

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



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

Judge of the Circuit Court, At-Large, Seat 2

1. Name: Mr. John Patrick Riordan

Name that you are known by if different from above
(Example: A Nickname):

Jack

Are you currently serving in some capacity as a judge?
(Includes Municipal, Magistrate, Etc.)

No

Home Address:



Business Address: 2 W. Washington Street, Suite 1100
Greenville, SC 29601

E-Mail Address:



Telephone Number: (home): none
(office): 864-751-7638
(cell):



2. Date of Birth: [redacted] 1967
Place of Birth: Beloit, Wisconsin
Social Security Number: [redacted]

3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes

4. SCDL# or SCHD#: [redacted]
Voter Registration Number: [redacted]

5. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.

No

6. Family Status: In the space below, (a) state whether you are single, married, widowed, divorced, or separated; (b) if married, state the date of your marriage and your spouse's full

name; (c) if you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds; and (d) state the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

Family Status: Married on December 28, 1991 to Leora Caroline Patterson.
Never divorced and not in the process; three children.

[REDACTED]

[REDACTED]

[REDACTED]

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, 1985-1989, B.S. Financial Management
 - (b) USC School of Law, 1989-1992, Juris Doctor

8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
 - (a) Member of Student Bar Association
 - (b) Attended Federalist Society Meetings on occasion, but no leadership positions.
 - (c) Ran a basketball league at Booker T. Washington Center summers of 1990-1992.
 - (d) Worked full time in summers and part-time during school years with Kermit King's office, King & Vernon (1990-1992).

9. 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. Please indicate the number of times you took the exam in each state.
 - (a) South Carolina, 1992 - only State Bar exam taken - only taken once.
 - (b) Present Pro Hac Vice admission in NC – remnants of Williams v. Best Western, et. al. case in NC Industrial Commission (Medical Examiner of Watauga County)

10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character has

changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.

- (a) I believe I continued work for at least a brief time following graduation in May of 1992 with King & Vernon as a law clerk. Though Kermit and counsel primarily handled domestic work, we were also involved with civil litigation claims (property and personal injury) and also represented former USC President James Holderman during his initial legal battles (Dick Harpootlian prosecuting).
- (b) My first job following the taking of the Bar was with Dick's Fifth Circuit Solicitor's Office as an Assistant Solicitor from October, 1992 - July 1996. I handled the entire range of criminal offenses (DUI to Murder), eventually serving as the youngest member of the Violent Crime Task Force established by Solicitor Barney Giese following his election and to close my service. During my tenure I tried at least 50 cases before a jury (my first, a DUI conviction, being obtained a week after being sworn in).
- (c) I then took a position with the SC Attorney General's Office in July of 1996, initially with Don Zelenka's Capital Litigation Team, handling direct appeal murder cases. I was primary counsel, filing briefs and defending at least twenty murder appeals, eight of which provided argument in the Supreme Court. I assisted Don in defeating the final appeals of serial killer Larry Gene Bell (represented by Steve Morrison and Nelson Mullins) and Thomas Lee Davis (Lander Fountain Murder over Fall Break in 1988) with final hearings on both being held in Greenwood. I additionally served on the Statewide Grand Jury from October of 1997 to May of 1999, assisting with numerous public corruption cases (mostly police, but others, including at least one school board member for embezzlement) and multi-county drug operations. Finally, I handled some conflict prosecution matters involving the prosecution of jailers in Marlboro County over the death of an inmate (should have never been indicted) and of a Greenville County Sheriff's Deputy for Reckless Homicide (auto accident) throughout my tenure with the Attorney General's office.
- (d) In late May of 1999 I became an associate with Leatherwood Walker Todd & Mann. I became a partner at the end of 2002. Since the firm's merger in August of 2008, I have continued as a litigation shareholder with Smith Moore Leatherwood. My private practice has primarily involved Civil Litigation Defense (vehicular accidents (primarily transportation related for last decade), slip and falls, medical and legal malpractice, church defense and products liability). However, I have handled a number of Criminal Defenses cases each year (from Substantial Felonies to White Collar to magistrate level offenses, mostly in State Court, but some Federal); have been involved in Domestic, Probate, Church related and Condemnation actions; and have initiated at least two §1983 Suits (civil rights claims). Additionally, I have been able to initiate at least a few

Plaintiff actions and am presently involved in a few substantial Plaintiff claims. Overall, I have tried at least 50 civil matters before juries. As a civil practitioner I have at least briefed and argued a few appellate matters.

- (e) I have not undertaken prime administrative or financial management (including management of trust accounts) at any of the entities but have assisted in training/mentoring younger attorneys, including litigation associates in my firm, both via firm committee and individually.

Justices/judges applying for re-election to their current position may omit Questions 11–17. If you are a judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience prior to serving on the bench.

11. Please answer the following:

- (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 and procedural knowledge has prepared you to preside over such matters as a Family Court Judge. Please also indicate the frequency of your appearances before a Family Court Judge within the past five years.

Not applicable (N/A).

- (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 and procedural knowledge 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. Please also indicate the frequency of your appearances before a Circuit Court Judge within the past five years.

Per my response to previous questions, my criminal experience has lessened during my time in Private Practice. I have been involved in at least two lengthy and contested General Sessions' trials since 2006. The first of which, alleging Burglary and Grand Larceny by a former employee of a DMV, resulted in a not

guilty verdict and the successful § 1983 suit against the arresting agencies. The second trial, in May of 2014, regrettably resulted in a guilty verdict of Arson and related offenses, but the convictions remain on appeal and the client was sentenced to home detention. That loss and another adverse matter which ended with a regrettable guilty plea by a young client with no record to First Degree Burglary, Armed Robbery and Weapons Charges admittedly lessened my appetite for significant criminal matters for the past few years, but I believe my overall experience will allow me to quickly regain my procedural "competence" in the Court of General Sessions. I remain a member of the Greenville Association of Criminal Defense Lawyers (GACDL), attending many of our monthly meetings. Given my past as a prosecutor, any case in my firm that remotely suggests a criminal component is likely to garner my involvement. I have good relationships with our past and present Public Defender and staff and our Solicitor (who was an associate with my firm long ago - I sat with him during his first, successful, trial) and one of his deputies, who was co-counsel on several civil matters before he moved into public service. I have handled a number of guilty pleas in General Sessions in private practice over the years and handled many hundreds as a prosecutor.

My civil trial experiences, like many others, have lessened over the past few years. I once tried four Common Pleas matters (all wreck cases) through to positive results for my clients over seven full Court days (Thursday and Friday to close a trial term in Anderson, then back to back to back to close out Joe Watson's final term on the bench in Greenville - the first two were verdicts for Plaintiff, but for less than offered; the final two were pure verdicts for the defense). Comically, I have now tried five cases TOTAL since May of 2014. However, each case lasted at least four days (full week for two) and the stakes were much higher. The initial trial was the previously mentioned Arson case (General Sessions). The other four consisted of two wrongful death cases (one a logging truck wreck, the other a medical malpractice allegation) and two significant personal injury cases. Both of the wrongful death cases resulted in the obtainment of defense verdicts. The final trials were a truck/dirt bike accident wherein the cycle driver lost his lower left leg and a logging truck/motorcycle involved accident that was the first civil case tried in the new Florence County Courthouse. Following a week-long trial in the truck/dirt bike case, a mistrial was granted due to the jury being hung and a retrial date will likely be set for later this year. The Florence County matter resulted in a verdict for far less (one-fifth) than demanded/requested by Plaintiff.

In the civil defense realm I have likely been one of the more active participants before Circuit Court Judges in my career, though certainly less so these past five years. Beyond trials, I have been involved in many other civil hearings, including successful grants of Summary Judgment (denials have assuredly been issued as well) and relief from default. Though my firm has one of the strongest transportation/trucking practices in the State/Region and I maintain heavy involvement in that area, I continue to have a diverse practice, which presently includes: numerous premises liability matters; a few dram shop actions, including

one wrongful death claim; property disputes; actions both defending and pursuing claims against nursing homes and a claim against a reckless driver with drug involvement who caused a significant head-on collision, with great injury to my client. Finally, I was able to assist in the successful resolution of the primary claims in a significant wrongful death and personal injury claim in Watauga County, NC (I was co-counsel for the Williams family of Rock Hill, whose eleven year old son was killed and mother injured by Carbon Monoxide exposure from a pool heater at a Best Western in Boone), which resulted in a \$12 million dollar settlement in early 2018 (claims against state actors remain with the NC Industrial Commission). I have always sought to expand my exposure/experience in legal matters and expect that breadth of experience will be of benefit in filling this Judicial seat.

- (c) 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 or a Circuit Court Judge within the past five years.

N/A.

- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

N/A.

12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?

- (a) federal: minimal – less than 5%
(b) state: greater – encompassing 95% of such “appearances” but still less than in previous years

13. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?

- (a) civil: 88%
(b) criminal: 10%
(c) domestic: 1%
(d) other: 1%

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

- (a) jury: 90
- (b) non-jury: 10

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

Chief/Sole Counsel

15. 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) Green v Ebel – Greenville trial in the Fall of 2016 - successful defense of Dr. Ebel in a wrongful death, medical malpractice claim involving the death of a fourteen year old girl. This was a terrible death within fifty hours following her ER discharge by Dr. Ebel, the proper investigation of which would likely have prevented the plausible assertion of medical negligence. Fortunately, Plaintiff experts and opinions were exposed, a wonderful and brave doctor was vindicated and further injustice was prevented after a week-long trial.
 - (b) State v Larry Gene Bell - I was not involved in the initial trial or appeal, but assisted in the final, week-long litigated hearing regarding a petition by renowned counsel to prevent execution as cruel and unusual punishment in violation of the eighth amendment due to Bell's mental incapacity. Serial killer Bell's determination to have death by the electric chair (in effect at time of original sentence) rather than lethal injection was raised as one of the reasons in support of Bell's mental incapacity. Rejection of Bell's petition and execution of Bell was greatly significant to the families of the two KNOWN victims of Bell's brutality. The case was additionally significant given infamy of Bell and the renown of counsel and the experts involved (top members of the FBI profile team).
 - (c) Ken and Janice Bear v. Duke Energy - my first significant Plaintiff's case - I held prime deposition and trial responsibility against numerous defense attorneys. The Bears discovered that their newly constructed home was built on property formerly utilized to "strip" Duke Energy transformers/equipment for scrap metal, resulting in PCB contamination. A remediation agreement was obtained, resulting in an initial one million-dollar clean up, but PCB remained beneath their home. A multi-day trial resulted in an agreeable settlement/resolution for the Bears for property/stigmatic damage.
 - (d) State v Paula Reed - I defended Reed (former DMV employee referenced earlier), with a criminal not guilty verdict obtained on all counts after a lengthy trial. The successful defense of these initial criminal charges (3 separate "cases" had been indicted, with over 70 years of potential sentencing) revealed the prime investigator to be providing "inaccurate" and/or "mistaken" testimony during trial,

after having created "mistaken/inaccurate" incident reports in support of the charging decisions. The obtainment of the not guilty verdict and subsequent dismissal of all other cases allowed the successful pursuit and resolution of the ensuing §1983 matter via mutual agreement prior to trial in Federal Court.

- (e) State v Paris Fant - my final criminal prosecution. Fant was a Greenville County Sheriff's Deputy who was involved in the T-bone collision with another vehicle, resulting in a twenty-six year old mother's death. No charges initially (SCHP representative commented that the deceased had failed to yield right of way, but since she was dead and could not be charged, it would be unfair to charge Deputy Fant). After much adverse publicity a traffic ticket was issued, but Deputy Fant thereafter simply forfeited bond. The victim's family appealed to the Attorney General's office for help. Despite assertions of double jeopardy in further pursuing, I determined this was not so and the mother of the victim was allowed to appear before the Grand Jury. The case was true billed/indicted. Plea offers were rejected. Deputy Fant was convicted of Reckless Homicide after a lengthy trial, which included testimony from representatives of the SCHP MAIT that the headlights from Fant's patrol car were fully removed prior to their arrival and Fant was traveling at least 69 in a 40 mph zone (running late for work). This matter remains significant by ensuring justice is blind and exists for ALL, no matter how unpleasant the facts or repercussions.

16. 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) Hueble v SCDNR and Vaughn, 416 S.C. 220, 785 S.E.2d 461 (2016)
- (b) Stringer v. State Farm Mut. Auto. Ins. Co., 386 S.C. 188, 687 S.E.2d 58 (Ct. App. 2009, En Banc)
- (c) Dorothy L. Sides and Arthur L. Sides v. Greenville Hospital System, Rodgers Builders Inc. and F. T Williams Co., Inc. 362 S.C.250; 607 S.E.2d 362 (Ct. App. 2004)
- (d) Underwood v. Copenen 367 S.C. 214; 625 S.E. 2d 236 (Ct. App. 2006)
- (e) Lydia v. Horton, 355 S.C. 36, 583 S.E.2d 750 (2003) and 343 S.C. 376, 540 S.E.2d 102, (Ct. App. 2000)

17. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.

- (a) State v. Timmons, 327 S.C. 48, 488 S.E.2d 323 (1997) S.C. Supreme Court
- (b) State v. Avery, 333 S.C. 284, 509 S.E.2d 476 (1999) S.C. Supreme Court

- (c) State v. Taylor, 333 S.C. 159, 508 S.E.2d 870 (1999) S.C. Supreme Court
- (d) State v. Collins, 329 S.C. 23, 495 S.E.2d 202 (1998) S.C. Supreme Court
- (e) State v. Weston, 329 S.C. 287, 494 S.E.2d 801 (1997) S.C. Supreme Court

18. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

No.

19. If the answer to question 18 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.

- (a)
- (b)
- (c)
- (d)
- (e)

N/A

20. 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.

Admitted to practice in all SC State Courts on November 18, 1992.
Admitted to practice in Federal Courts of SC August 25, 1999.

21. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

- (a) I was a Speaker/Presenter/Panelist at a SC Bar Association transportation litigation conference within the past seven years or so (held at the SC Bar offices near the end of the year - Attorneys with Fried, Rogers and Goldberg were involved, as was then SCHP Trooper Matt Sims).
- (b) I have spoken on multiple occasions at CLE approved events of the SCDTAA over many years. SCDTAA events would have been both at the Summer and Annual Meetings, would have been personal injury litigation/Tort related and many involved transportation/trucking topics (Chair of Summer Meeting in 2016).

- (c) I have lectured numerous times and assisted in all facets of the SCDTAA Trial Academies (Chaired the event in Greenville within the past 3 years, co-chaired a couple more). Those lectures touched upon many different aspects of trial practice, with specific recollection of pre-trial matters, trial notebooks and opening and closing statements.
 - (d) Most recently (first quarter of 2018) I co-chaired a Webinar hosted by my firm's Transportation Practice Group titled "Managing Truck Accident Litigation," which had over 240 participants.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
- Attached.
23. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) Contributing author to an article in the January 16, 2006 Lawyers Weekly regarding the Underwood v Coponen Opinion.
 - (b) Served as Assistant Editor of the SCDTAA Defense Line magazine for 2012 (two issues).
 - (C) Counsel on at least 14 reported opinions, serving as primary author on all but 5 of the Final Briefs. For three of those cases: State v. Hammitt, 341 S.C. 638, 535 S.E.2d 459 (Ct. App. 2000); State v. Vasquez, 341 S.C. 648, 535 S.E.2d 465 (Ct. App. 2000); and State v. Harris, 342 S.C. 191, 535 S.E.2d 652 (Ct. App. 2000), I may have been the prime author, but I do not recall. Anne Hunter Young and John Ozmint were fellow members of those Statewide Grand Jury cases and all of us likely had some input in approving the Final Briefs. Sam Outten was primary counsel and would have approved all my work for the briefs for Lydia v Horton. Finally, Stringer v State Farm was nearly exclusively created by co-counsel, Charles Norris. I primarily drafted the briefs in Underwood v Coponen, with assistance by co-counsel, Zandra Johnson. I primarily authored all briefs for Hueble v. SCDNR and Vaughn, but had assistance from Johnny Gasser. All other AG matters were of my primary authorship. Don Zelenka would have reviewed/approved those briefs (the actual AG and the Deputy were always listed, but as a formality).
24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the

Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

- (a) South Carolina Supreme Court, 1997: State v Uganda Wilson
- (b) South Carolina Supreme Court, 1997: State v. Brandi Osmondson

Both of these briefs are attached as representative writings of my primary authorship. Don Zelenka would have reviewed/approved these briefs; the actual AG and his Deputy were always listed, but as a formality.

25. What is your rating or membership status, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

I am AV Preeminent rated by Martindale-Hubble and was selected as a 2018 Top Ranked Lawyer.

I have been recognized by The Best Lawyers in America in the area of personal injury litigation since 2012.

I continue to receive recognition from Greenville Business Magazine as one of its Legal Elite (past recognition both for Criminal and Civil representation).

26. 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) ABA
 - (c) SCDTAA – Board Member from 2012- 2017

27. 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? If so, give details, including dates.

Perhaps inapplicable, but out an abundance of caution:

- (a) Assistant Solicitor, Fifth Judicial Circuit, 1992-1996
- (b) Assistant Attorney General, SC Attorney General's Office 1996-1999

No reporting requirements, never subject to penalty.

28. For sitting or former judges, 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

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

Yes. I was deemed qualified and screened out as a finalist for Judge of the Thirteenth Judicial Circuit, Seat 4, but eventually withdrew in deference to The Honorable Alex Kinlaw, Jr., who was elected to the seat in February of 2018.

30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.

I have had no non-legal employment since law school. I ran an Evening Herald paper route in elementary school in Rock Hill. I assisted one of my Rawlinson Road Junior High Football Coaches with his landscaping businesses during Junior High. I baby-sat for at least one teacher early in High School. I worked briefly (a couple of weeks) for the McDonalds near Carowinds as a high school junior (Mom worked in Charlotte, knew I was looking for a job and picked up an application for me). Thankfully, I quickly obtained a better job in the kitchen at Thursday's Too restaurant back in Rock Hill. I worked continuously at Thursday's (other than during Northwestern High basketball seasons) for the remainder of High School for owners Larry and Kathy Bigham. Following high school graduation I worked the next four summers for Bowater paper mill, swinging shifts as low man in the pulp mill. Following college graduation (the last summer before Law School) I again worked in the pulp mill, but as a pipe fitter's helper for PPM (Power Plant Maintenance) out of Society Hill.

31. 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.

No.

32. 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)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

No.

33. Provide, as a separate attachment, a complete, current financial net worth statement that itemizes in detail:

(a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and

- (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

(A net worth statement form is provided with this questionnaire and you must use this format for submission of your financial statement.)

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

A complete, current financial net worth statement was provided to the Commission.

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? If so, give details.

No.

35. 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? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

No.

36. 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. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

None.

37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years.

No contributions in the past four years. Though the SC Ethics Commission Contributor site lists a \$3,500 donation to Lt. Gov. Candidate Patrick McKinney by a John Riordan on 9/11/13, that must be a different John Riordan.

38. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.

No.

39. 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 or currently hold. Explain how you would resolve any potential conflict of interest.

None. Unless instructed otherwise, I will gladly recuse myself from any matter involving my past firm, partners or clients that constitutes or has the appearance of a conflict.

40. 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.

Attach a copy of any contract or agreement.

None.

41. 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. Attach a copy of any contract or agreement.

None.

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.

Amazon
Berkshire Hathaway Inc. (B)
Hilton Worldwide Holdings, Inc.
Great Basin Scientific, Inc.

43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.

N/A

44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?

N/A

45. 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? If so, give details but do not include traffic violations which are subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

No.

47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

No.

48. 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 covered and have always been covered as a practicing attorney. Current coverage is with Lloyd's of London for \$20 million; deductibles of \$350,000 per claim, aggregate of \$700,000. No traditional "tail," but coverage will address claims against former counsel.

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanction, discipline, or finding of misconduct of any kind.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

50. 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? If so, give the details.

No.

Note: The flash drive with your application materials contains (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.

51. 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 or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? 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? If so, give details.

No.

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

No.

53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?

Yes.

54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.

No.

55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in

blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application packet.*

- (a) Jonathan Scott Gasser
1529 Laurel Street
Columbia, SC 29201
(803) 779-7080
- (b) Alan Ethridge
16 Augusta Street
Greenville, SC 29601
(864) 467-3132
- (c) Carol Bell
111 Royal Court
Greenville, SC 29611
(864) 616-8408
- (d) Tom Epting
2 W. Washington Street, Suite 1100
Greenville, SC 29201
(864) 751-7600
- (e) Lynsey Y. Ebel
343 Nature Trail Drive
Greer, SC 29651
(816) 510-7959

56. 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 have never opened/initiated a Facebook site/account. I do have LinkedIn and Twitter accounts, which are seldom, if ever, utilized (only "Tweet" to my knowledge was to obtain a souvenir at one of the National Championship Fan Fest booths in Tampa - AT&T?) and I will gladly obliterate both if that is deemed helpful or desired (will actually plan to do so, if elected, to avoid any misunderstanding or appearance of impropriety).

57. 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) Sharpshooters Gun Range
- (b) Stone Lake Community Pool
- (c) Metropolitan Arts Council
- (d) Clemson Alumni Association
- (e) Pi Kappa Alpha Fraternity

58. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

I have been blessed with a rewarding and interesting life thus far. I do believe my life experiences will influence and benefit the type of Judge I plan to be: one who strives to ensure all who must have interaction with our judicial system are afforded and receive the respect and justice they deserve. I am unsure whether the following is the type of info requested, but I am proud of my family, my accomplishments and the great relations I have had with all throughout my life. I strive to respect all and pre-judge none. Like the law itself, I agree that all are best served when we are blind to any perceived physical differences. The information below, in addition to all related thus far, supports those criteria, including physical health and mental stability.

I am one of six children born to my mother (three boys, three girls), with my older three half-siblings born to her first husband, Dennis Friedman. Mr. Friedman died soon after my older half-brother was born. Within a few years my young widowed mother met and married my father, Pat Riordan, more than three years her junior. Both of my parents were from small towns in Illinois. Mom did not attend college; Dad graduated from the University of Illinois. Dad was born with a deformed right arm and, with two younger brothers, was largely raised by a single mother after their World War II Vet father abandoned the family. Upon the marriage of my parents, Dad became the immediate father of three at twenty-four years of age and was the father of six before he was thirty (yes, they are Catholic). Dad was an engineer in the paper industry. He initially worked with one of the prime paper machine manufacturers in Beloit, WI, where I was born. He later took positions with paper manufacturers who utilized the Beloit machines, allowing us to live in Somers, Connecticut and Baton Rouge, Louisiana before we moved to Rock Hill. I had a largely middle class upbringing and benefitted from the diversity provided by our numerous moves and homes. All of my siblings obtained college degrees, have large families and (with the exception of my sister in New York, whose three grown children live in SC and who will likely move here upon her and her husband's retirement) remain South Carolinians. My parents have been married over fifty years and their direct family "lineage" should number forty-nine by the fall of 2018. My parents continue to provide me a great example regarding education, work ethic, the importance of family and the fair treatment of all.

I played most sports in some fashion into junior high, but concentrated solely on basketball after breaking my foot during eighth grade football (forcing me to miss basketball for the junior high team after making the team as a seventh grader). I was fortunate enough to continue playing basketball regularly into early 2016, running our year round "Up the Hill" League at Buncombe Street United Methodist Church (we refused to admit we were yet "over the hill") for about a decade. Though I have played with my old team periodically each year since, my playing days are definitely (and sadly) numbered and "play" is mostly relegated to solitary shooting sessions. My wife earned a Master's Degree in Education and taught in public schools until the day before the birth of our son. She was the 2017 20K State Champ and has made fitness her livelihood. She has been an aerobics instructor since college. She has held positions with the Columbia Athletic Club, The Firm/Body Firm (she is in one of the videos), the Life Center in Greenville and the gym of a private company in downtown Greenville; she is a certified personal trainer as well. Our children have followed suit: all eventually swam year round, with my son still swimming for the Clemson Swim Club (they dropped the swim program a few years ago) and my oldest daughter, after only running her final year of high school, now a member of the University of Tennessee Track/Cross-Country team. My youngest daughter should continue to be a valued runner in Track and Cross-Country during her senior year at Wade Hampton High School. My oldest and youngest have served as Assistant Coaches for the Stone Lake Swim Team (SAIL swimming) and all three provide private swim instructions. All of these athletic endeavors have provided great community interaction with players, referees, families, clients and administrators of varying races, ages and backgrounds. The clocks, fields and scoreboards (just like the administration of justice) SHOULD be blind to other than the participants' performance and conduct.

My wife and I have been married 26 years, having met at the end of my first year at Clemson. Her father was a Judge and sparked my interest in the law. Her mother eventually worked as the secretary for both Judge Kittredge and Judge Hill and my in-laws' positions allowed me to have unique insight and affinity for service on the bench and relations with Court personnel. My service as a prosecutor and civil litigator has likewise provided great opportunity for constant interaction, community and friendship with persons within the justice system and from most walks of life. I have been on most sides of both criminal and civil practice and can easily empathize/sympathize (likely having been there before) with the varied circumstances confronting those who appear in Court. All should have confidence they will be treated fairly and impartially when appearing before me.

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: _____

Sworn to before me this ____ day of _____, 2018.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____