by the General Assembly in Title 14, Chapter 5 of the SC Code. The jurisdiction of the Court of Appeals is defined generally by Article V, Section 9 of the SC Constitution and more specifically by the General Assembly in Title 14, Chapter 8 of the SC Code.
- 24. If the answer to question 23 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.

I have published over 100 opinions since joining the Court of Appeals and have written or joined over a thousand others. Each one is equally significant in that it decides an important issue in the lives of SC citizens. Here are five of the ones I deem the most significant for their precedential value:

- (a) State v. Gray, 408 S.C. 601, 759 S.E.2d 160 (Ct. App. 2014) and State v. Collins, 398 S.C. 197, 727 S.E.2d 751 (Ct. App. 2012). I include these opinions together because their significance relates to the same issue—the admissibility of graphic autopsy photographs. A majority of the Supreme Court agreed with the Court of Appeals' ruling in Collins, but the Supreme Court reversed the decision after finding the Circuit Court's error was harmless. See 409 S.C. 524, 763 S.E.2d 22 (2014). Gray was not appealed;
- (b) Palms v. School District of Greenville County, 408 S.C. 576, 758 S.E.2d 919 (Ct. App. 2014). This opinion is significant because it addresses the limited role of the judiciary in the affairs of government;
- (c) Riley v. Ford Motor Co., 408 S.C. 1, 757 S.E.2d 422 (Ct. App. 2014). This opinion is significant because it upholds a litigant's (Ford's) constitutional right to a trial by jury. The Supreme Court granted certiorari in Riley on September 25, 2014;
- (d) AnMed Health v. S.C. Department of Employment & Workforce, 404 S.C. 224, 743 S.E.2d 854 (Ct. App. 2013). This opinion is significant because it upholds the right of hospitals to make patient-safety decisions unencumbered by employment considerations, and yet also upholds a State agency's right and duty to follow its statutory mandate to provide unemployment benefits under law;
- (e) <u>State v. Dukes</u>, 404 S.C. 553, 745 S.E.2d 137 (Ct. App. 2013). This opinion is significant because it explains novel issues regarding the limited right of a criminal defendant to due process of law in relation to a victim's or another witness's pretrial identification of the defendant as the person who committed a crime.
- 25. Have you ever held public office other than judicial office? Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office.

  No
- 26. 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.

I served as Adjunct Professor, and later Distinguished Visiting Professor, at the Charleston School of Law from the summer of 2008 until the summer of 2012. I taught Evidence and Advanced Evidence. It was a part-time position. My supervisor was the Associate Dean for Academic Affairs, first Nancy Zisk and later Margaret Lawton. For this work, I was paid a salary and given a per trip expense reimbursement.

In the Fall of 2012, 2013, and 2014, I taught Advanced Evidence at the University of South Carolina School of Law. I will teach the same class in the Fall of 2015. I hold no title, and I accept no compensation; I simply teach. My supervisor has been the Dean for Academic Affairs.

27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? I ran unsuccessfully for the Supreme Court of SC in 2007, 2008 and 2009.

- 28. 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?
- 29. 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.
- 30. A complete, current financial net worth statement was provided to the Commission.
- 31. 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.
- 32. 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?
- 33. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute?
- 34. 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
- 35. 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?

  My name is sometimes listed as a defendant in lawsuits with which I am never served. The following are the lawsuits of which I am aware.
  - (a) Douglas M. Thompson, an inmate in the SC Department of Corrections, sued the Court of Appeals and others in US District Court. I have a copy of the complaint, but I have not been served with it. I do not know the status of this case.
  - (b) I was sued in US District Court by Michael A. McKeown, who I believe is an inmate that plead guilty before me. The case was dismissed on summary judgment.
  - I was sued by Donald Strable in US District Court for \$21 million. The allegations arose out of my having been assigned as administrative judge for all the lawsuits he had filed against other judges. Because the case was filed *pro se*, he was not allowed to serve me without the permission of the Federal Court, and that permission was denied. The case is over.
  - (d) I was listed as a defendant in Rochester v. L. Casey Manning, 2004-MC-00008. However, I was never served with a summons and complaint and never participated in the case. I have no idea what the allegations against me were. As far as I know, the case has been dismissed.
  - (e) A former client of mine, Newco Electrical Supplies, Inc., and one of its owners James H. Vaughn Jr., sued me and my co-counsel in the case. The case was filed in Greenville County, case number 03-CP-23-3354. The case was dismissed on a motion for summary judgment.

- (f) I was served with a Petition for a Writ of Prohibition in the Supreme Court of SC in regards to my role as the assigned judge in State v. Jerry Buck Inman, a death penalty case in Pickens County. The Court assigned the case to another judge in a written Order.
- (g) In 2007, I was sent a copy of what appeared to be a pleading filed by Glen Laconey, a defendant in a case before the SC Supreme Court alleging the unauthorized practice of law, in which I had been assigned to be the Special Referee. I do not believe this was a lawsuit, I have no reason to believe it was ever filed, and I was never served with a summons.

Otherwise, I do not recall ever being sued.

- 37. 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
- 38. 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? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy I am not in private practice.
- 39. 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.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

I use social media. I have active accounts at Facebook, LinkedIn, Twitter, and Instagram. I have used YouTube, but I am not currently active. I use these social media sites primarily as an observer. When I have posted in the past, it has usually been with some photograph of or experience with my children.

I have been featured on websites. Recently, someone created an account in my name without my permission on a social media site. I was forced to log in, change the password, and delete the account. I cannot remember the name of the social media site. Also, a disgruntled litigant created a site called http://www.jamesislandhighschoolawareness.org/. My name and photograph are found throughout the site. I once had someone create a Facebook account whose purpose was to criticize me. These are examples of the many times I have been featured on an internet site, many of which I never knew about or cannot now remember.

At one point, I explored developing a website to promote and cultivate courage in lawyers. The site was never fully developed and is now closed.

Because I am a judge, I carefully control my social media use and try to control my internet presence to ensure I am at all times in compliance with the Code of Judicial Conduct.

40. 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

- 41. 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?
- 42. 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. Include the disposition, if any, of such charges or allegations.

None

43. 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.

None

44. 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

45. 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

46. 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?

Note: Attached are (1) Section 2-19-70(c); (2) JMSC Rule 24, and (3) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.

No

47. 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 anyone to contact a member of the General Assembly on my behalf in regards to my election to the Supreme Court in 2015. Of course, in my initial election into the Circuit Court in 2000, in my reelection bid in 2006, in my bids for the Supreme Court in 2008 and 2009, in my race for Chief Judge in 2010, and in my reelection bid in 2015, I did so after the point in time when the rules allowed me to.

As to the second question, I am aware that from time to time there is discussion about judicial politics between members of the General Assembly and a wide variety of people, many of whom are my friends or colleagues. I am aware that many of those

- discussions are about me. However, I am not aware that anyone has contacted a member of the General Assembly on my behalf.
- 48. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy?
- 49. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate?

  I have not contacted any member of the Judicial Merit Selection Commission since the
  - vacancy for this seat was announced.
- 50. 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;
  - (b) Greenville County Bar;
  - (c) Haynsworth/Perry Inn of Court.
- 51. 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.

I serve on the Duke University Alumni Advisory Committee for the upstate. All I do in that capacity is interview high school seniors who have applied to Duke. I have also served in the unofficial role of President of the Duke Club of the Upstate, which specifically does not involve any fundraising whatsoever. I am simply a contact person for Duke alumni who live in this area, and from time to time I schedule events for Duke alumni in our area.

- 52. 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 know of none that should be disclosed.
- 53. List the names, addresses, and telephone numbers of five persons, including your banker, from whom references could be obtained.
  - (a) Stephen L. Davis;
  - (b) Robert E. Reeves Jr. (banker);
  - (c) Andrew B. Moorman Sr.;
  - (d) R. Michael Johnson;
  - (e) Paul C. Aughtry III.
- 54. Describe any interest you or a member of your immediate family has in real property:
  - (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
  - (b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or
  - (c) which was sold, leased, or rented to a state or local public agency in South Carolina. None

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and

(c) South Carolina state or local public agency which purchased or is leasing or renting such property.

None

55. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency.

None

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:

s/John Cannon Few

Date:

August 6, 2015