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WINTER, 2010**Website: <http://www.charlestonbar.com>**

FROM THE PRESIDENT

Dear Fellow Members of the Bar:

Hard to believe this year has almost come to a close.

In the first newsletter I mentioned how this year might be our most challenging yet. I had no idea just how true those words would become.

First, I want to thank all of you for the opportunity to serve as your president, a highlight of my career. I am deeply, humbly grateful for all your support, which has meant more to me and my family than you may ever know.

On the heels of recent events, I am in a quandary as I write this. I have opinions, feelings... and frankly, I am exhausted.

On the eve of what may very well be the greatest legal challenge I have witnessed in a 30-year career, I am passing the bar on to you. It's not about one case or one person. It's much bigger than that.

There are monumental issues at stake. Separation of powers. The independence of our judiciary. Basic principles that go to the very heart of our state constitution. Indeed, fundamental ideas upon which the United States was built.

Thank you for taking up the bar - the baton - the ball - and running with it.

God bless and Godspeed,

Sincerely,

Mark O. Andrews

ANNOUNCEMENTS

The attorneys of **Buist Moore Smythe McGee P.A.** are pleased to announce that **Melissa K. Hazell** and **Harrison M. Trammell** have become Associates of the Firm. Ms. Hazell's practice areas include Admiralty and Maritime, Business Litigation, Civil Litigation, Employment, and Product Liability. Mr. Trammell's practice areas include Business Litigation, Civil Litigation, Construction, and Construction Product Liability.

Finkel Law Firm LLC is pleased to announce that **Marta J. Borinsky** and **Virginia K. Murray** have become associates of the firm located at 3955 Faber Place Drive, Suite 200, North Charleston, SC 29405. (843) 577-5460.

Lawton Law Firm, LLC announces that **Erica B. McElreath** has joined the firm as an associate in the Mount Pleasant office located at 496 Bramson Court, Suite 100, Mt. Pleasant, 29464.

The Siebels Law Firm, P.A. is pleased to announce that **Christine Companion Varnado** has joined the firm as a partner and that the firm has relocated its offices to 127 King Street, Suite 100, Charleston, SC 29401. (843) 722-6777.

Turner Padget Graham & Laney, P.A. is pleased to announce that **Phillip Florence, Jr.** has joined the firm in its Charleston office as Of Counsel in its litigation group and that **Sarah G. Verstraten** has joined the firm as an associate attorney in the Charleston office. Mr. Florence will focus his practice in the areas of General Litigation, Construction Law, Employment Law and Personal Injury Defense and Ms. Verstraten practices primarily in the areas of general litigation and personal injury defense.

CENTER FOR HEIRS' PROPERTY PRESERVATION: BLACK HISTORY MONTH WILLS CLINICS

To further the Charleston County Bar Association's (CCBA) efforts to address heirs' property, CCBA made a \$10,000.00 donation to support the work of the Center for Heirs' Property Preservation. CCBA is the first local bar association to make a gift to the Center, a nonprofit organization that provides education and legal services to heirs' property owners. CCBA's donation to the Center will assist the Center in conducting educational seminars and wills clinics. The gift will also be used to provide legal services to heirs' property owners in Charleston County.

The Wills Clinics will offer CCBA members an opportunity to volunteer and prepare wills. Two Wills Clinics will take place during Black History Month (February 2010) on Saturdays at local churches from 9 a.m. – 1 p.m. Specific dates will be made available on the Center's website beginning December 21st. Please send all inquiries or offers to volunteer to Jennie Stephens at jstephens@heirsproperty.org or 745-7055 no later than January 8, 2010. Thank you so much for your support for this important project.

****SAVE THE DATE****

February 18, 2010 – CCBA Annual Meeting and Reception – Marriott Hotel – Lockwood Blvd.

WANTED

**Pictures of Attorneys for Lawyer Directory of the
Charleston County Bar website.**

**If you have not submitted a picture to be placed beside your
contact information on our website, especially if you are a new member of the
Charleston County Bar Association, you can do so by e-mailing a picture to:**
jkemp@vclaw.com

Charles Town Bar in a Crisis

A major crisis occurred at the Charles Town Bar by the passage of British Stamp Act. This law required that these stamps be applied to every legal document, except those in General Sessions Court.

This law was to take effect November 1, 1765. The stamps were not available. The courts closed. Seven attorneys demanded the Clerk of Court to accept civil legal proceeding and he refused.

Next the Bar went to the Chief Justice on Nov. 7th requested him to open the courts claiming that “closing posed serious economic and social problems (and) human law must give way to emergencies. Eventually, the Chief Justice decided that he would not be a party to any violation of the Stamp Act.

The Governor tried to circumvent the Chief Justice by appointing three new judges. When court opened for the spring term, attorney Rawlins Lowndes spoke for the Bar. He asked rhetorically, “Was the Stamp Act intended to unhinge the Constitution of the Colonies, to unloose the hand of violence and oppression, to introduce anarchy and confusion amongst us, and reduce us to a state of outlawry? Thus the act should not be construed to require the suspension of all legal business merely because stamped paper was unavailable.”

The Bar then turned its attention to removing the Chief Justice until the repeal of the Stamp Act in March of 1776. To celebrate the event they subscribed to purchase a statue of William Pitt for leading the repeal of the Stamp Act.

Pitt’s statue, wearing a Roman Toga, now stands in the entrance of our Court House.

By Ruth Cupp

PRO BONO MOMENTS

By: Marvin H. Feingold, Esquire

The first annual National Pro Bono Celebration was held October 25- 31. Sponsored by the ABA's Standing Committee on Pro Bono and Public Service, the Celebration was a coordinated national effort to showcase the positive difference which pro bono attorneys make in the lives of low income clients and in the general quality of our communities. In line with actions of state and local governments around the country, the City of Charleston proclaimed the week as Pro Bono week in recognition of the vital work done by pro bono attorneys.

The newly organized Student Division of the Charleston County Bar Association has been actively working toward promoting involvement between law students residing in Charleston County and Charleston County Bar Members. Programs and benefits focus on helping students prepare for practice within Charleston County. In particular, the group focuses on fulfillment of trial experiences, mentoring programs, fostering social relationships, and bolstering community contributions.

In October, the Student Division held a well attended mixer at Hall's Steak House. Days later and to coincide with National Pro Bono week, the Student Division held an oyster roast for the benefit of Charleston Pro Bono. Bar members and students mingled in the back yard at O'Malley's on King Street. The event was well attended. Everyone enjoyed the food and drink and a good cause was served. Stephanie Brinkley and Matthew Keller of the Charleston School of Law and co-presidents of the Student Division, deserve our thanks for helping to create this wonderful connection between the regular Bar and law student residents of Charleston County.

At a time of the year symbolized by giving and selflessness, please consider taking a Pro Bono case if called upon to do so. In Charleston County, we are fortunate to have a fully staffed office for intake of appropriate cases. The Charleston Pro Bono office is also prepared to support attorneys willing to represent these clients even if the case may be outside of your regular area of practice.

Charleston Pro Bono (Pro Bono Legal Services, Inc.) is a program of the Charleston County Bar Association.

CIRCUIT COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

(Court schedules are changing constantly; please verify current information through S.C. Court Administration or by checking the South Carolina Judicial Department website at <http://www.judicial.state.sc.us/calendar/index.cfm>.)

January 4	January 11	January 18	January 25
Chas GS - Harrington Chas GS - Hughston Chas CP - Jefferson Chas CP - Young 9 th AW - Dennis	Chas CP - Dennis Chas CP - Hughston Chas GS - Harrington Chas GS - Young 9 th CPNJ - Jefferson	9 th CPNJ - Young 9 th CPNJ - Nicholson Chas CP - Dennis Chas CP - Jefferson Berk GS - Harrington	9 th CPNJ - Harrington Chas CP - Jefferson Chas CP - Young Chas GS - Hughston Chas GS - Nicholson Berk CP - Dennis
February 1	February 8	February 15	February 22
9 th CPNJ - Jefferson Chas CP - Dennis Chas CP - Harrington Chas CP - Hughston Chas GS - Young	9 th CPNJ/ - Young PCR Chas CP - Hughston Chas CP - Jefferson Chas CP - Dennis		Chas CP - Cooper Chas GS - Jefferson Chas GS - Nicholson Berk GS - Harrington
March 1	March 8	March 15	March 22
9 th CPNJ - Harrington 9 th CPNJ - Nicholson Chas CP - Baxley Chas CP - Dennis Chas CP - Hughston Chas GS - Jefferson Chas GS - Young	9 th CPNJ - Jefferson Chas CP - Baxley Chas GS - Weimaker Berk CP - Harrington Berk GS - Young	Chas CP - Baxley Chas CP - Harrington Chas CP - Young Chas GS - Weimaker Chas GS - Hughston	9 th CPNJ - Nicholson
March 29			
9 th CPNJ - Nicholson Chas CP - Dennis Chas CP - Nettles Chas GS - Harrington Chas GS - Jefferson			

CIRCUIT COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

January 4	January 11	January 18	January 25
Dor GS - Goodstein	Dor GS - Goodstein	1 st CPNJ - Goodstein	Dor CP - Goodstein
February 1	February 8	February 15	February 22
Dor GS - Goodstein	Dor GS - Goodstein		
March 1	March 8	March 15	March 22
1 st CPNJ/ - Goodstein PCR	Dor GS - Dennis	1 st CPNJ - Goodstein Dor GS - Dennis	
March 29			
1 st CPNJ/ - Dickson 1 st CPNJ/ - Goodstein			

FAMILY COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

January 4	January 11	January 18	January 25
Chas - McMahon Chas - Andrews Chas - Garfinkel Chas - Cate Berk - Landis Berk - Creech	Chas - McMahon Chas - Andrews Chas - Garfinkel Chas - Cate Chas - Jenkinson Berk - Landis Berk - Creech	Chas - Garfinkel Chas - Landis Chas - Vinson Chas - Cate Chas - Vinson Chas - Neese Berk - Creech	Chas - Andrews Chas - Garfinkel Chas - Cate Chas - Jenkinson Berk - Creech Berk - Landis
February 1	February 8	February 15	February 22
Chas - Andrews Chas - Garfinkel Chas - Cate Chas - Long Berk - Creech		Chas - Andrews Chas - Garfinkel Chas - Landis Chas - Cate Chas - Creech	Chas - McMahon Chas - Andrews Chas - Garfinkel Chas - Cate Chas - Jenkinson Berk - Creech Berk - Landis
March 1	March 8	March 15	March 22
Chas - McMahon Chas - Andrews Chas - Garfinkel Chas - Cate Berk - Landis Berk - Creech	Chas - McMahon Chas - Andrews Chas - Garfinkel Chas - Cate Berk - Creech Berk - Landis	Chas - McMahon Chas - Andrews Chas - Garfinkel Chas - Vinson Berk - Landis	Chas - McMahon Chas - Andrews Chas - Garfinkel Chas - Cate Berk - Creech
March 29			
Chas - McMahon Chas - Andrews Chas - Jenkinson Chas - Cate Berk - Creech Berk - Landis			

FAMILY COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

January 4	January 11	January 18	January 25
Dor - McLin Dor - Wylie	Dor - Wylie	Dor - McLin	Dor - McLin Dor - Wylie
February 1	February 8	February 15	February 22
Dor - McLin Dor - Wylie		Dor - McLin	Dor - McLin Dor - Wylie
March 1	March 8	March 15	March 22
Dor - Wylie Dor - McLin	Dor - Wylie	Dor - Wylie Dor - McLin	Dor - McLin Dor - Wylie
March 29			
Dor - McLin			

Verdict: For the Defendant.

08-CP-10-1144 Dana Bradford, individually and as mother and natural guardian of Emma Grace Bradford, a minor, and Denis Bradford vs. Josiah S. Cillpam

Attorneys: Plaintiffs: Francis M. Ervin, II
Defendant: Joseph R. Weston

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff Dana Bradford in the amount of \$175,000.00 actual damages and Dennis Bradford in the amount of \$170,000.00 actual damages.

08-CP-10-1389 Jannie Washington vs. Elva M. Holliday

Attorneys: Plaintiff: Jonathan F. Krell
Defendant: Michael J. Ferri

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$50,000.00 actual damages and \$20,000.00 punitive damages.

08-CP-10-1615 Howard Barrow vs. Richard Artale

Attorneys: Plaintiff: J. Rutledge Young, III
Defendant: Eugene P. Corrigan, III

Cause of Action: Premises Liability

Verdict: For the Defendant.

08-CP-10-2216 Suzie Simmons, Mable Simmons and Shalicia Thomas. vs. Krystal Alyce Manigo

Attorneys: Plaintiffs: Matthew Douglas
Defendant: Michael J. Ferri

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff Suzie Simmons in the amount of \$471.00 actual damages; for the Plaintiff Mable Simmons in the amount of \$1,477.00 actual damages; and for the Plaintiff Shalicia Thomas in the amount of \$1,915.90 actual damages.

08-CP-10-1927 Jennifer Bagby and Christopher Holmes vs. Rhode Construction Company and William Perritte as Employee/Agent of Rhode Construction Company

Attorneys: Plaintiff: John P. Hayes
Defendant: Christopher W. Nickels

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$1,442.00 actual damages.

08-CP-10-3279 Anthony Ramos vs. Edward K. Stonaker

Attorneys: Plaintiff: Carl H. Jacobson

Defendant: Henry E. Grimball

Cause of Action: Motor Vehicle Accident

Verdict: In favor of the Defendant.

08-CP-10-3527 Mei Tsai vs. Lenzie Crosby

Attorneys: Plaintiff: John P. Hayes
Defendant: Thomas H. Milligan

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

08-CP-10-3533 Sean K. Locklear vs. Kristen D. Dennis and Paul Goodwin

Attorneys: Plaintiff: Keith E. Robinson
Defendant: Jeffrey A. Ross

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$3,514.00 actual damages.

08-CP-10-5347 William Toomer and Izhah Watson vs. Harold H. Goodman

Attorneys: Plaintiffs: Samuel B. Cooper, Jr.
Defendant: Max G. Mahaffee

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant as to Plaintiff Izhah Watson's negligence cause of action.

FEDERAL COURT JURY VERDICTS

2:06-cv-01121-DCN General Holding, Inc. vs. Charles Cathcart, Yuri Debevc, Derivium Capital USA, Inc., and Veridia Solutions, LLC

Attorneys: Plaintiff: Joseph C. Wilson, IV
Defendants: Coming Ball Gibbs, Jr., Steven Soulios and F. Truett Nettles

Cause of Action: Fraud; Conversion; RICO

Verdict: For the Plaintiff in the amount of \$184,243,305.95 actual damages, reflecting a trebled amount awarded to the Plaintiff in the verdict of \$61,414,435.31. SOMEONE NEEDS TO FINISH THIS

2:07-cv-03283-DCN In Re: Derivium Capital, LLC, Debtors. Kevin Campbell, Chapter 7 Trustee vs. Charles Cathcart, Yuri Debevc, Veridia Solutions, LLC, Derivium Capital USA, Inc.,

Attorneys: Plaintiff: Richard A. Farrier. Jr. and Bryson M. Geer
Defendants: Coming Ball Gibbs, Jr., Steven Soulios and F. Truett Nettles

Cause of Action: Fraudulent Conveyance; Constructive Fraudulent Conveyance; Breach of Fiduciary Duty; RICO

Verdict: For the Plaintiff Kevin Campbell in the amount of \$300,000.00 actual damages as against Defendant Bancroft Ventures Limited; for the Plaintiff Kevin Campbell in the total amount of \$483,992,492.49 against Defendants Charles Cathcart, Yuri Debevc, Veridia Solutions, LLC and Derivium Capital USA, Inc. SOMEONE NEEDS TO FINISH THIS

2:07-cv-00593-DCN Alan M. Grayson and The AMG Trust vs. Charles Cathcart, Yuri Debevc, Veridia Solutions, LLC, Derivium Capital USA, Inc.

Attorneys: Plaintiffs: Alisa J. Roberts
Defendants: Coming Ball Gibbs, Jr., Steven Soulios and F. Truett Nettles

Cause of Action: Fraud; Actual Fraudulent Conveyance; Constructive Fraudulent Conveyance; RICO; SCUTPA; Uniform Securities Act; Negligent Misrepresentation

Verdict: For the Plaintiffs on the cause of action for fraud as against Defendants Charles Cathcart, Yuri Debevc, Veridia Solutions, LLC, and Derivium Capital USA, Inc.; for the Plaintiffs in the total amount of \$112,655,447.06 _____ (DID NOT KNOW HOW TO DO THIS PROPERLY – LEAVING IT TO THE TWO OF YOU)

2:07-cv-00790-DCN Robert G. Sabelhaus and Melanie R. Sabelhaus vs. Charles Cathcart, Yuri Debevc, Derivium Capital USA, Inc., and Veridia Solutions, LLC

Attorneys: Plaintiffs: N. Keith Emge, Jr. and David J. Harmon
Defendants: Coming Ball Gibbs, Jr., Steven Soulios and F. Truett Nettles

Cause of Action: Fraud; Actual Fraudulent Conveyance; Constructive Fraudulent Conveyance; RICO

Verdict: For the Plaintiffs in the total amount of \$23,273,328.00 actual damages as against each Defendant NEED TO FINISH THIS

2:07-cv-02964-DCN
2:07-cv-02965-DCN Newton Family, LLC vs. Charles Cathcart, individually; Yuri Debevc, individually; and Veridia Solutions, LLC, a South Carolina limited liability company

Attorneys: Plaintiff: Hugh W. Buyck and Gregory E. Goldberg
Defendants: Coming Ball Gibbs, Jr., Steven Soulios and F. Truett Nettles

Cause of Action: Fraud; Constructive Fraud; Conversion; RICO; Section 10(B) of the Securities Exchange Act

Verdict: For the Plaintiff in the total amount of \$17,188,157.05 actual damages NEED TO FINISH THIS

2:07-CV-02992-DCN In Re: Derivium Capital, LLC, Debtor. Kevin Campbell Chapter 7 Trustee vs. Evelyn Cathcart

Attorneys:

Plaintiff: Richard A. Farrier, Jr. and Bryson M. Geer
Defendant: Coming Ball Gibbs, Jr.

Cause of Action:

Bankruptcy Appeal

Verdict:

For the Plaintiff in the amount of \$240,000.00 actual damages.