

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Julianna Michelle Childs
J. Michelle Childs

2. **Position**: State the position for which you have been nominated.

United States Circuit Judge for the District of Columbia Circuit

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

United States District Court for the District of South Carolina
901 Richland Street
Columbia, South Carolina 29201

4. **Birthplace**: State year and place of birth.

1966; Detroit, Michigan

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

2014 – 2016, Duke University School of Law; LL.M., 2016

2007, National Judicial College; no degree (courses only)

1989 – 1991, University of South Carolina School of Business; M.A., 1991

1988 – 1991, University of South Carolina School of Law; J.D., 1991

1990, Cambridge University, Fitzwilliam College; no degree (study abroad program)

1984 – 1988, University of South Florida Honors College; B.S. (*cum laude*), 1988

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have

been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2010 – present

United States District Court for the District of South Carolina
901 Richland Street
Columbia, South Carolina 29201
District Judge

2006 – present

Angus Properties, LLC
101 Devant Street
Fayetteville, Georgia 30244
President & Co-owner

2006 – 2010

South Carolina Judicial Department
1015 Sumter Street
Columbia, South Carolina 29201
Circuit Court Judge

2002 – 2006

South Carolina Workers' Compensation Commission
1333 Main Street, Suite 500
Columbia, South Carolina 29201
Commissioner

2000 – 2002

South Carolina Department of Labor, Licensing & Regulation
110 Centerview Drive
Columbia, South Carolina 29210
Deputy Director, Division of Labor

1997 – 2002

Paradise Travel, Inc.
1718 Saint Julian Place
Columbia, South Carolina 29204
President & Owner

1990 – 2000

Nexsen Pruet, LLC
1230 Main Street, Suite 700
Columbia, South Carolina 29201
Partner (2000)
Associate (1992 – 1999)

Law Clerk (1991)
Summer Associate (1991, 1990)

1989 – 1990
Nelson Mullins Riley & Scarborough, LLP
Meridian, 17th Floor
1320 Main Street
Columbia, South Carolina 29201
Summer Associate (1990, 1989)

Other affiliations (uncompensated):

2021
Bolch Judicial Institute, Duke University School of Law
210 Science Drive
Durham, North Carolina 27708
Leadership Council

2021
Thomson Reuters
Three Times Square
New York, New York 10036
Judicial Advisory Council

2020 – present
YMCA of the USA
101 North Wacker Drive
Chicago, Illinois 60606
Board of Directors

2020 – present
EDRM
(This organization has no physical address.)
Global Advisory Council

2019 – present
George Mason University Antonin Scalia Law School
Law & Economics Center
3301 Fairfax Avenue
Arlington, Virginia 22201
Judicial Education Advisory Board

2015 – present
Heathwood Hall Episcopal School
3000 South Beltline Boulevard
Columbia, South Carolina 29201

Executive Committee (2019 – present)
Board of Trustees (2015 – present)

2013 – present
Federal Judges Association
(This organization has no physical address.)
President-Elect (2021)
Treasurer (2019 – 2021)
Executive Committee (2015 – present)
Board of Directors (2013 – present)

2010 – present
American Law Institute
4025 Chestnut Street
Philadelphia, Pennsylvania 19104
Regional Advisory Group for Region 15 (2014 – present)
Restatement of Employment Law Advisor (2010 – 2013)
Member (2010 – present)

2006 – present
American Bar Association
312 North Clark Street
Chicago, Illinois 60654
Labor & Employment Law Section Secretary (2020 – 2021)
Judicial Division Chair (2020 – 2021)
Judicial Division Chair-Elect (2019 – 2020)
Judicial Division Vice Chair (2018 – 2019)
Section of Litigation Council (2017 – 2020)
National Conference of Federal Trial Judges Chair (2017 – 2018)
National Conference of Federal Trial Judges Chair-Elect (2016 – 2017)
National Conference of Federal Trial Judges Vice Chair (2015 – 2016)
National Conference of Federal Trial Judges Secretary (2014 – 2015)
National Conference of Federal Trial Judges Executive Committee (2012 – 2019, 2021)
House of Delegates (2006 – 2010)

2009 – 2012
ETV Endowment of South Carolina, Inc.
401 East Kennedy Street, Suite B-1
Spartanburg, South Carolina 29302
Board of Trustees

2005 – 2010
Saint Martin de Porres Catholic School
2225 Hampton Street
Columbia, South Carolina 29204
Advisory Board

1996 – 2010

South Carolina Bar

950 Taylor Street

Columbia, South Carolina 29201

House of Delegates (1996 – 2000; 2006 – 2010)

Board of Governors (2002 – 2004)

Labor and Employment Law Section Chair (2000 – 2001)

Labor and Employment Law Section Chair-Elect (1999 – 2000)

Labor and Employment Law Section Vice-Chair (1998 – 1999)

Labor and Employment Law Section Secretary-Treasurer (1997 – 1998)

Young Lawyers Division President (2001 – 2002)

Young Lawyers Division President-Elect (2000 – 2001)

Young Lawyers Division Secretary-Treasurer (1999 – 2000)

2002 – 2007

South Carolina Bar Foundation

950 Taylor Street

Columbia, South Carolina 29201

Board of Directors

2003 – 2006

University of South Carolina School of Law

1525 Senate Street

Columbia, South Carolina 29201

Law Alumni Council President (2005 – 2006)

Law Alumni Council Secretary (2003 – 2005)

2002 – 2006

South Carolina Workers' Compensation Educational Association

P.O. Box 258

Irmo, South Carolina 29063

Board of Directors

2002 – 2006

Southern Association of Workers' Compensation Administrators

P.O. Box 910373

Lexington, Kentucky 40591

Executive Committee

1999 – 2006

Midlands Authority for Conventions, Sports & Tourism

1101 Lincoln Street

Columbia, South Carolina 29201

Board of Directors (1999 – 2006)

Secretary (2003 – 2006)

2002 – 2004
Columbia Urban League
1400 Barnwell Street
Columbia, South Carolina 29201
Board of Directors

1997 – 2002
South Carolina Industry Liaison Group
(This organization has no physical address.)
President (2000 – 2001)
Second Vice-President (1998 – 1999)
Board of Directors (1997 – 2002)

1999 – 2001
South Carolina Women Lawyers Association
P.O. Box 11910
Columbia, South Carolina 29211
Board of Directors

1997 – 1999
Richland County Bar Association
950 Taylor Street
Columbia, South Carolina 29201
Public Defender's Office Board of Directors

1995 – 1997
South Carolina Black Lawyers Association
P.O. Box 1092
Columbia, South Carolina 29202
Secretary

1996
Belmont Green Homeowner's Association
(This organization has no physical address.)
President

1992 – 1994
Columbia Lawyers Association
(This organization no longer exists.)
President (1994)
Secretary (1992 – 1993)

7. **Military Service and Draft Status**: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social

security number) and type of discharge received, and whether you have registered for selective service.

I did not serve in the military. I was not required to register for the selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

University of South Carolina, Honorary Doctor of Laws for Public Service (2021)

Richland County Bar Association Matthew J. Perry, Jr., Civility Award (2020)

University of South Carolina Moore School of Business Alumni Award (2018)

National Bar Association Wiley Branton Symposium Award (2018)

Southern Region Black Law Students Association Outstanding Alumni Award (2015)

John Belton O’Neill Inn of Court Rhodes/McDonald Award (2013)

Charleston School of Law John L.S. Simpkins Trailblazer Award (2012)

South Carolina Liberty Fellowship (2008 – present)

I’m Every Woman Trailblazers Award (2008)

University of South Carolina Black Law Students Association Award (2008)

“The State” Newspaper’s “Top 20 under 40” Award (2005)

University of South Carolina Moore School of Business Outstanding Young Alumni Award (2005)

Benjamin E. Mays Leadership Academy John M. McFadden Award (2005)

American Bar Association Young Lawyers Division Affiliate Leader Award (2002)

National Bar Association Junius W. Williams Young Lawyers Division Award (2002)

Columbia Urban League SHEROES Award (2002)

University of South Carolina Outstanding Young Alumni Award (2000)

Richland County Bar Association Civic Star Award (1999)

American Bar Association Young Lawyers Division Star of the Quarter Award (1999)

University of South Carolina School of Law Compleat Lawyer Award, Silver Medallion (1997)

American Bar Association Young Lawyers Division, First Place Winner, Awards of Achievement (1997)

University of South Carolina School of Law
Order of the Barristers (1992)
Associate Justice, Moot Court Team (1990 – 1991)
Frederick Douglass Moot Court Team (1989 – 1990)

University of South Carolina, Student Attorney General (1988 – 1991)

University of South Florida Most Outstanding Graduate Award (1988)

I was also awarded various educational fellowships and scholarships from the University of South Florida Honors College, the University of South Carolina School of Business, the University of South Carolina School of Law, Duke University School of Law, the South Carolina Bar Foundation, the State Justice Institute, and the National Judicial College for my studies at these entities. I do not recall the names of the specific fellowships and scholarships or the specific years they were awarded.

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association
Direct Women Project (2008)

General Practice Solo & Small Firm Division
Meetings Committee, Spring Meeting Chair (2021 – present)
Judiciary Committee, Co-Chair (2014 – 2016)
Programs Board (2014 – 2016)
Pro Bono & Public Service Committee (2013 – 2016)
Awards Committee, Co-Chair (2012 – 2016)

Government & Public Sector Division (2004 – 2009)

House of Delegates
Drafting Policies & Procedures Committee (2008 – 2010)
Member (2006 – 2010)

Judicial Division (2006 – present)
Chair (2020 – 2021)

Chair-Elect (2019 – 2020)
Vice Chair (2019 – 2020)
Standing Committee on Diversity in the Judiciary (2016 – present)
National Conference of Federal Trial Judges (2010 – present)
 Chair (2017 – 2018)
 Chair-Elect (2016 – 2017)
 Vice Chair (2015 – 2016)
 Secretary (2014 – 2015)
 Executive Committee (2012 – 2019, 2021)
 Membership Committee, Chair (2014 – 2018, 2021)
 Finance & Non-Dues Revenue Committee, Chair (2016 – 2019)
 Educational Programs Committee, Co-Chair (2016 – 2018)
 Technology Committee, Chair (2013 – 2014)
Task Force on the Legal Needs Arising from the Coronavirus (COVID-19)
Pandemic (2020 – 2021)
Judicial Outreach Network Committee (2012 – 2014)
National Conference of State Trial Judges (2007 – 2010)

Labor & Employment Law Section (2017 – present)
 Secretary (2020 – 2021)
 Labor & Employment Law Section Council (2019 – 2021)
 Fellow, Equal Employment Opportunity Committee (2001 – 2003)

Litigation Section (2011 – present)
 Judicial Division Working Group (2021 – present)
 Committee on the American Judicial System (2020 – present)
 Council (2017 – 2020)
 Division IV Co-Director (2015 – 2017)
 Roundtables on Evidence Issues, Co-Chair (2013 – 2014)
 Trial Evidence Committee, Co-Chair (2011 – 2014)
 Nominating Committee (2008)

Presidential Appointments
 Coronavirus Task Force Committee (2020 – 2021)
 Standing Committee on Membership (2014 – 2016)
 Standing Committee on Silver Gavel Awards (2012 – 2015)
 Annual Meeting Task Force Committee (2011 – 2013)
 Standing Committee on Continuing Legal Education (2010 – 2013)
 Legal Opportunity Scholarship Committee (2009 – 2012)
 Standing Committee on Constitution & By-Laws (2009 – 2011)
 Commission on Mental & Physical Disabilities (2003 – 2006)

Torts & Insurance Practice Section
 Trial Academy, Trial Coach (2012)

Young Lawyers Division

Commission on Racial & Ethnic Diversity, Liaison (2002 – 2003)
Labor & Employment Law Section EEO Committee Fellow (2001 – 2003)
Minorities in the Profession Committee
 Chair (2001 – 2002)
 Vice Chair (2000 – 2001)
 Planning Board (1997 – 1999)
Diversity Team (2001 – 2002)
Practical Legal Training School, South Africa, Speaker (2001, 1998)
Awards of Achievement Committee, Chair (1999 – 2000)
Beyond the Boundaries Team (1998 – 1999)
National Conferences Committee (1997 – 1998)

American Bar Foundation

 Sustaining Life Fellow (2012 – present)
 Fellow (2001 – present)

American Judicature Society (2011 – present)

American College of Business Court Judges (2008 – present)

American Law Institute

 Employment Law Conference, Faculty (2014 – present)
 Regional Advisory Group for Region 15 (2014 – present)
 Restatement of Employment Law Advisor (2010 – 2013)

Bolch Judicial Institute, Duke University School of Law

Judicature, Editorial Board (2016 – present)
 Leadership Council (2021– present)

Columbia Lawyers Association

 President (1994)
 Secretary (1992 – 1993)

EDRM Global Advisory Council (2020 – present)

Federal Judges Association

 President-Elect (2021)
 Treasurer (2019 – 2021)
 Executive Committee (2015 – present)
 Board Member (2013 – present)
 Judicial Independence Committee
 Co-Chair (2019 – 2021)
 Chair (2015 – 2019)
 Ninth Quadrennial Conference, Chair (2016 – 2017)

George Mason Antonin Scalia Law School, Law & Economics Center

Judicial Education Advisory Board (2019 – present)
Program Moderator (2019 – present)

Georgetown University Law Center Advanced eDiscovery Institute
Advisory Committee (2019 – present)
Program Planning Committee (2019 – present)
Faculty (2016 – present)

John Belton O’Neill Inn of Court
Student Mentor (2010 – present)
President (2002 – 2003)
Vice-Chair (2001 – 2002)
Program Chair (1999 – 2001)
Member (1996 – present)

National Advocacy Center
Civil Motions Practice, Faculty (2014 – present)
Basic Criminal & Civil Trial Advocacy Seminars, Faculty (2012 – present)

National Association of Women Judges (2009 – present)

National Bar Association
Judicial Council (2012 – present)
Member (2010 – present)

National Judicial College
Faculty Presenter (2019)

Richland County Bar Association
Public Defender’s Office Board of Directors (1997 – 1999)
Long Range Planning Committee (1997 – 1999)
Advisory Committee (1995 – 1997)
Law Week Committee, Chair (1995 – 1997)

South Carolina Bar
Future of the Profession Task Force (2013 – 2015)
House of Delegates (1996 – 2000, 2006– 2010)
Enhancement Task Force for Young Lawyers Division (2007 – 2010)
Bridge the Gap Program, Faculty (2009)
Board of Governors (2002 – 2004)
Young Lawyers Division
Enhancement Task Force (2007 – 2008)
President (2001 – 2002)
President-Elect (2000 – 2001)
Long Range Planning Committee (1995 – 2001)
Secretary-Treasurer (1999 – 2000)

Time Out for Seniors Project, Co-Chair (1998 – 1999)
Youth Empowerment Summit Committee (1997 – 1998)
Diversity in the Profession Committee, Chair (1997 – 1998)
Diversity Task Force, Co-Chair (1996 – 1997)
Member (1992 – 2002)

Labor & Employment Law Section

President (2000 – 2001)
President-Elect (1999 – 2000)
Vice-Chair (1998 – 1999)
Secretary-Treasurer (1997 – 1998)
CLE Coordinator (1996 – 1997)
Newsletter Editor (1995 – 1996)

Diversity & Inclusiveness Committee (1996 – 1999)
Diversity Task Force (1996 – 1998)
Continuing Legal Education Committee (1996 – 1997)
Judicial Qualifications Committee (1996)

South Carolina Bar Foundation

Board of Directors (2002 – 2007)

South Carolina Black Lawyers Association

Secretary (1995 – 1997)

South Carolina Circuit Court Judges Association

Member (2006 – 2010)
Co-Chair, Spring Judicial Conference (2009 – 2010)
Conference Committee (2007 – 2010)
Fifth Circuit Representative (2007 – 2009)
Regional Vice-Chair (2007 – 2008)

South Carolina Supreme Court

Access to Justice Commission (2021 – present)
Historical Society (2013 – present)
Board of Law Examiners, Associate Member (2003 – 2006)

South Carolina Women Lawyers Association

Board of Directors (1999 – 2001)
Nominating Committee, Co-Chair (1999 – 2000)
Annual CLE Planning Board (1997 – 1998)

Thomson Reuters Judicial Advisory Council (2021 – present)

United States District Court for the District of South Carolina

Bridge Court Program Presiding Judge (2015 – present)
Magistrate Judge Equalization Committee (2011 – 2014)
Selection Committee for South Carolina Chief Probation Officer, Chair (2018)

Merit Selection Panel for United States Magistrate Judges (2000)

United States Court of Appeals for the Fourth Circuit

Complex Case Committee (2014)

Screening Committee for Clerk of Court Vacancy (2013)

New Courthouse Committee for Greenville, South Carolina (2012 – 2016)

University of South Carolina School of Law

Judicial Observation Program, Mentor (2008 – present)

1L Mentoring Program (2018 – 2020)

Dean Search Committee (2010)

Alumni Association Board (1998 – 2007)

President (2005 – 2006)

Vice President (2004 – 2005)

Secretary (2003 – 2004)

Member (2000 – 2007)

Nelson Mullins Riley & Scarborough Center on Professionalism Advisory Committee (2001 – 2006)

Planning Board, Annual Fund Drive (1995 – 1997)

10. Bar and Court Admission:

- a. List the dates(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

South Carolina, 1992

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Supreme Court of the United States, 1999

United States Court of Appeals for the Fourth Circuit, 1993

United States District Court for the District of South Carolina, 1992

There have been no lapses in membership.

11. Memberships:

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school.

Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Benjamin E. Mays Academy for Leadership Development
Program Coordinator (1991 – 2006)

Capital City Club (2002 – present)

Columbia Chapter of Jack & Jill of America, Inc.
Activities Committee, Chair (2016 – present)
Member (2012 – present)
National Teen Conference, Facilitator (2021)

Columbia Chapter of the Links, Incorporated
Assistant Secretary (2020 – 2021)
Member (2016 – present)

Columbia Chapter of the MOLES
Publicity Committee, Chair (2017 – 2021)

Columbia Urban League
Nominating Committee (2003 – 2004)
Board of Directors (2000 – 2004)
Equal Opportunity Dinner Committee (2001)

Delta Sigma Theta Sorority, Incorporated (1985 – present)

ETV Endowment of South Carolina, Inc.
Audit Committee (2012)
Board of Trustees (2008 – 2012)

Heathwood Hall Episcopal School
Diversity, Equity & Inclusion Committee (2020 – present)
Executive Committee (2019 – present)
Audit Committee, Chair (2019 – present)
Governance & Leadership Committee (2017 – present)
Board of Directors (2015 – present)

Midlands Authority for Conventions, Sports & Tourism
Secretary (2003 – 2006)
Board of Directors (1999 – 2006)

Saint Martin de Porres Catholic School
Advisory Board, (2002 – 2010)
Deacon Roland Thomas Memorial Scholarship Committee, Chair (2009)

Education Endowment Committee, Chair (1996 – 1997)

South Carolina Chamber of Commerce
Minority Business Council (1997)

South Carolina Industry Liaison Group
President (2000 – 2001)
Vice-President (1998 – 1999)
Board of Directors (1997 – 2002)
Second Vice President (1990)

South Carolina Governor's Executive Institute (2001 – 2002)

South Carolina Liberty Fellows Program
Graduate (2010)
Member (2008 – present)

South Carolina Workers' Compensation Educational Association
Board of Directors (2002 – 2006)

Southern Association of Workers' Compensation Administrators
Executive Committee (2002 – 2006)

The WildeWood Club (2020 – present)

YMCA of the USA
Strategy Committee (2021 – present)
National Committee on Membership Standards
Chair (2021 – present)
Subcommittee on Membership Standards Review, Chair (2021)
Member (2020 – present)
CEO Search Committee (2020 – 2021)
Board of Directors (2020 – present)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

The Links, Incorporated and Delta Sigma Theta Sorority, Incorporated are international service organizations that extend membership to women. Additionally, Jack and Jill of America, Inc., an organization that focuses on

educational and cultural opportunities for children, also limits membership to mothers, but has a father's auxiliary. The Columbia Chapter of the MOLES is a social organization for women and has a complimentary component for partners and spouses of the MOLES.

To the best of my knowledge, none of the other organizations listed in response to Question 11a above currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

Chair's Column, Am. Bar Ass'n Judicial Div. (Winter 2021). Copy supplied.

Chair's Column, Am. Bar Ass'n Judicial Div. (Summer 2021). Copy supplied.

Chair's Column, Am. Bar Ass'n Judicial Div. (Spring 2021). Copy supplied.

Chair's Column, Am. Bar Ass'n Judicial Div. (Fall 2020). Copy supplied.

CLE Materials, *A View from the Bench: Written and Oral Persuasion in the Courtroom*, ABA Section of Litig. (Nov. 2020). Copy supplied.

University of South Carolina Black Law Student Association Graduation Message, Univ. S.C. Sch. of L. Black L. Students Ass'n Newsl. (May 2020). Copy supplied.

Third-Party Subpoenas and the Duty to Preserve, Am. Bar Ass'n Section of Litig. Trial Evid. Comm. Newsl. (Aug. 20, 2019). Copy supplied.

Chair's Column, Am. Bar Ass'n Judicial Div. Conf. of Fed. Trial Judges (May 2018). Copy supplied.

Chair's Column, Am. Bar Ass'n Judicial Div. Conf. of Fed. Trial Judges (Feb. 2018). Copy supplied.

Chair's Column, Am. Bar Ass'n Judicial Div. Conf. of Fed. Trial Judges (Nov. 2017). Copy supplied.

Chair's Column, Am. Bar Ass'n Judicial Div. Conf. of Fed. Trial Judges (Sept. 2017). Copy supplied.

Passion for Fairness, Passion for Justice, S.C. Bar Young Laws. Div. Bar Tab (Dec. 2014). Copy supplied.

A View from the Bench: Social Media and the Federal Rules of Evidence, Am. Bar Ass'n Section of Litig. Trial Evid. Comm. Newsl. (Aug. 5, 2013). Copy supplied.

The Road to Judging, Am. Bar. Ass'n (June 6, 2011). Copy supplied.

Chapter in *Dear Sisters, Dear Daughters* by Am. Bar Ass'n Comm'n on Women in the Profession (2009). Copy supplied.

From the President, S.C. Bar Young Laws. Div. Bar Tab (Summer 2002). Copy supplied.

YLD: Making Dreams a Reality, S.C. Bar Young Laws. Div. Bar Tab (Spring 2002). I am unable to locate a copy.

Lawyering into the 21st Century, S.C. Bar Young Laws. Div. Bar Tab (date unknown). I am unable to locate a copy.

The Family and Medical Leave Act, Attitudes (date unknown). I am unable to locate a copy.

The South Carolina Employers' Legal Reference Manual (1994). Copy supplied.

The South Carolina Public Employer's Legal Reference Guide (Center for Governance-Institute of Public Affairs) (date unknown). I am unable to locate a copy.

- b. Supply four (4) copies of any reports, memoranda, or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum, or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

American Bar Association National Conference of Federal Trial Judges, Resolution on Bankruptcy Judges (Feb. 6, 2017). Copy supplied.

American Bar Association National Conference of Federal Trial Judges, Resolution on Diversity in the Federal Judicial Selection Process (Aug. 8 – 9, 2016). Copy supplied.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or supplied or that others presented on your behalf to public bodies or public officials.

Diversity, Equity & Inclusion Collaboration Project, American Bar Association (2021). Video supplied.

Introduction of the Honorable Esther Salas, American Bar Association ABA Day Video (May 6, 2021). Video supplied.

On April 16, 2010, I testified at my confirmation hearing before the Judiciary Committee of the United States Senate to be a United States District Judge for the District of South Carolina. I also answered written questions for the record. Video of the hearing is available at <https://www.c-span.org/video/?293041-104/us-district-court-nominations> and a copy of my responses to the written questions is supplied.

On May 5, 2006, I testified at my confirmation hearing before the South Carolina General Assembly's Judicial Merit Selection Commission to be an At-Large Circuit Court Judge. Copies of the documents I submitted to the Judicial Merit Selection Commission for my election and re-election to the South Carolina Circuit Court in 2006 and 2009, respectively, are supplied.

On April 4, 2002, I testified at my confirmation hearing before the South Carolina Senate Committee on Judiciary to be a Commissioner on the South Carolina Workers' Compensation Commission. I am unable to locate those materials.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have conducted extensive searches of my records, the internet, and electronic databases in an effort to find all events responsive to this question. There may, however, be events that I have been unable to recall or identify.

December 3, 2021: Panelist, "Judges Roundtable: 10 E-Discovery Tips for 2022," E-Discovery Day, Exterro (virtual event). PowerPoint supplied.

November 19, 2021: Panelist, “Discovery Judge Tank,” 2021 Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. I participated in a panel that reviewed innovative e-discovery suggested practices to make litigation more efficient for the courts. I have no notes, transcript, or recording. The address of Georgetown University Law Center is 600 New Jersey Avenue, Northwest, Washington, DC 20001.

November 19, 2021: Panelist, “Tips from the Bench,” 2021 Federal Practice in South Carolina, South Carolina Bar and South Carolina Chapter of the Federal Bar Association, Columbia, South Carolina. I participated in a panel discussion about the future of jury trials after the pandemic, jury selection questionnaires and voir dire, and handling the backlog of civil and criminal cases. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

November 18, 2021: Panelist, “2021 Case Law Update: Recent Decisions Impacting E-Discovery,” 2021 Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC (virtual event). PowerPoint supplied.

November 16, 2021: Panelist, “MDL Discovery,” Bolch Judicial Institute, Duke University School of Law (virtual event). I participated in a panel discussion on the asymmetrical nature of discovery in MDLs, dispute resolution, use of special masters, and privilege logs. I have no notes, transcript, or recording. The address of the Bolch Judicial Institute at Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

November 4, 2021: Panelist, “En Route to the Bench: Demystifying Pathways to the Judiciary,” American Bar Association Young Lawyers Division Women of Color Taskforce (virtual event). I participated in a panel discussion about pathways to becoming a state and federal trial judge, my career path as a lawyer, and advice to young lawyers interested in becoming judges. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

September 20, 2021: Speaker, “The Legacy of the Honorable Matthew J. Perry,” United States Attorney’s Office for the District of South Carolina (virtual event). I spoke about Judge Perry’s role in the civil rights movement, his desegregation of public colleges and universities, and his life as a jurist. I have no notes, transcript, or recording. The address of the United States Attorney’s Office for the District of South Carolina is 1441 Main Street, Suite 500, Columbia, South Carolina 29201.

August 13, 2021: Welcome Speaker, “The Power Act,” United States District Court for the District of South Carolina (virtual event). Video available at <https://cm20-s3-sccadvasa.s3.us-west->

2.amazonaws.com/ResourceFiles/7f678c3bee0c49e19f1d209b8de24a4eThe_Ins_and_Outs_of_Civil_Stalking_or_Harassment_Restraining_Orders_in_South_Carolina_Recording_8_13_21.mp4.

July 23, 2021: Panelist, “MDL Leadership, Appointments, Committees, and Settlement Strategies: Tips and Advice to Help Navigate the MDL Process,” Western Alliance Bank (virtual event). Notes supplied.

July 22, 2021: Panelist, “Three Trial Judges and an Arbitrator,” Current Developments in Employment Law 2021, American Law Institute, Santa Fe, New Mexico. PowerPoint supplied.

July 16, 2021: Welcome remarks, The Complex and Courageous Campaign for Women’s Suffrage and Parity in Our Democracy; Moderator, “Benched: The Right to Vote and the Right to Rule,” South Carolina Bar, Columbia, South Carolina. Video available at https://cle.sctbar.org/Portals/0/Materials/21_103_ABAWomensSuffrage_Mats.pdf?ver=xAN1N_lJdVbxFBcn7iJy0g%3D%3D.

June 29, 2021: Speaker, Town Hall Meeting and Leadership Update, American Bar Association Judicial Division (virtual event). PowerPoint supplied.

June 16, 2021: Panelist, “Trials and Litigation in a Post Pandemic World,” GPM State of Litigation Virtual Event Series (virtual event). Notes supplied.

May 21, 2021: Opening Speaker, “A Journey Through America’s Silent History: A Discussion Highlighting Asian-American And Pacific Islanders’ Contributions to the Advancement of America Amid Exclusion and Invisibility,” American Bar Association Judicial Division (virtual event). I introduced the program and the moderator. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

May 12, 2021: Panelist, “View from the Bench: Status of E-Discovery Law,” Practising Law Institute (virtual event). Notes supplied.

May 8, 2021: Commencement Speaker, University of South Carolina, Columbia, South Carolina. Speech supplied.

April 28, 2021: Panelist, “Implicit Bias,” 24th Annual New York University Employment Law Workshop for Federal Judges, Federal Judicial Center (virtual event). Notes supplied.

April 14, 2021: Opening Speaker, “Judges and the Media: Responses to Inquiries, Criticisms, and Attacks,” American Bar Association Judicial Division (virtual event). I introduced the program and the moderator. I have no notes, transcript,

or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

March 30, 2021: Moderator, “Demystifying the Judicial Election and Selection Process: State and Federal Courts,” American Bar Association Section of Litigation’s Professional Success Summit and American Bar Association Judicial Division (virtual event). I moderated a panel of judges speaking about lessons they had learned during their careers. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

March 26, 2021: Opening Speaker, “Judicial Milestones in the Quest for Women’s Equality,” American Bar Association Judicial Division (virtual event). Video available at:
https://www.americanbar.org/groups/judicial/events_cle/program-library/judicial-milestones-in-the-quest-for-womens-equality.

March 25, 2021: Speaker, “Preserving the Rule of Law,” Judicial Outreach Program for Saint Joseph’s Catholic School, Columbia, South Carolina, American Bar Association Judicial Division (virtual event). PowerPoint supplied.

March 24, 2021: Panelist, “Democracy, Judicial Independence, and the Rule of Law – Civics Education Program,” American Bar Association Section of Litigation (virtual event). I spoke on a panel for high school students about the three branches of government and the state and federal trial court system in the United States. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

March 18, 2021: Panelist, “Justice Voices: The Pandemic’s Impact on Women’s Access to Justice,” American Bar Association (virtual event). Video available at <https://www.youtube.com/watch?v=7RIFwl8jsO0>.

March 12, 2021: Panelist, “Hot Topics in Electronic Discovery 2021: What Corporate and Outside Counsel Need to Know,” Practising Law Institute (virtual event). I participated in a panel discussion about judicial perspectives on litigants’ e-discovery obligations. I have no notes, transcript, or recording. The Practising Law Institute has no physical address.

March 12, 2021: Speaker, “Preserving the Rule of Law,” Judicial Outreach Program for Saint Martin de Porres Catholic School, Columbia, South Carolina, American Bar Association Judicial Division (virtual event). PowerPoint supplied.

March 7, 2021: Moderator, “The Politicization of Science and the Scientization of Policy,” Judicial Symposium on Scientific Methodology and the Admissibility of Expert Testimony, George Mason University Antonin Scalia Law School, Law & Economics Center, Destin, Florida. Notes supplied.

March 5, 2021: Panelist, “The Road to a More Efficient Judicial and Administrative Process,” American Bar Association (virtual event). I spoke on a panel about discovery techniques and effective motions practices to streamline litigation. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

February 26, 2021: Introductory Remarks, “Judicial Trailblazers and the Hills They’ve Climbed: A Discussion with Preeminent African-American Judges and Their Challenges and Triumphs,” American Bar Association Judicial Division (virtual event). Video available at https://www.americanbar.org/groups/judicial/events_cle/program-library/bhm-jud-trailblazers.

February 25, 2021: Panelist, “Racial Justice Roundtable,” National Judicial College (virtual event). Notes supplied.

February 19, 2021: Moderator, “Combatting Dark Money Influence: Procedural Strategies and Innovations,” American Bar Association Judicial Division (virtual event). Video available at <https://www.americanbar.org/news/abanews/aba-news-archives/2021/02/solutions-proposed-to-curb-dark-money-in-judicial-elections--but>.

February 9, 2021: Speaker, Young Lawyers Division Leadership Meeting, South Carolina Bar (virtual event). I spoke about networking, engaging new bar members, and service to communities. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

February 5, 2021: Panelist, “Masters in Trial: The Art of Advocacy,” South Carolina Chapter of American Board of Trial Advocates (virtual event). I participated in a panel discussion about professional responsibility and civility as applied to lawyers practicing before federal courts. I have no notes, transcript, or recording. The address of the American Board of Trial Advocates is 2001 Bryan Street, Suite 3000, Dallas, Texas 75201.

January 19, 2021: Panelist, “Demystifying the Judicial Election and Selection Process: State and Federal Courts,” South Carolina Bar, Columbia, South Carolina. Notes supplied.

December 20, 2020: Panelist, “Straight Talk from the Bench: A Conversation with South Carolina Federal Judges,” South Carolina Bar, Columbia, South Carolina. I participated in a panel discussion about providing guidance on substantive and procedural issues that routinely come before the federal courts. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

December 15, 2020: Panelist, "Virtual Fireside Chat 3: Beyond the Robe," South Carolina Bar (virtual event). Video available at <https://www.facebook.com/SouthCarolinaBar/videos/390354782177164>.

December 10, 2020: Panelist, "2020 Hindsight and New Beginnings," American Bar Association General Practice and Solo Division (virtual event). Video available at <https://www.youtube.com/watch?v=FPoBOOS6f8s>.

December 2, 2020: Moderator, "Racial Fairness and the Courts: Reforming the Criminal and Civil Justice System to Overcome Systemic Racism," National Judicial College (virtual event). I discussed the various projects of the American Bar Association Judicial Division during my term as chair that addressed opportunities for dialogue on diverse perspectives regarding issues within the court system. I have no notes, transcript, or recording. The address of the National Judicial College is College Drive, Reno, Nevada 89557.

November 29, 2020: Speaker, "Dear Sisters, Dear Daughters," National Coalition of Black Women Doctorates (virtual event). I spoke about the career challenges of women and strategies for work/life balance. I have no notes, transcript, or recording. This organization does not have a physical address.

November 14, 2020: Speaker, "SCOTUS Update 2019-2020: Developments in Labor & Employment Law," American Bar Association Section of Labor and Employment Law (virtual event). PowerPoint supplied.

November 12, 2020: Panelist, "Case Law Update," Advanced eDiscovery Institute (virtual event). PowerPoint and notes supplied.

November 12, 2020: Speaker, "eDiscovery Issues," Advanced eDiscovery Institute (virtual event). PowerPoint supplied.

November 9, 2020: Panelist, "Discovery," Mass-Tort MDL Certificate and Advanced Certificate Program, Bolch Judicial Institute, Duke University School of Law, Durham, North Carolina. Notes supplied.

November 9, 2020: Panelist, "Settlements in MDLs," Mass-Tort MDL Certificate and Advanced Certificate Program, Bolch Judicial Institute, Duke University School of Law, Durham, North Carolina. I participated in a panel discussion about the role of judges in the settlement of cases and the use of mediators and special masters in multi-district litigation. I have no notes, transcript, or recording. The address of the Bolch Judicial Institute at Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

November 6, 2020: Panelist, "E-Discovery," William and Mary Law School Class (virtual event). Notes supplied.

November 5, 2020: Moderator, “A View from the Bench: Written and Appellate Advocacy,” American Bar Association Section of Labor and Employment Law (virtual event). Notes supplied.

November 4, 2020: Speaker, Virtual Town Hall, American Bar Association Judicial Division (virtual event). PowerPoint supplied.

October 30, 2020: Speaker, “Court Responses to E-Discovery Challenges,” Global eDiscovery Conference, Advanced eDiscovery Institute (virtual event). Notes supplied.

October 30, 2020: Speaker, The Judicial Clerkship Program, American Bar Association’s Judicial Division and American Bar Association’s Council for Diversity in the Educational Pipeline, Howard University School of Law (virtual event). I made welcoming remarks to introduce the program, the speakers, and the topic. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

October 28, 2020: Speaker, “Case Law Review: Significant eDiscovery Decisions from 2020,” Sedona Conference (virtual event). Notes supplied.

October 20, 2020: Speaker, “Tribute to Justice Ruth Bader Ginsburg,” American Bar Association Judicial Division (virtual event). Remarks supplied.

October 14, 2020: Panelist, “Challenges in the U.S. Court Systems and in the Practice of Law in the U.S.,” 42nd Annual Conference, National Association of Women Judges (virtual event). I participated in a panel discussion about the statistics of women lawyers in the profession and challenges and opportunities for women in law firms. I have no notes, transcript, or recording. The address of the National Association of Women Judges is P.O. Box 3363, Warrenton, Virginia 20188.

September 30, 2020: Panelist, “Civics Education Initiative,” American Bar Association Section of Litigation, Committee on the American Judicial System (virtual event). PowerPoint supplied.

September 23, 2020: Host, View from the Bench, Reading and Robes Event, National Judicial College, Columbia, South Carolina. National Judicial College hosted this virtual event at various schools across the nation. I assisted with the in-person program held at Heathwood Hall Episcopal School to discuss civics, the role of the judiciary, and the importance of reading. I have no notes, transcript, or recording. The address of the National Judicial College is College Drive, Reno, Nevada 89557.

September 10, 2020: Speaker, "The Sedona Conference Proclamation: Resources for the Judiciary," Sedona Conference (virtual event). Notes supplied.

September 9, 2020: Panelist, "Rolling Up Our Sleeves: Using Special Masters to Help Deal with the New Normal in Federal Court," Annual Meeting, Federal Bar Association (virtual event). I participated in a panel discussion about the problems faced by the federal courts due to the pandemic and the ways in which special masters could be used to help address the needs of the courts. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

August 27, 2020: Panelist, "The Role of African American Women and Voting Rights," National Bar Association (virtual event). Notes supplied.

August 25, 2020: Speaker, "Scientific Evidence and the Post Pandemic Jury," American Bar Association Section of Litigation (virtual event). Notes supplied.

July 24, 2020: Speaker, "Best Practices for Creating a Defensible E-Discovery Process," South Carolina Defense Trial Attorneys' Association (virtual event). Notes supplied.

July 17, 2020: Panelist, "An Introduction to Federal Practice," South Carolina Chapter of the Federal Bar Association (virtual event). I participated in a panel discussion about criminal and civil practice before the federal courts. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

May 21, 2020: Panelist, "E-discovery 101: How to Discover and Use ESI in Civil Cases," American Bar Association Judicial Division (virtual event). PowerPoint supplied.

May 12, 2020: Speaker, "Meeting the Expectations of the Court," Edtalk (virtual event). Notes supplied.

March 10, 2020: Panelist, "Evidence Issues/Use of Experts," 23rd Annual Employment Law Workshop for Federal Judges, Federal Judicial Center, New York University School of Law, New York, New York. Notes supplied.

February 14, 2020: Panelist, "Clerking: A Bridge to Any Legal Career," Judicial Clerkship Program, American Bar Association, Austin, Texas. I participated in a panel discussion about tips for resumes, writing samples, and interviews for applying for judicial clerkships. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

February 13, 2020: Moderator, "Blockchain Evidence," American Bar Association Section of Litigation, Austin, Texas. Notes supplied.

February 8, 2020: Panelist, "Civility and Professionalism in the Courtroom," College of Labor and Employment Lawyers, St. Petersburg, Florida. I participated in a panel discussion about effective oral and written advocacy, presenting employment law claims in federal courts, and juror responses to employment claims. I have no notes, transcript, or recording. The address of the College of Labor and Employment Lawyers is 1997 Annapolis Exchange Parkway, Suite 300, Annapolis, Maryland 21401.

February 6, 2020: Panelist, "Cite Early! Cite Often! The 2019 – 2020 Cases that Every Practitioner Should Know," Legaltech 2020, ALM Media, New York, New York. I participated in a panel discussion about the latest cases in e-discovery regarding proportionality, preservation, and sanctions. I have no notes, transcript, or recording. The address of ALM Media is 150 East 42nd Street, New York, New York 10017.

January 29, 2020: Panelist, "How Technology can Create an Efficient Process and Pitfalls to Avoid Sanctions," Nextra Solutions, Columbia, South Carolina. Notes supplied.

November 22, 2019: Panelist, "New Technologies, New Ethics Challenges," 16th Annual Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. Notes supplied.

November 21, 2019: Panelist, "Case Law Update," 16th Annual Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. Notes supplied.

November 15, 2019: Speaker, "Trends in Litigation: A Decade in Review," Richardson, Patrick, Westbrook & Brickman LLC, Charleston, South Carolina. PowerPoint and notes supplied.

November 11, 2019: Speaker, "Case Law Update," 16th Annual Advanced eDiscovery Institute, Georgetown University Law Center (virtual event). Notes supplied.

November 8, 2019: Panelist, "Is Using Implicit Bias to Prove Discrimination Under Title VII and Other Antidiscrimination Statutes a Viable Option?," 13th Annual Labor and Employment Law Conference, American Bar Association, New Orleans, Louisiana. PowerPoint and notes supplied.

October 25, 2019: Panelist, "Revisiting Mixed-Motive Discrimination Claims," North Carolina/South Carolina Labor & Employment Law Conference, Isle of Palms, South Carolina. Video supplied.

October 18, 2019: Panelist, "What Persuades the Bench: The Judicial Perspective from Judge Advocate to Decision Maker," American Bar Association Solo, Small Firm, and General Practice Division, New York, New York. Notes supplied.

October 11, 2019: Panelist, "Sentencing Issues and Bond Considerations for White Collar Crime," Conference on White Collar Crime, South Carolina Chapter of the Federal Bar Association and South Carolina Association of Criminal Defense Lawyers, Columbia, South Carolina. I participated in a panel discussion about key topics in defense of white-collar crimes. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201. The address of the South Carolina Association of Criminal Defense Lawyers is 1122 Lady Street, Suite 1102, Columbia, South Carolina 29201.

October 10, 2019: Panelist, "The State of E-Discovery 2019: The Trends in Economics, Practice, and Challenges Shaping the Industry," Exterro, Portland, Oregon. Notes supplied.

September 30, 2019: Moderator, "From the Common Law to No Harm Class Actions Under State Consumer Protection Acts," Symposium on the Law & Economics of Consumer Protection, George Mason University Antonin Scalia Law School, Law & Economics Center, Arlington, Virginia. Notes supplied.

September 27, 2019: Panelist, "Tips from the Bench: Taking the Terror Out of Trial," South Carolina Bar, Columbia, South Carolina. I participated in a panel discussion about effective oral and written advocacy, dispositive motions, and juror responses to trial presentations. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

September 11, 2019: Panelist, "Judicial Advice for Improving Your E-Discovery Practices," Exterro, Portland, Oregon. I participated in a panel discussion about preservation of evidence, boilerplate objections, and recent e-discovery court decisions. I have no notes, transcript, or recording. The address of Exterro is 4145 Southwest Watson Avenue, Suite 400, Beaverton, Oregon 97005.

August 29, 2019: Panelist, "A View from the Bench," 28th Annual National Seminar on Federal Sentencing, Tampa Bay Chapter of Federal Bar Association, National Association of Criminal Defense Lawyers, Criminal Law Section of the Federal Bar Association, and Criminal Justice Section of American Bar Association, Saint Petersburg Beach, Florida. Notes supplied.

August 1, 2019: Speaker, "'Hot Topics' in Employment Law," Employment Law Seminar, 62nd Annual Convention, South Carolina Association for Justice, Hilton Head Island, South Carolina. I spoke about federal jury trials and employment

cases. I have no notes, transcript, or recording. The address of the South Carolina Association for Justice is 1901 Gadsden Street, Columbia, South Carolina 29201.

May 30, 2019: Commencement Speaker, Saint Martin de Porres Catholic School, Columbia, South Carolina. Speech supplied.

May 7, 2019: Moderator, "Securities Class Action Litigation: How Well Does it Protect Investors?," 13th Annual Judicial Symposium on Civil Justice Issues, Law and Economics Center at George Mason University Antonin Scalia Law School, Law & Economics Center, Arlington, Virginia. Video available at https://vimeo.com/337290407?embedded=true&source=vimeo_logo&owner=5293419.

May 2, 2019: Panelist, "What Persuades Trial Judges," American Bar Association General Practitioner, Solo Division, and Section of Litigation, New York, New York. I participated in a panel discussion about opening and closing statements, dispositive motions, and communication with court staff. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

April 23, 2019: Panelist, "Diversity in the Judiciary," American Bar Association Diversity and Inclusion Committee (virtual event). I participated in a panel discussion about the application process for United States Magistrate Judges, United States District Judges, and state court judicial opportunities. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

April 9, 2019: Moot Court Judge, The Hardt Cup Moot Court Competition, Duke University School of Law, Durham, North Carolina. Video available at <https://www.youtube.com/watch?v=ZcRhMH8UDnY>.

March 27, 2019: Panelist, "Sidebar: Views from the Judge," Federal Bar Association, Columbia, South Carolina. I participated in a panel discussion about the professional and ethical responsibilities of lawyers and making effective presentations before the courts. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 20, 2019: Speaker, "Uncovering and Challenging Bias in Jury Selection and Deliberations," Employment Rights & Responsibilities Committee Midwinter Meeting, American Bar Association Section of Labor and Employment Law, Las Vegas, Nevada. Notes supplied.

March 15, 2019: Panelist, Multi-District Litigation, Duke University School of Law, Durham, North Carolina. I participated in a panel discussion about applying

for leadership roles in multidistrict litigation, streamlining discovery, and use of special masters. I have no notes, transcript, or recording. The address of Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

March 8, 2019: Panelist, “Judicial Roundtable: Protecting Privacy and Confidentiality in Open Courts,” 13th Annual Sedona Conference Institute: Protecting Privacy, Confidentiality, and Privilege in Civil Litigation, Sedona Conference, Charlotte, North Carolina. I participated in a panel discussion about privacy and confidentiality issues related to e-discovery. I have no notes, transcript, or recording. The address of the Sedona Conference is 301 East Bethany Home Road, Suite C-297, Phoenix, Arizona 85012.

March 7, 2019: Panelist & Dialogue Leader, “Addressing Privacy Issues in Social Media Discovery,” 13th Annual Sedona Conference Institute: Protecting Privacy, Confidentiality, and Privilege in Civil Litigation, Sedona Conference, Charlotte, North Carolina. Notes supplied.

March 6, 2019: Panelist, “Unexampled Courage: A Book Discussion,” Greenville County Bar Association, Greenville, South Carolina. I participated in a panel discussion about *Unexampled Courage: The Blinding of Sgt. Isaac Woodard and the Awakening of President Harry S. Truman and Judge J. Waites Waring*. I have no notes, transcript, or recording. The address of the Greenville Bar Association is 600 West Washington Street, Greenville, South Carolina 29601.

March 3, 2019: Panelist, Leadership Institute for Juniors, Heyward Career Center, Columbia, South Carolina. I participated in a panel discussion about leadership traits of successful persons and various careers in the law. I have no notes, transcript, or recording. The address of the Heyward Career Center is 3500 Lynnhaven Drive, Columbia, South Carolina 29204.

February 21, 2019: Panelist, “Federal Criminal Law Practice,” 28th Annual Criminal Law Practice in South Carolina, South Carolina Bar, Columbia, South Carolina. Notes supplied.

February 15, 2019: Panelist, “Handling Special Data,” Duke University School of Law, Durham, North Carolina. Notes supplied.

February 13, 2019: Panelist, “Significant Discovery Issues,” Georgetown University Law Center (virtual event). PowerPoint supplied.

December 13, 2018: Panelist, “Judges Panel,” Innovation in E-Discovery Conference, Sandpiper Partners, LLC, New York, New York. I participated in a panel discussion about case law on proportionality, objections, and privilege, and the judge’s role in case assessment and resolution. I have no notes, transcript, or recording. The address of Sandpiper Partners, LLC is 855 Valley Road, Suite 209, Clifton, New Jersey 07013.

December 13, 2018: Panelist, "Technology: The Future is Now," Innovation in E-Discovery Conference, Sandpiper Partners, LLC, New York, New York. Notes supplied.

November 16, 2018: Panelist, "Federal Judicial Panel," 50th Annual Meeting, South Carolina Defense Trial Attorneys' Association, Kiawah Island, South Carolina. Notes supplied.

November 15, 2018: Panelist, "Discovering Humanity—Biometrics as ESI," 15th Annual Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. Notes supplied.

November 15, 2018: Panelist, "Case Law Update," 15th Annual Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. PowerPoint supplied.

November 8, 2018: Presenter, "Legal Challenges of Social Media Evidence," National Judicial College, Reno, Nevada. PowerPoint supplied.

October 16, 2018: Panelist, "Judges Discuss E-Discovery Beyond the Theoretical: Real World Examples," inFusion eDiscovery Conference, Exterro, Portland, Oregon. I participated in a panel discussion about real world examples of e-discovery mistakes, resolutions, and best practices. I have no notes, transcript, or recording. The address of Exterro is 4145 Southwest Watson Avenue, Suite 400, Beaverton, Oregon 97005.

October 12, 2018: Panelist, "Significant Fourth Circuit Employment and Labor Law Decisions," 34th Annual North Carolina/South Carolina Labor and Employment Law Conference, North Carolina Bar and South Carolina Bar, Asheville, North Carolina. I participated in a panel discussion about the application of recent key cases in employment and labor law. I have no notes, transcript, or recording. The address of the North Carolina Bar is 217 East Edenton Street, Raleigh, North Carolina 27601. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

October 11, 2018: Speaker, "Rethinking Our Approach to Civil Litigation: Proposed American Bar Association Guidelines on the Use of Special Masters," American Bar Association (virtual event). I spoke about general topics related to the effective use of special masters for state and federal courts. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

September 28, 2018: Moderator, "The Federal Rules: Current Issues and Hot Topics," Fall Leadership Meeting, American Bar Association Section of Litigation, Louisville, Kentucky. Notes supplied.

August 23, 2018: Speaker, "Going Through the Motions? Making Meaningful Use of Negotiations, Motions, and Experts in Federal Court: A Guide to Navigating the Trial Process," American Bar Association, Greenville, South Carolina. Notes supplied.

August 2, 2018: Panelist, "Appointment of Special Masters," Annual Meeting Program, American Bar Association, Chicago, Illinois. Notes supplied.

July 28, 2018: Moderator, "Current Issues in Whistleblower Law and Retaliation," Annual Advanced Course on Current Developments in Employment Law, American Law Institute, Santa Fe, New Mexico. I moderated a panel about NLRB, SEC, and EEOC litigation and evolving issues in litigating retaliation claims. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

July 27, 2018: Panelist, "Recurring Discovery and Evidence Issues in Employment Cases," Annual Advanced Course, American Law Institute, Santa Fe, New Mexico. I participated in a panel discussion about e-discovery issues, particularly those involving social media. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

July 26, 2018: Panelist, "Judges' Commentary on the U.S. Supreme Court Term," Annual Advanced Course, American Law Institute, Santa Fe, New Mexico. I participated in a panel discussion about recent U.S. Supreme Court cases. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

June 5, 2018: Commencement Speaker, Star Center for Learning, Orangeburg, South Carolina. Notes supplied.

May 4, 2018: Panelist, "Getting the Most Out of Your E-Discovery Experts Without Breaking the Bank," Annual Conference, American Bar Association Section of Litigation, San Diego, California. Notes supplied.

February 9, 2018: Speaker, "Judicial Approaches to E-Discovery," American Bar Association National Conference of Federal Trial Judges (virtual event). Notes supplied.

January 26, 2018: Panelist, "The Use of Court-Appointed Experts and Technical Advisors in Complex Litigation," Environmental & Energy, Mass Torts, and Products Liability Litigation Committees' Joint CLE Seminar, American Bar Association Section of Litigation, Whistler, Canada. Notes supplied.

December 12, 2017: Speaker, "Views from the Bench," FY17 Basic Criminal Advocacy Courses, National Advocacy Center, Columbia, South Carolina. I spoke about effective advocacy in criminal proceedings in federal court. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

December 7, 2017: Panelist, Case Law Update, Innovation in E-Discovery Conference, Sandpiper Partners, LLC, New York, New York. Notes supplied.

December 1, 2017: Panelist, "E-Discovery Judges Get Candid: A Practical Conversation," E-Discovery Day, Exterro (virtual event). I participated in a panel discussion about perspectives on how to handle discovery disputes, privilege logs, and pre-trial conferences. I have no notes, transcript, or recording. The address of Exterro is 4145 Southwest Watson Avenue, Suite 400, Beaverton, Oregon 97005.

November 17, 2017: Panelist, "What Makes for Good Advocacy?," 14th Annual Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. Notes supplied.

November 16, 2017: Panelist, Case Law Update, 14th Annual Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. I participated in a panel discussion about key cases on e-discovery topics. I have no notes, transcript, or recording. The address of Georgetown University Law Center is 600 New Jersey Avenue, Northwest, Washington, DC 20001.

September 26, 2017: Panelist, "Judicial Clerkships," University of South Carolina School of Law, Columbia, South Carolina. I participated in a panel discussion about the clerkship application process and the role of judicial law clerks. I have no notes, transcript, or recording. The address of the University of South Carolina School of Law is 1525 Senate Street, Columbia, South Carolina 29201.

September 22, 2017: Panelist, "Best Practices in an Adversarial System," 2017 AUSA Training and Law Enforcement Awards, United States Attorney's Office for the District of South Carolina, Columbia, South Carolina. I participated in a panel discussion about best ethical practices and effective advocacy before the courts. I have no notes, transcript, or recording. The address of the United States Attorney's Office for the District of South Carolina is 1441 Maine Street, Suite 500, Columbia, South Carolina 29201.

July 27, 2017: Panelist, "Review of Supreme Court Cases," Current Developments in Employment Law 2017, American Law Institute, Santa Fe, New Mexico. I participated in a panel discussion about recent U.S. Supreme Court cases. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

March 22, 2017: Panelist, “A Day in the Life of a Federal Law Clerk,” American Bar Association Law Student Division (virtual event). Video available at <https://www.youtube.com/watch?v=cCmVDWMI86c&t=33s>.

March 15, 2017: Panelist, “Views from the Bench,” Basic Criminal Advocacy Courses, National Advocacy Center, Columbia, South Carolina. I participated in a discussion on effective presentation in criminal proceedings. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

February 14, 2017: Panelist, “Views from the Bench,” Basic Civil Trial Advocacy Seminar, National Advocacy Center, Columbia, South Carolina. I participated in a panel discussion about effective presentations on dispositive motions and discovery related topics. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

February 10, 2017: Speaker, “May it Please the Court—a View from the Bench,” Tort Law Update, South Carolina Bar, Columbia, South Carolina. Video supplied.

January 25, 2017: Speaker, Palmetto Paralegal Association, Columbia, South Carolina. I spoke about the role of paralegals in the legal profession. I have no notes, transcript, or recording. The address of the Palmetto Paralegal Association is 1231 Sumter Street, Columbia, South Carolina 29201.

December 13, 2016: Panelist, “Views from the Bench,” FY17 Basic Criminal Advocacy Courses, National Advocacy Center, Columbia, South Carolina. I participated in a panel discussion about effective presentations for criminal proceedings, motions for acquittal, and zealously representing clients. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

November 11, 2016: Panelist, “Dismantling Boilerplate and Avoiding Template-ation,” Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. Notes supplied.

November 10, 2016: Panelist, “Case Law Update,” Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. Notes supplied.

November 3, 2016: Panelist, “Women and Leadership,” Equal Opportunity Day, Columbia Urban League, Columbia, South Carolina. I spoke on a panel about participating in community service, professional organizations, and leadership opportunities within organizations. I have no notes, transcript, or recording. The address of the Columbia Urban League is 1400 Barnwell Street, Columbia, South Carolina 29201.

October 29, 2016: Panelist, “Employment Law from the Bench,” 32nd Annual North Carolina/South Carolina Labor & Employment Law Conference, North Carolina Bar and South Carolina Bar, Asheville, North Carolina. Notes supplied.

October 26, 2016: Moderator, “Drones and UAS: Regulatory Update and What’s Next on the Horizon for Users and Owners,” American Bar Association National Conference of Federal Trial Judges (virtual event). PowerPoint supplied.

October 24, 2016: Panelist, “A View from the Bench: What You Need to Know, Now!” American Bar Association General Practice, Solo, and Small Firm Division, San Antonio, Texas. Notes supplied.

October 11, 2016: Speaker, “The Branches of Government,” Saint Joseph’s Catholic School Second Grade Class, Columbia, South Carolina. I spoke about the three branches of government with a particular emphasis on the kinds of cases that the judiciary handles. I have no notes, transcript, or recording. The address of Saint Joseph’s Catholic School is 3700 Devine Street, Columbia, South Carolina 29205.

October 6, 2016: Moderator, “Mandatory Voting Rights,” Fall Leadership Meeting, American Bar Association Section of Litigation, Austin, Texas. Notes supplied.

September 30, 2016: Panelist, “Federal Criminal Practice in South Carolina—A View from the Bench,” South Carolina Bar, Columbia, South Carolina. Video supplied.

September 22, 2016: Panelist, “Key Moments in the Criminal Process and Trial,” University of South Carolina School of Law, Columbia, South Carolina. I participated in a panel discussion about suppression motions, motions in limine, motions for acquittal, and jury charges. I have no notes, transcript, or recording. The address of the University of South Carolina School of Law is 1525 Senate Street, Columbia, South Carolina 29201.

September 9, 2016: Panelist, “Venus and Mars: Leadership Differences,” 2016 Women of Color Empowerment Conference, Women of Color Empowerment Institute, Inc., Fort Lauderdale, Florida. I participated in a panel discussion about different leadership styles between men and women. I have no notes, transcript, or recording. The address of the Women of Color Empowerment Institute, Inc. is 2219 Sistrunk Boulevard, Fort Lauderdale, Florida 33311.

July 30, 2016: Moderator, “Emerging Issues in Retaliation and Whistleblower Law,” Current Developments in Employment Law, 23rd Annual Advanced Course, American Law Institute, Santa Fe, New Mexico. I moderated a discussion on protected activity in the workplace, adverse employment actions,

and remedies. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

July 30, 2016: Moderator, "Settlement of Employment Cases: The Hot Button Issues," Current Developments in Employment Law, 23rd Annual Advanced Course, American Law Institute, Santa Fe, New Mexico. Notes supplied.

July 29, 2016: Panelist, "New Civil Rules, Impact on Employment Practice," Current Developments in Employment Law, 23rd Annual Advanced Course, American Law Institute, Santa Fe, New Mexico. I participated in a panel discussion about amendments to the Federal Rules of Civil Procedure, particularly regarding discovery and e-discovery practices. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

July 29, 2016: Panelist, "Recurring Discovery Issues in Employment Cases," Current Developments in Employment Law, 23rd Annual Advanced Course, American Law Institute, Santa Fe, New Mexico. Notes supplied.

July 28, 2016: Panelist, "Judges' Commentary on the U.S. Supreme Court Term," Current Developments in Employment Law, 23rd Annual Advanced Course, American Law Institute, Santa Fe, New Mexico. I participated in a panel discussion about recent U.S. Supreme Court cases. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

July 22, 2016: Speaker, "View from the Bench," Motions Practice and Brief Writing for Civil Attorneys Seminar, National Advocacy Center, Columbia, South Carolina. Notes supplied.

June 23, 2016: Speaker, "View from the Bench," Federal Bar Association, Columbia, South Carolina. I spoke about practicing law in federal court, distinctions between federal and state court practice, and effective advocacy in federal courts. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

June 17, 2016: Panelist, "Court-Appointed Experts," American Bar Association Section of Litigation, Vancouver, Canada. I participated in a panel discussion about the use of court-appointed experts, related ethical issues, and distinctions in the use of special masters. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

June 9, 2016: Speaker, "Pathway to Judgeship in South Carolina," South Carolina Women Lawyers Association—Midlands Chapter, Columbia, South Carolina. I spoke about my pathway to the bench and becoming a state and federal trial judge. I have no notes, transcript, or recording. The address of the South Carolina Women Lawyers Association is P.O. Box 11910, Columbia, South Carolina 29211.

May 19, 2016: Speaker, "J. Waties Waring and the Dissent that Changed America," South Carolina Supreme Court Historical Society, Charleston, South Carolina. I spoke about the life and legacy of Judge Waring and his role in the *Brown v. Board of Education* decision. I have no notes, transcript, or recording. The address of the South Carolina Supreme Court Historical Society is P.O. Box 608, Columbia, South Carolina 29202.

April 26, 2016: Panelist, "Demystifying Clerkships: State and Appellate Courts," American Bar Association National Conference of Federal Trial Judges and American Bar Association Law Student Division (virtual event). Video available at <https://www.youtube.com/watch?v=p71sLhCXgUc>.

April 25, 2016: Panelist, "Trial Tactics," Annual Conference, American Bar Association Section of Litigation, Chicago, Illinois. Notes supplied.

April 14, 2016: Moderator, "The Unique Obstacles of Trying a Class Action," Annual Meeting, American Bar Association Section of Litigation, Chicago, Illinois. Notes supplied.

April 12, 2016: Speaker, "Remembrances of Judge J. Waties Waring," United States Magistrate Judges Association, Charleston, South Carolina. Notes supplied.

March 10, 2016: Panelist, "Invasion of Privacy and Autonomy in the Employment Law Context," 19th Annual NYU Workshop on Employment Law for Federal Judges, Federal Judicial Center and New York University School of Law, New York, New York. PowerPoint and notes supplied.

February 23, 2016: Panelist, Federal Courts Juror Management and Utilization Workshop, Federal Judicial Center, Redondo Beach, California. I participated in a panel discussion about effective jury impaneling procedures. I have no notes, transcript, or recording. The address of the Federal Judicial Center is One Columbus Circle, Northeast, Washington, DC 20002.

February 19, 2016: Panelist, "A View From the Bench: Triumphs and Catastrophes Attorneys Make in Civil Litigation," National Bar Association Commercial Law Section, Scottsdale, Arizona. I participated in a panel discussion on effective advocacy before federal courts, particularly in jury trials.

I have no notes, transcript, or recording. The address of the National Bar Association is 1816 12th Street, Northwest, Washington, DC 20009.

February 18, 2016: Panelist, “Judicial Forum,” Criminal Law Section, National Bar Association, Scottsdale, Arizona. I participated in a panel discussion about pre-trial criminal procedures, sentencing, and criminal jury trials. I have no notes, transcript, or recording. The address of the National Bar Association is 1816 12th Street Northwest, Washington, DC 20009.

January 27, 2016: Moderator, “Demystifying the Judicial Clerkship Application Process and Experience,” American Bar Association National Conference of Federal Trial Judges (virtual event). I moderated a panel on tips for applying for positions as a federal or state court judicial law clerk. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

January 12, 2016: Panelist, “Networking for Young Lawyers,” University of South Carolina School of Law, Columbia, South Carolina. I participated in a panel discussion about networking as it relates to job searches and the practice of law. I have no notes, transcript, or recording. The address of the University of South Carolina School of Law is 1525 Senate Street, Columbia, South Carolina 29201.

November 21, 2015: Moderator, “A View from the Bench: Written & Appellate Advocacy,” Annual Conference, American Bar Association Section of Labor & Employment (virtual event). I moderated a panel on tips for effective presentation on employment related issues before federal courts. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

November 20, 2015: Panelist, “Judicial Roundtable,” Advanced eDiscovery Institute, Georgetown University Law Center, Washington, DC. Notes supplied.

November 18, 2015: Speaker, “Demystifying the Judicial Clerkship Application Process and Experience,” American Bar Association National Conference of Federal Trial Judges and American Bar Association Law Student Division (virtual event). PowerPoint supplied.

November 9, 2015: Panelist, “Transferee Judge Case Management, including Dispositive Motions, Class Actions, and Bellwether Trials,” Duke University School of Law, Durham, North Carolina. I participated in a panel discussion about pre-trial issues and effective discovery in multidistrict litigation. I have no notes, transcript, or recording. The address of Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

August 24, 2015: Panelist, Managing Complex Litigation Workshop, Federal Judicial Center and Judicial Panel on Multidistrict Litigation, Denver, Colorado. I participated in a panel discussion about pre-trial discovery, pre-trial conferences, and implementing effective discovery protocols. I have no notes, transcript, or recording. The address of the Federal Judicial Center is One Columbus Circle, Northeast, Washington, DC 20002. The address of the Judicial Panel on Multidistrict Litigation is Thurgood Marshall Federal Judiciary Building, One Columbus Circle Northeast, Room G-255, North Lobby, Washington, DC 20544.

July 27, 2015: Panelist, “Views from the Bench on Employment Discrimination Litigation: What Works and Doesn’t Work in Jury Instructions, Voir Dire and Opening/Closing Statements; Why the Parties in Cases Before Them Succeeded (and Why They Did Not),” American Conference Institute, Chicago, Illinois. Notes supplied.

July 24, 2015: Moderator, “Practical Tips to Handling Departing Employees in a Digital Age,” 22nd Annual Advanced Course: Current Developments in Employment Law, American Law Institute, Santa Fe, New Mexico. I participated in a panel discussion about issues of employees handling data on their personal devices. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

July 23, 2015: Panelist, “Judges’ Commentary on the U.S. Supreme Court Term,” Current Developments in Employment Law, American Law Institute, Santa Fe, New Mexico. I participated in a panel discussion about recent U.S. Supreme Court cases. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

July 23, 2015: Moderator, “Key Recent E-Discovery Court Decisions,” Current Developments in Employment Law, American Law Institute, Santa Fe, New Mexico. I participated in a panel discussion on key cases regarding e-discovery. I have no notes, transcript, or recording. The address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

May 13, 2015: Presiding Judge, Naturalization Ceremony, United States District Court for the District of South Carolina, Columbia, South Carolina. Notes supplied.

April 6, 2015: Speaker, “Membership Benefits of the ABA Section of Litigation,” American Bar Association Section of Litigation, Charleston, South Carolina. Notes supplied.

March 12, 2015: Panelist, “Tort and Contract Claims Against Employers,” 18th Annual New York University School of Law, Labor & Employment Law

Workshop on Employment Law for Federal Judges, New York University School of Law, New York, New York. Notes supplied.

March 7, 2015: Panelist, “Fostering Diversity in the Legal Profession and the Judiciary,” Color of Justice Program, South Carolina Bar Young Lawyers Division, Columbia, South Carolina. I participated in a panel discussion about careers in the law and provided insight from my experiences as a state and federal judge. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

January 23, 2015: Speaker, “Tips and Trends for Employment Litigators,” Employment and Labor Law Seminar, South Carolina Bar, Columbia, South Carolina. I participated in a discussion on key topics for effective advocacy in employment related litigation. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

January 17, 2015: Panelist, “Judicial Ethics: Navigating Ethical Minefields,” National Bar Association Judicial Council, Montego Bay, Jamaica. I participated in a panel discussion exploring ethical quandaries that judges frequently encounter. I have no notes, transcript, or recording. The address of the National Bar Association is 1816 12th Street, Northwest, Washington, DC 20009.

December 20, 2014: Speaker, “The Legacy of Judge Julius Waties Waring,” South Carolina Bar and University of South Carolina School of Law, Columbia, South Carolina. Remarks supplied.

December 17, 2014: Speaker, “Evidence Essentials: A Roadmap for Circumventing Courtroom Evidence Traps,” American Bar Association (virtual event). PowerPoint supplied.

November 6, 2014: Panelist, “Litigation Trends—A Perspective from the Bench,” Annual Meeting, South Carolina Defense Trial Attorneys’ Association, Pinehurst, North Carolina. I participated in a panel discussion about key differences in practicing before state and federal courts. I have no notes, transcript, or recording. The address of the South Carolina Defense Trial Attorneys’ Association is One Windsor Cove, Suite 305, Columbia, South Carolina 29223.

October 24, 2014: Panelist, “Litigation and Ethics: A Change of the Guard and the Evolution of the Courts,” American Bar Association Solo, Small Firm, and General Practice Division, San Antonio, Texas. Notes supplied.

October 24, 2014: Moderator, “The View From the Bench: What We Need to Know Now,” American Bar Association Solo, Small Firm, and General Practice Division, San Antonio, Texas. Notes supplied.

October 24, 2014: Speaker, New Admittees to the Bar of the Supreme Court of the United States, American Bar Association Solo, Small Firm, and General Practice Division, San Antonio, Texas. Notes supplied.

October 14, 2014: Panelist, "Social Media and the Federal Rules of Evidence," John Belton O'Neall Inn of Court, Columbia, South Carolina. Notes supplied.

September 16, 2014: Panelist, "Working Relationships: Perspectives from the Bench and Defense Bar," National Advocacy Center, Columbia, South Carolina. I participated in a panel discussion about professionalism, civil discourse between opposing counsel, and decorum in the court. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

June 20, 2014: Speaker, "Diversity and Inclusion," South Carolina Bar Young Lawyers Division, Greenville, South Carolina. Notes supplied.

April 4, 2014: Panelist, "View from the Bench: Motion Practice," National Advocacy Center, Columbia, South Carolina. I participated in a panel discussion about effective advocacy for dispositive motions. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

March 27, 2014: Panelist, "Lunch with Leaders," University of South Carolina School of Law, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the federal courts. I have no notes, transcript, or recording. The address of the University of South Carolina School of Law is 1525 Senate Street, Columbia, South Carolina 29201.

March 20, 2014: Mock Trial Judge, Middle School Mentoring Program, University of South Carolina School of Law, Columbia, South Carolina. I heard oral arguments and gave feedback to middle school students participating in the mentoring program. I have no notes, transcript, or recording, but press coverage is supplied. The address of the University of South Carolina School of Law is 1525 Senate Street, Columbia, South Carolina 29201.

March 7, 2014: Panelist, "Guesswork, Luck, and a Little Duct Tape: Predicting Outcomes and Presenting Winning Arguments in the Ever-Changing Realm of Conflicts of Law," Insurance Coverage Litigation Committee Continuing Legal Education Seminar, American Bar Association, Tucson, Arizona. I participated in a panel discussion about effective advocacy in insurance litigation before federal courts. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

February 11, 2014: Moderator, "Blogs and Blogging for the Litigator," American Bar Association Section of Litigation Trial Evidence Committee (virtual event). I

moderated a discussion on evidentiary blunders and effective objections in federal court. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

January 8, 2014: Speaker, "The Three Branches of Government," Black History Program for Heathwood Hall Episcopal School first grade class, United States District Court for the District of South Carolina, Columbia, South Carolina. Notes supplied.

December 20, 2013: Panelist, "Straight Talk from the Bench: A Conversation with South Carolina Federal Judges," South Carolina Bar, Columbia, South Carolina. Video supplied.

October 10, 2013: Speaker, "Women in Politics: Challenges, Importance, and Impact," Vision for Success Conference, South Carolina Women Lawyers Association, Greenville, South Carolina. I spoke about my pathway to becoming a state and federal trial judge. I have no notes, transcript, or recording. The address of the South Carolina Women Lawyers Association is P.O. Box 11910, Columbia, South Carolina 29211.

October 2, 2013: Speaker, "View from the Bench," Professionalism Series Lecture, Charleston School of Law, Charleston, South Carolina. Notes supplied.

September 25, 2013: Panelist, "Ethical Lessons from the Bench," United Way Women Attorneys, Greenville, South Carolina. Notes supplied.

September 11, 2013: Panelist, "Oral Advocacy and Expectations of Law Clerks," Lewis and Clark Law School, Portland, Oregon. Notes supplied.

September 5, 2013: Panelist, "Transitions in the District and Other Observations From the Bench," Annual Meeting, Federal Bar Association, Columbia, South Carolina. I participated in a panel discussion about distinctions between federal and state court advocacy, and professional responsibilities of lawyers. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

August 25, 2013: Moderator, "Evidentiary Errors in Business Litigation," American Bar Association Section of Litigation (virtual event). I spoke about evidentiary errors and effective evidentiary objections in trial. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

August 1, 2013: Speaker, "Through the Looking Glass: Observations from the Bench," South Carolina Association for Justice, Hilton Head, South Carolina. I spoke about the importance of professionalism and civility in the practice of law.

I have no notes, transcript, or recording. The address of the South Carolina Association for Justice is 1901 Gadsden Street, Columbia, South Carolina 29201.

August 1, 2013: Speaker, "Social Media Evidence in the Employment Law Context," South Carolina Association for Justice, Hilton Head, South Carolina. Notes supplied.

July 26, 2013: Panelist, "Advocacy—From a Judicial Perspective," South Carolina Defense Trial Attorneys' Association, Asheville, North Carolina. I participated in a panel discussion about effective oral and written presentations and dispositive motions. I have no notes, transcript, or recording. The address of the South Carolina Defense Trial Attorneys' Association is One Windsor Cove, Suite 305, Columbia, South Carolina 29223.

July 16, 2013: Speaker, "Words of Wisdom and Inspiration," Summer Law Clerk Lunch Seminar, Greenville County Bar Association, Greenville, South Carolina. I spoke about the role of the judge in creating a fair and impartial court, and the role of lawyers in effectively and zealously representing their clients. I have no notes, transcript, or recording. The address of the Greenville County Bar Association is 600 West Washington Street, Greenville, South Carolina 29601.

June 25, 2013: Presiding Judge, Naturalization Ceremony, United States District Court for the District of South Carolina, Columbia, South Carolina. Notes supplied.

March 28, 2013: Panelist, "Using Your J.D. in the Public Sector," Eighth Annual Conference, Leadership Institute for Women of Color Attorneys, Tampa, Florida. I participated in a panel discussion about legal careers in public interest law. I have no notes, transcript, or recording. The address of the Leadership Institute for Women of Color Attorneys is 4480 South Cobb Drive, Suite H-315, Smyrna, Georgia 30080.

March 15, 2013: Speaker, "Effective Social Media," Women in the Law, Defense Research Institute, Miami Beach, Florida. I spoke about the increasing social media presence in litigation and the presentation of social media evidence in trial. I have no notes, transcript, or recording. The address of the Defense Research Institute is 222 South Riverside Plaza, Suite 1870, Chicago, Illinois 60606.

February 19, 2013: Moderator, "Criminal Evidence and Sentencing," American Bar Association Section of Litigation (virtual event). I moderated a discussion on evidentiary and sentencing issues in criminal cases. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

February 12, 2013: Faculty, Basic Criminal Trial Advocacy Seminar, National Advocacy Center, Columbia, South Carolina. I participated in a discussion on the

effective presentation of evidence in criminal trials and effective advocacy in oral and written motions. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

February 11, 2013: Speaker, "Road to Judging and other Experiences as a Federal Judge," Law Enforcement Recognition Day, Rotary Club of Greenville, Greenville, South Carolina. Notes supplied.

January 15, 2013: Moderator, "Evidence Blogs as Legal Research," American Bar Association Section of Litigation (virtual event). I moderated a panel discussion on how to use online resources for leading evidentiary and related legal issues. I have no notes, transcript, or recording. The address of The American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

November 5, 2012: Speaker, J. Michelle Childs Federal Investiture Ceremony, United States District Court for the District of South Carolina, Columbia, South Carolina. Notes supplied.

October 17, 2012: Panelist, "The View from the Bench," Litigating Specialized Lines of Insurance Claims Conference, American Conference Institute, Philadelphia, Pennsylvania. I participated in a panel discussion about judicial interpretations of evidence and arguments in the context of insurance law, pre-trial proceedings, and settlement conferences. I have no notes, transcript, or recording. The address of the American Conference Institute is Two Park Avenue, 20th Floor, New York, New York 10016.

October 12, 2012: Moderator, "Panel on Professional Responsibility and Ethical Obligations of Lawyers," American Bar Association Solo, Small Firm, and General Practice Division, Seattle, Washington. I moderated a panel about ethical pitfalls of lawyers in representing clients, handling office procedures, and presentations in court. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

October 4, 2012: Introductory Speaker, Victoria L. Eslinger: Recipient of the Jean Galloway Bissell Award, South Carolina Women Lawyers Association, Charleston, South Carolina. Remarks supplied.

September 6, 2012: Speaker, "View from the Bench," South Carolina Chapter of Federal Bar Association, Greenville, South Carolina. I participated in a discussion on various topics of interest to new and young lawyers practicing in federal court. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

August 24, 2012: Panelist, “Federal Perspective: Distinctions Between Federal and State Court,” South Carolina State Judiciary Conference, Columbia, South Carolina. Notes supplied.

August 17, 2012: Speaker, “Fostering Diversity: Engaging the Next Generation,” United States Department of State, Halifax, Canada. Notes supplied.

August 16, 2012: Speaker, “Fostering Diversity: Engaging the Next Generation,” United States Department of State, Montreal, Canada. Notes supplied.

August 15, 2012: Speaker, “Fostering Diversity: Engaging the Next Generation,” United States Department of State, Ottawa, Canada. Notes supplied.

August 2, 2012: Moderator, “Cloudy With a Chance of a Perfect Storm: Discovery in the Cloud Computing Age,” Annual Meeting, American Bar Association, Chicago, Illinois. PowerPoint supplied.

May 18, 2012: Panelist, “Common Pre-Trial Issues—Continuing Legal Education,” South Carolina Bar, Columbia, South Carolina. I participated in a panel discussion about pre-trial motions practice. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

May 18, 2012: Speaker, “Practical Tips from the Bench for Litigating Employment Disputes,” South Carolina Bar Employment and Labor Law Section, Columbia, South Carolina. I spoke about practicing employment law in federal court. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

May 10, 2012: Panelist, “Business and Torts Trial Practice,” American Bar Association Section of Litigation (virtual event). I participated in a panel discussion about key mistakes attorneys make in business tort matters. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

April 27, 2012: Speaker, “The View from the Bench: Federal and State Judges Speak Out on Current Fire & Casualty Litigation Trends, Successful Plaintiff Claims, and Defense Strategy,” Premier Advanced Summit on Fire & Casualty Claims and Litigation, American Conference Institute, New York, New York. I participated in a discussion on effective advocacy in federal court. I have no notes, transcript, or recording. The address of the American Conference Institute is Two Park Avenue, 20th Floor, New York, New York 10016.

March 31, 2012: Speaker, “Empowering through Education,” Annual Dinner, Charleston School of Law Black Law Student Association, Charleston, South Carolina. Remarks supplied.

March 22, 2012: Speaker, "Federal Courts Jurisdiction and Venue Clarification Act 2011," South Carolina Chapter of Federal Bar Association, Greenville, South Carolina. I spoke about the Venue Clarification Act's impact on federal jurisdiction. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 16, 2012: Speaker, "Symposium on Prosecutorial Duties and Ethics," University of South Carolina School of Law, Columbia, South Carolina. Notes supplied.

March 14, 2012: Speaker, "View from the Bench," Spring Luncheon, Greenville County Bar Association, Greenville, South Carolina. I spoke about practicing law in federal court before both magistrate judges and district judges. I have no notes, transcript, or recording. The address of the Greenville Bar Association is 600 West Washington Street, Greenville, South Carolina 29601.

February 18, 2012: Speaker, Saint Martin de Porres Catholic School's 75th Anniversary, Saint Martin de Porres Catholic School, Columbia, South Carolina. I offered welcome remarks celebrating the school's history in educating and empowering students. I have no notes, transcript, or recording. The address of Saint Martin de Porres Catholic School is 2229 Hampton Street, Columbia, South Carolina 29204.

February 12, 2012: Speaker, "My Journey to Judging," Law Enforcement Recognition Day, Rotary Club of Greenville, Greenville, South Carolina. I spoke about my path to becoming a federal trial judge. I have no notes, transcript, or recording. The address of the Rotary Club of Greenville is 728 North Pleasantburg Drive, Greenville, South Carolina 29607.

February 10, 2012: Moderator, "The Talented Tenth Conference Luncheon," City of Columbia, Columbia, South Carolina. Notes supplied.

November 10, 2011: Speaker, "Probation and Pre-Trial Services Guidelines Seminar," Greenville Technical College, Greenville, South Carolina. Notes supplied.

July 28, 2011: Speaker, "The Road to Judging," South Carolina Women Lawyers Luncheon, South Carolina Women Lawyers Association, Columbia, South Carolina. I spoke about the path to becoming a judge and my personal experiences and challenges. I have no notes, transcript, or recording, but press coverage is supplied. The address of the South Carolina Women Lawyers Association is P.O. Box 11910, Columbia, South Carolina 29211.

July 27, 2011: Speaker, "Practical 'Ins and Outs' of Federal Practice," Summer Associate Luncheon, Federal Bar Association, Columbia, South Carolina. I spoke about tips for practicing in federal court, and professionalism and civility among attorneys. I have no notes, transcript, or recording. The address of the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

June 24, 2011: Speaker, "Baby Judge's Speech," Fourth Circuit Judicial Conference, Greenbrier, White Sulphur, West Virginia. Speech supplied.

June 2, 2011: Graduation Speaker, Saint Martin de Porres Catholic School, Columbia, South Carolina. Notes supplied.

May 9, 2011: Speaker, "Judge Waring's Civil Rights Cases Prior to *Briggs*," South Carolina Supreme Court Historical Society, Charleston, South Carolina. Video supplied.

April 27, 2011: Speaker, "Investiture Ceremony for Judge DeAndrea Gist-Benjamin," Columbia, South Carolina. Notes supplied.

February 9, 2011: Speaker, "Tips and Treasures for Women Lawyers," South Carolina Women Lawyers Association, Columbia, South Carolina. Notes supplied.

October 27, 2010: Speaker, South Carolina Bar Ribbon Cutting Ceremony, South Carolina Bar, Columbia, South Carolina. Speech supplied.

September 16, 2010: Panelist, "Intersections of Law and Politics: An Evening with SC's Federally Appointed Legal and Law Enforcement Professionals," Claflin University, Orangeburg, South Carolina. Notes supplied.

August 9, 2010: Speaker, Annual Meeting Invocation, America Bar Association, San Francisco, California. Invocation supplied.

February 12, 2010: Speaker, "Case Law of Opening Statements and Closing Arguments," South Carolina Chapter of American Board of Trial Advocates, Masters in Trial, Columbia, South Carolina. PowerPoint supplied

August 26, 2009: Speaker, "The Art of Billing," Boykin & Davis, Columbia, South Carolina. Notes supplied.

August 3, 2009: Panelist, "Practice Before the South Carolina Circuit Court," Bridge the Gap Program, South Carolina Supreme Court, Columbia, South Carolina. Notes supplied.

July 13, 2009: Speaker, "Judging the Jury—Voir Dire in South Carolina: A View from the Bench," South Carolina Bar, Columbia, South Carolina. Video supplied.

June 17, 2009: Presenter, "Self-Represented Litigants," South Carolina Access to Justice Commission, Columbia, South Carolina. I presented potential initiatives related to self-represented litigants including materials for clerk's offices to assist this population with representing themselves in court. I have no notes, transcript, or recording. The address of the South Carolina Access to Justice Commission is 1231 Gervais Street, Columbia, South Carolina 29201.

June 14, 2009: Speaker, "Cosmetology-From Good to Great: The Cosmetologist's Dream," South Carolina State Cosmetology Association, Columbia, South Carolina. Speech supplied.

May 29, 2009: Commencement Address, Richland One Evening School, Heyward Career Center, 3500 Lynhaven Drive, Columbia, SC 29204. Notes supplied.

March 9, 2009: Panelist, "Practice Before the South Carolina Circuit Court," Bridge the Gap Program, South Carolina Supreme Court, Columbia, South Carolina. Video supplied.

February 19, 2009: Panelist, "Celebrating Black History Month," Strategic Resource Company, Columbia, South Carolina. Notes supplied.

November 16, 2008: Panelist, "Gender Issues in Practicing Law," South Carolina Defense Trial Attorneys' Association, Columbia, South Carolina. I participated in a panel discussion about issues faced by women lawyers in practicing law, building clientele, and networking. I have no notes, transcript, or recording. The address of the South Carolina Defense Trial Attorneys' Association is One Windsor Cove, Suite 305, Columbia, South Carolina 29223.

October 31, 2008: Panelist, "Trial Strategies," Summit and Retreat, South Carolina Black Lawyers Association, Myrtle Beach, South Carolina. I participated in a panel discussion about practicing before South Carolina state courts. I have no notes, transcript, or recording. The address of the South Carolina Black Lawyers Association is P.O. Box 1092, Columbia, South Carolina 29202.

October 16, 2008: Speaker, "Paralegal's Role in a Civil Trial: What You Need to Know," Palmetto Paralegal Association, Columbia, South Carolina. PowerPoint supplied.

September 29, 2008: Panelist, "Criminal Law Update," South Carolina Solicitors Association, Columbia, South Carolina. I participated in a panel discussion about recent developments in criminal law. I have no notes, transcript, or recording.

The address of the South Carolina Solicitors Association is P.O. Box 11251, Columbia, South Carolina 29211.

August 1, 2008: Panelist, "Ask the Commissioners," South Carolina Trial Lawyers Association, Hilton Head Island, South Carolina. I participated in a panel discussion about tips in practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Trial Lawyers Association is 1901 Gadsden Street, Columbia, South Carolina 29211.

July 25, 2008: Panelist, "South Carolina's Business Courts," South Carolina Defense Trial Attorneys' Association, Columbia, South Carolina. I participated in a panel discussion about a pilot program for South Carolina's business courts and their role in making the litigation of business disputes more efficient. I have no notes, transcript, or recording. The address of the South Carolina Defense Trial Attorneys' Association is One Windsor Cove, Suite 305, Columbia, South Carolina 29223.

May 29, 2008: Commencement Speaker, Richland One Evening High School Program, W. A. Perry Middle School, Columbia, South Carolina. Speech supplied.

April 9, 2008: Speaker, "YWCA's Tribute to Women in Industry," Young Women's Christian Association Sumter Chapter, Sumter, South Carolina. Speech supplied.

January 31, 2008: Speaker, "Women of Principle and Progress Celebration," Carolina Encouragement Center, Columbia, South Carolina. I spoke about my pathway to becoming a state trial judge and the importance of fair and impartial courts. I have no notes, transcript, or recording. The address of the Carolina Encouragement Center is 2917 River Drive, Columbia, South Carolina 29206.

January 20, 2008: Panelist, "Careers in the Law," South Carolina Student Trial Lawyers' Association, University of South Carolina School of Law, Columbia, South Carolina. I participated in a panel discussion about various careers in the judiciary and clerking for law firms, corporations, and the judiciary. I have no notes, transcript, or recording. The address of the University of South Carolina School of Law is 1525 Senate Street, Columbia, South Carolina 29201.

December 11, 2007: Panelist, "Crime Victims and Justice Day," South Carolina Supreme Court, Columbia, South Carolina. I participated in a panel discussion about various types of cases that come before the trial courts of South Carolina. I have no notes, transcript, or recording. The address of the South Carolina Supreme Court is 1231 Gervais Street, Columbia, South Carolina 29201.

November 9, 2007: Speaker, Student Luncheon, University of South Carolina Darla Moore School of Business, Columbia, South Carolina. Remarks supplied.

October 29, 2007: Speaker, "South Carolina's Criminal Court System," University of South Carolina College of Arts and Sciences, Department of Criminology and Criminal Justice, Columbia, South Carolina. I spoke about navigating a criminal case in the South Carolina court system, including pre-trial motions, trial, and sentencing. I have no notes, transcript, or recording. The address of the University of South Carolina College of Arts and Sciences, Department of Criminology and Criminal Justice is 1305 Greene Street, Columbia, South Carolina 29209.

August 4, 2007: Panelist, "Ask the Commissioners," South Carolina Trial Lawyers Association, Hilton Head, South Carolina. I participated in a question-and-answer panel discussion about common issues that come before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Trial Lawyers Association is 1901 Gadsden Street, Columbia, South Carolina 29211.

March 21, 2007: Commencement Speaker, South Carolina Executive Institute, Clemson University, Clemson, South Carolina. Speech supplied.

March 10, 2007: Panelist, "Poised for Greatness," Women of Wisdom Expo, Bible Way Church, Columbia, South Carolina. Notes supplied.

February 27, 2007: Panelist, "Will Our Past Sustain Us? Professionalism Issues Ahead," South Carolina Bar, Columbia, South Carolina. I participated in a panel discussion about professionalism and the federal courts. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

September 29, 2006: Panelist, "Judicial Elections: Where Do We Go From Here and Other Legislative Issues," South Carolina Black Lawyers Association, Charleston, South Carolina. I participated in a panel discussion about judicial elections in South Carolina. I have no notes, transcript, or recording. The address of the South Carolina Black Lawyers Association is P.O. Box 1092, Columbia, South Carolina 29202.

September 25, 2006: Panelist, "Update on Criminal Cases," South Carolina Solicitors Association, Columbia, South Carolina. I participated in a panel discussion about procedural and substantive issues in criminal cases. I have no notes, transcript, or recording. The address of the South Carolina Solicitors Association is P.O. Box 11251, Columbia, South Carolina 29211.

August 17, 2006: Speaker, "Remarks at Swearing-In Ceremony for Election to the South Carolina Circuit Court," Richland County Judicial Center, Columbia, South Carolina. Remarks supplied.

August 4, 2006: Panelist, "Ask the Commissioners," South Carolina Trial Lawyers Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Trial Lawyers Association is 1901 Gadsden Street, Columbia, South Carolina 29211.

July 29, 2006: Panelist, "Ask the Commissioners," South Carolina Defense Trial Attorneys' Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Defense Trial Attorneys' Association is One Windsor Cove, Suite 305, Columbia, South Carolina 29223.

February 9, 2006: Speaker, "Discovery Sanctions," Federal Trial Judges' Continuing Legal Education, American Bar Association, Dallas, Texas. Notes supplied.

November 2005 (date unknown): Panelist, "Ask the Commissioners," Association of South Carolina Claimant Attorneys for Workers' Compensation, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The Association of South Carolina Claimant Attorneys for Workers' Compensation does not have a physical address.

October 23, 2005: Panelist, "Ask the Commissioners," South Carolina Workers' Compensation Educational Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Workers' Compensation Educational Association is P.O. Box 258, Irmo, South Carolina 29063.

August 26, 2005: Panelist, "Workers' Compensation Commission Update," South Carolina Bar, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

August 5, 2005: Panelist, "Ask the Commissioners," South Carolina Trial Lawyers Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The

address of the South Carolina Trial Lawyers Association is 1901 Gadsden Street, Columbia, South Carolina 29211.

July 30, 2005: Panelist, "Ask the Commissioners," South Carolina Defense Trial Attorneys' Association, Asheville, North Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Defense Trial Attorneys' Association is One Windsor Cove, Suite 305, Columbia, South Carolina 29223.

May 6, 2005: Panelist, "Ask the Commissioners," Association of South Carolina Claimant Attorneys for Workers' Compensation, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The Association of South Carolina Claimant Attorneys for Workers' Compensation does not have a physical address.

February 26, 2005: Panelist, "Ask the Commissioners," South Carolina Workers' Compensation Educational Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Workers' Compensation Educational Association is P.O. Box 258, Irmo, South Carolina 29063.

November 6, 2004: Panelist, "Ask the Commissioners," Association of South Carolina Claimant Attorneys for Workers' Compensation, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The Association of South Carolina Claimant Attorneys for Workers' Compensation does not have a physical address.

October 27, 2004: Panelist, "Ask the Commissioners," South Carolina Workers' Compensation Educational Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Workers' Compensation Educational Association is P.O. Box 258, Irmo, South Carolina 29063.

August 6, 2004: Panelist, "Ask the Commissioners," South Carolina Trial Lawyers Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Trial Lawyers Association is 1901 Gadsden Street, Columbia, South Carolina 29211.

July 16, 2004: Panelist, "Ask the Commissioners," South Carolina Defense Trial Attorneys' Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Defense Trial Attorneys' Association is One Windsor Cove, Suite 305, Columbia, South Carolina 29223.

October 20, 2003: Panelist, "Ask the Commissioners," Association of South Carolina Claimant Attorneys for Workers' Compensation, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The Association of South Carolina Claimant Attorneys for Workers' Compensation does not have a physical address.

July 25, 2003: Panelist, "Ask the Commissioners," South Carolina Defense Trial Attorneys' Association, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Defense Trial Attorneys' Association is One Windsor Cove, Suite 305, Columbia, South Carolina 29223.

May 30, 2003: Panelist, "Issues in Workers' Compensation," Association of South Carolina Claimant Attorneys for Workers' Compensation, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The Association of South Carolina Claimant Attorneys for Workers' Compensation does not have a physical address.

May 27, 2003: Speaker, "Investiture Ceremony of Judge Reginald I. Lloyd," Richland County Courthouse, Columbia, South Carolina. Notes supplied.

May 29, 2002: Speaker, "Outstanding Achievement in Workplace Safety," South Carolina Department of Transportation, Kershaw, South Carolina. Notes supplied.

May 3, 2002: Panelist, "Ask the Commissioners," Association of South Carolina Claimant Attorneys for Workers' Compensation, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The Association of South Carolina Claimant Attorneys for Workers' Compensation does not have a physical address.

Spring 2002 (date and location unknown): Speaker, Nominating Speech for Burnadette Norris-Weeks for American Bar Association Young Lawyers Division's Representative on the American Bar Association Young Lawyer's Division Nominating Committee. I spoke about Ms. Norris-Weeks' legal career,

community service and accomplishments. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

April 5, 2002: Panelist, "Medicare Issues in Workers' Compensation," South Carolina Bar, Columbia, South Carolina. I participated in a panel discussion about tips for practicing before the South Carolina Workers' Compensation Commission. I have no notes, transcript, or recording. The address of the South Carolina Bar is 950 Taylor Street, Columbia, South Carolina 29201.

November 29, 2001: Panelist, "Roles in Litigation," Young CPAs, Attorneys & Bankers Networking and Continuing Education, South Carolina Association of CPAs, Columbia, South Carolina. I participated in a panel discussion about the role of experts in litigation. I have no notes, transcript, or recording. The address of the South Carolina Association of CPAs is 1300 12th Street, Suite D, Cayce, South Carolina 29033.

September 2001 (date unknown): Speaker, "Workplace Safety in South Carolina," South Carolina Department of Labor, Licensing and Regulation, Columbia, South Carolina. I discussed my role as the Deputy Director of the South Carolina Department of Labor, Licensing, & Regulation, Division of Labor, the responsibilities of our Occupational Safety and Health Administration Division ("OSHA"), and our outreach services to assist employers through voluntary reporting of OSHA violations. I have no notes, transcript, or recording. The address of the South Carolina Department of Labor Licensing and Regulation is Synergy Business Park, Kingstree Building, 110 Centerview Drive, Columbia, South Carolina 29210.

August 9, 2001: Speaker, "Outstanding Achievement in Workplace Safety," Celanese PBI, Rock Hill, South Carolina. Speech supplied.

May 12, 2001: Panelist, "The Nuts and Bolts of IP Law," Continuing Legal Education, American Bar Association Young Lawyers Division, Anchorage, Alaska. I participated in a panel discussion about effective oral presentations in Markman and other intellectual property law hearings. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

May 2001 (date unknown): Speaker, "Workplace Violence," South Carolina Department of Labor Licensing and Regulation, Columbia, South Carolina. I discussed my role as the Deputy Director of the South Carolina Department of Labor, Licensing, & Regulation, Division of Labor, statistics on workplace violence, and the Department's role in outreach programs for workplace violence. I have no notes, transcript, or recording. The address of the South Carolina Department of Labor Licensing and Regulation is Synergy Business Park, Kingstree Building, 110 Centerview Drive, Columbia, South Carolina 29210.

April 5, 2001: Speaker, "Workplace Relations," South Carolina Chamber of Commerce, Columbia, South Carolina. Notes supplied.

March 28, 2001: Speaker, "Compliance and Investigations: What Lawyers Need to Know," South Carolina Department of Labor, Licensing, and Regulation, Columbia, South Carolina. I spoke about OSHA regulations, wage and hour compliance, and effectively responding to investigations. I have no notes, transcript, or recording. The address of the South Carolina Department of Labor, Licensing, and Regulation is 110 Centerview Drive, Columbia, South Carolina 29210.

March 21, 2001: Panelist, "Achieving Diversity in Your Law Office," South Carolina Bar (virtual event). Notes supplied.

March 5, 2001: Panelist, "Role of the SCDLRR," American Society of Safety Engineers, South Carolina Department of Labor, Licensing, and Regulation, Columbia, South Carolina. Notes supplied.

March 2001 (date unknown): Speaker, "Developing Young Lawyers for the Practice of Law," Practical Legal Training School of South Africa, American Bar Association, Johannesburg, South Africa. I spoke to South African law students about law school in the United States, careers in the law, and clerking for law firms, organizations, and judges. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

March 2001 (date unknown): Speaker, "Developing Young Lawyers for the Practice of Law," Practical Legal Training School of South Africa, American Bar Association, Pretoria, South Africa. I spoke to South African law students about law school in the United States, careers in the law, and clerking for law firms, organizations, and judges. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

March 2001 (date unknown): Speaker, "Developing Young Lawyers for the Practice of Law," Practical Legal Training School of South Africa, American Bar Association, Cape Town, South Africa. I spoke to South African law students about law school in the United States, careers in the law, and clerking for law firms, organizations, and judges. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

February 16, 2001: Speaker, "What Every Lawyer Should Know about Sexual Harassment Law," Continuing Legal Education, American Bar Association Young Lawyers Division, San Diego, California. I spoke about recent cases

involving Title VII and sexual harassment law, and effective investigations for sexual harassment. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

February 1, 2001: Speaker, Chamber of Commerce Human Resources Committee, Columbia, South Carolina. Notes supplied.

2001 (date and location unknown): Welcome Remarks at the Joint Spring Conference of the South Carolina and North Carolina Industry Liaison Groups. I provided a general welcome and introduction of the officers for the opening of the conference. I have no notes, transcript, or recording. There is no physical address for these organizations.

November 9, 2000: Speaker, South Carolina Department of Labor, Licensing, and Regulation and South Carolina Occupational Safety Council, Columbia, South Carolina. I presented safety awards and spoke about the role of the South Carolina Department of Labor, Licensing, and Regulation in assisting companies with compliance in safety laws. I have no notes, transcript, or recording. The address of the South Carolina Department of Labor, Licensing, and Regulation is 110 Centerview Drive, Columbia, South Carolina 29210. The South Carolina Occupational Safety Council has no physical address.

February 23, 2000: Speaker, "The Basics of OSHA," South Carolina Chamber of Commerce, Columbia, South Carolina. I spoke about OSHA regulations and wage and hour compliance. I have no notes, transcript, or recording. The address of the South Carolina Chamber of Commerce is 1301 Gervais Street, Suite 1100, Columbia, South Carolina 29201.

September 1998 (date unknown): Speaker, "Developing Young Lawyers for the Practice of Law," Practical Legal Training School of South Africa, American Bar Association, Johannesburg, South Africa. I spoke to South African law students about law school in the United States, careers in the law, and clerking for law firms, organizations, and judges. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

September 1998 (date unknown): Speaker, "Developing Young Lawyers for the Practice of Law," Practical Legal Training School of South Africa, American Bar Association, Pretoria, South Africa. I spoke to South African law students about law school in the United States, careers in the law, and clerking for law firms, organizations, and judges. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

September 1998 (date unknown): Speaker, "Developing Young Lawyers for the Practice of Law," Practical Legal Training School of South Africa, American Bar

Association Cape Town, South Africa. I spoke to South African law students about law school in the United States, careers in the law, and clerking for law firms, organizations, and judges. I have no notes, transcript, or recording. The address of the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

August 1998 (date unknown): Speaker, Admitted Students Program, University of South Carolina, Columbia, South Carolina. Notes supplied.

August 6, 1992: Speaker, Civil Rights Act of 1991: Practical Suggestions for Employers, Columbia Society for Human Resource Management, Columbia, South Carolina. Notes supplied.

In addition to the above speaking engagements, as I described in my 2009 Senate Judiciary Questionnaire I gave many informal talks for which I am unable to identify specific records and dates. During my tenure both as a Workers' Compensation Commissioner (2002 to 2006) and Circuit Court Judge (2006 to 2010), I participated on various panels, lectured at several Continuing Legal Education programs, and gave informal talks on topics including workers' compensation, civil and criminal trial procedural and evidentiary issues, professional responsibility and ethical obligations within the legal profession, and other current topics in the Circuit Court. During my employment with Nexsen Pruet, LLC (1991 to 2000) and the South Carolina Department of Labor, Licensing and Regulation (2000 to 2002), I regularly spoke to personnel management and human resource organizations as well as lectured at several Continuing Legal Education programs and seminars on a variety of employment and labor law issues. Other general topics on which I spoke included: Practical Trial Tips; Professional Development for Young Lawyers; Closing Arguments; Marketing Tips; Becoming Involved with Bar Organizations; Mentoring; and Making Partner in a Large Firm; The Family and Medical Leave Act of 1993; Basic Employment Law; At-Will Employment and Employee Contracts; The Latest Developments in Employment Discrimination and Equal Employment Opportunity Compliance; The Big Three: Workers' Compensation, Americans with Disabilities Act, Family Medical Leave Act; Discharge and Documentation Seminar; Documentation and Discharge: The Importance of Performance Evaluations in Defending a Wrongful Termination Claim; Employment Discrimination (Federal and State Remedies); Affirmative Action Plans; Preventing Sexual Harassment Claims Federal Update on Employment Law; Employee Handbooks: Including Disclaimers and Acknowledgments; South Carolina Employers' Manual-Chapter on the Family and Medical Leave Act; Employment and Labor Law Update: Americans with Disabilities Act; South Carolina Employers' Legal Reference Manual-Chapters on Employment Discrimination, Employee Rights to Leave, and Regulation of Wages and Hours; Americans with Disabilities Act: "Talkin' Out of Both Sides of Your Mouth"; The First Amendment and the Public Sector Employer; The After-Acquired Evidence Doctrine; Disciplining Students with Disabilities and Due Process

Hearings and Other Procedures; Legal Aspects of Personnel Management, The Disciplining of Employees, and Terminations; Racial Profiling Seminar Moderator; Investigating Sexual Harassment Claims: Role of Attorneys and Other Investigators; Federal Protection of Employment; Workplace Violence: Legal Considerations; Speech for Legal Administrators; Slips and Falls in Workers' Compensation Cases; The Top Ten Career Tips. Because they were previously supplied as attachments to my 2009 Senate Judiciary Questionnaire, I have supplied materials from my records that I would likely have used for such speaking engagements, though I cannot identify specific events.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Women's History Month Spotlight: Judge J. Michelle Childs, S.C. Bar (Mar. 30, 2021). Copy supplied.

Q&A with Judge J. Michelle Childs, Univ. of S.C. Sch. of L. (2020). Copy supplied.

University of South Carolina School of Law (@UofSC), Twitter (Nov. 20, 2020). Copy supplied.

Alumna and U.S. District Judge Honored with Leadership Position for the American Bar Association, Darla Moore Sch. of Bus. (Nov. 17, 2020). Copy supplied.

Judges Delay Call on Trump Meddling in Roger Stone Case, Law360 (Feb. 19, 2020). Copy supplied.

View from the Bench: U.S. District Judge J. Michelle Childs of the District of South Carolina, Practical L. Litig. (Feb. 7, 2018). Copy supplied.

Amended Federal Rules Enhances Technology Use, Am. Bar Ass'n (July 11, 2016). Copy supplied.

Marriage Case Judge Childs Known as Hard Worker, Greenville News (Oct. 16, 2015). Copy supplied.

The Ardent Ambassador: Judge J. Michelle Childs, Law360 (Aug. 19, 2014). Copy supplied.

Recovering Trial Technology Costs, Litig. News (Aug. 15, 2013). Copy supplied.

Midlands Luncheon with the Honorable J. Michelle Childs, S.C. Women Laws. Ass'n Blog: The Briefcase (July 29, 2011). Copy supplied.

Attorney, State (Dec. 23, 2009). Copy supplied.

William W. Smith, Sr. Nomination for "20 under 40," State (Jan. 5, 2009). Copy supplied.

Safety, Legality Are Necessities for Teen Workers, Times & Democrat (June 23, 2001). Copy supplied.

Lesia S. Kudelka, Childs Joins LLR as Deputy Director of Labor, LLR Times (June 2000). Copy supplied.

Atherholt Wins Scholarship, Times & Democrat (May 9, 2000). Copy supplied.

Interview with The Carolina Panorama (date unknown). I am unable to locate a copy.

1986 Miss Black Florida Bids Fond Adieu to Beauty Pageants, Tampa Trib. (July 18, 1987). Copy supplied.

Former Columbian Wins Miss Black Florida Title, Columbia Record (Aug. 28, 1986). Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

In 2009, President Barack Obama nominated me to serve as a United States District Judge for the District of South Carolina. I have served in that position since 2010. The district court is an Article III court of limited jurisdiction that hears cases falling within the court's diversity and federal question jurisdiction.

From 2006 to 2010, I served as a South Carolina Circuit Court Judge. I was elected to serve as an at-large Circuit Court judge by the South Carolina General Assembly in 2006, and fulfilled the remaining three years of my predecessor's unexpired term. In 2009, the General Assembly reelected me to the Circuit Court, and I remained in that position until I joined the federal bench. The South Carolina Circuit Court is the state's trial court of general jurisdiction.

In addition to my ordinary Circuit Judge duties, I was appointed by the Chief Justice of the South Carolina Supreme Court to serve as the At-Large Chief Administrative Judge for the Business Court Pilot Program in Richland County, South Carolina, from October 2007 until I concluded my service with the South Carolina Circuit Court. The Business Court Pilot Program was established for the purpose of designating one judge in the

participating counties to hear all matters arising from complex business cases assigned to the Business Court. The Chief Justice also appointed me to serve as the Chief Administrative Judge for General Sessions—a South Carolina criminal court—from January 2008 to January 2010. Additionally, I served as an Acting Justice of the South Carolina Supreme Court for civil and criminal matters on occasion when requested to do so by the Chief Justice.

From 2002 to 2006, I served as a Commissioner on the South Carolina Workers' Compensation Commission. I was appointed to that position by Governor James H. Hodges. As a Commissioner, I adjudicated issues related to compensability, medical treatment, temporary disability benefits, and partial or permanent disability awards for employees who sustained workplace injuries. I also reviewed appeals from other commissioners' orders.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?

As a United States District Judge, I have presided over 61 trials that have gone to verdict or judgment. Of these, 50 were jury trials—25 criminal and 25 civil, and 11 were bench trials—two criminal and nine civil. As a South Carolina Circuit Court Judge, I presided over thousands of matters, including a significant number of civil and criminal jury trials and bench trials.

- b. Provide citations for all opinions you have written, including concurrences and dissents.

For opinions I have written as a United States District Judge, please see attached list of opinions. As a South Carolina Circuit Court Judge, I rarely if ever issued written opinions. All of my published opinions can be found on the South Carolina Judicial Branch's website at <https://www.sccourts.org/opinions/searchOpinion.cfm>. All my other opinions were unpublished consistent with Circuit Court practice. These opinions are part of the case files that are publicly available in the South Carolina Circuit clerk's office.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. *In re Blackbaud, Inc., Customer Data Sec. Breach Litig.* MDL No. 2972, No. 3:20-mn-02972-JMC (D.S.C.)

I am currently presiding over a multidistrict litigation (“MDL”) involving nearly 100 state torts and data privacy law claims. Blackbaud provides data collection

and maintenance software solutions to non-profit organizations and other entities. In this case, the plaintiffs allege that cybercriminals orchestrated a ransomware attack on Blackbaud's systems, copied the plaintiffs' data, and held it for ransom. According to the plaintiffs, the ransomware attack resulted from Blackbaud's deficient security program, which failed to comply with industry and regulatory standards. After the ransomware attack was made public, putative class actions arising out of the intrusion into Blackbaud's systems and subsequent data breach were filed in state and federal courts across the country. On December 15, 2020, the Judicial Panel on Multidistrict Litigation consolidated all federal litigation related to the ransomware attack into this MDL for coordinated pretrial proceedings. On April 2, 2021, 34 named plaintiffs from 20 states filed a consolidated class action complaint against Blackbaud alleging that their personally identifiable information and protected health information were compromised during the ransomware attack in violation of the California Confidentiality of Medical Information Act, the Florida Deceptive and Unfair Trade Practices Act, the New Jersey Consumer Fraud Act, the New York General Business Law, the Pennsylvania Unfair Trade Practices Act, and the South Carolina Data Breach Security Act. Plaintiffs also asserted claims of negligence, gross negligence, unjust enrichment, and negligence *per se* based on violations of the Federal Trade Commission Act, the Healthcare Insurance Portability and Accountability Act of 1996, and the Children's Online Privacy Protection Act. All told, the plaintiffs assert six claims on behalf of a putative nationwide class as well as 91 statutory claims on behalf of putative state subclasses.

I have entered 16 case management orders, governing everything from scheduling orders to significant discovery issues. To facilitate the efficient resolution of the matters, I also entered scheduling orders to narrowly tailor the various phases of motions practice to address jurisdictional issues, certain statutory claims, and specific common law claims seriatim. I have since denied Blackbaud's motion to dismiss for lack of subject matter jurisdiction, 2021 WL 2718439 (D.S.C. July 1, 2021), granted in part and denied in part Blackbaud's motion to dismiss the plaintiffs' state statutory claims, 2021 WL 3568394 (D.S.C. Aug. 12, 2021), and granted in part and denied in part Blackbaud's motion to dismiss the plaintiffs' common law claims, 2021 WL 4866393 (D.S.C. Oct. 19, 2021). The MDL, which is now comprised of 28 member cases, remains ongoing in my court.

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2. *Middleton v. Andino*, No. 3:20-cv-01730-JMC (D.S.C.)

On May 1, 2020, the plaintiffs, six registered South Carolina voters and the South Carolina Democratic Party, sued the South Carolina State Election Commission and its individual members seeking to enjoin certain laws promulgated by the State of South Carolina restricting their ability to vote by absentee ballot. Specifically, the plaintiffs challenged: (1) South Carolina's requirement that a witness be present when a voter signs their ballot; (2) South Carolina's failure to provide pre-paid postage on its mail-in absentee ballots, requiring voters to independently secure postage for their ballot to be counted; (3) South Carolina's rejection of all mail-in absentee ballots received by the county after 7:00 p.m. on

Election Day; and (4) South Carolina's decision to make it a felony for a candidate or paid campaign staff to assist voters with returning their voted absentee ballots to elections officials.

On May 12, 2020, the South Carolina General Assembly passed legislation allowing all qualified voters in South Carolina to vote by absentee ballot without an excuse for the June 9, 2020, primary and the June 23, 2020, runoff election due to the state of emergency caused by the COVID-19-pandemic. That same day, I granted the South Carolina Republican Party and the South Carolina General Assembly's requests to intervene in the case. On May 25, 2020, I entered an injunction for the plaintiffs only as to the witness requirement, enjoining the defendants from enforcing the witness requirement during the June 2020 primaries and resulting runoff elections occurring in South Carolina. The defendants did not appeal my ruling.

On August 21, 2020, I granted the South Carolina House of Representatives Speaker Jay Lucas and South Carolina Senate President Harvey Peeler's requests to intervene in the case. On September 18, 2020, I entered an injunction for the plaintiffs only as to the witness requirement, this time enjoining the defendants from enforcing the witness requirement during the 2020 general election. The defendants appealed to the United States Court of Appeals for the Fourth Circuit. On September 24, 2020, a three-judge panel stayed my injunction pending the appeal. Thereafter, on September 25, 2020, a majority of the judges on the Fourth Circuit voted to grant rehearing *en banc*. And upon *en banc* consideration, a majority of the Fourth Circuit issued an order on September 30, 2020, denying the defendants' motion to stay the injunction.

Pursuant to an application for a stay, Chief Justice Roberts granted a stay of my order on October 5, 2020, "pending disposition of the appeal in the United States Court of Appeals for the Fourth Circuit and disposition of the petition for a writ of certiorari." The presidential election was held on November 3, 2020. Thereafter, on December 17, 2020, upon consideration of the defendants' suggestion of mootness, a three-judge panel of the Fourth Circuit dismissed the appeal of my order as moot. The Fourth Circuit issued its mandate on January 8, 2021.

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Decisions in this case can be found at *Thomas v. Andino*, C/A No. 3:20-cv-01552-JMC, C/A No. 3:20-cv-01730-JMC, 2020 WL 2617329 (D.S.C. May 25, 2020) (granting in part the plaintiffs' first motion for preliminary injunction); *Middleton v. Andino*, 488 F. Supp. 3d 261 (D.S.C. 2020) (granting in part the plaintiffs' second motion for preliminary injunction); *Middleton v. Andino*, 20-2022, 2020 WL 5739010 (4th Cir. Sept. 24, 2020) (order staying the injunction); *Middleton v. Andino*, 976 F.3d 403 (4th Cir. 2020) (granting rehearing); *Middleton v. Andino*, 990 F.3d 768 (4th Cir. 2020) (denying the motion to stay the injunction); *Andino v. Middleton*, 141 S. Ct. 9 (2020) (order granting the stay).

3. *United States v. Underwood*, No. 0:19-cr-00420-JMC-1 (D.S.C.); *United States v. Neal*, No. 0:19-cr-00420-JMC-2 (D.S.C.); *United States v. Sprouse*, No. 0:19-cr-00420-JMC-3 (D.S.C.)

Mr. Underwood was the Sheriff of Chester County, South Carolina until May of 2019. During Mr. Underwood's tenure as Sheriff, Mr. Sprouse served as Mr. Underwood's Chief Deputy, and Mr. Neal was a lieutenant in the Chester County

Sheriff's Office. On May 7, 2019, a grand jury returned an eight-count indictment charging Mr. Underwood, Mr. Neal, and Mr. Sprouse with civil rights violations, obstruction of justice, and false statements in relation to a conspiracy to conceal excessive use of force and unlawful arrest. Superseding indictments added allegations of financial misconduct, federal program theft, and wire fraud. On January 2, 2021, I granted in part the government's motion in limine seeking to admit evidence that (1) the defendants used their positions to retaliate against opponents and reward allies; (2) Mr. Underwood previously violated the County's procurement policies and had knowledge of the violations; (3) Sheriff's Office employees made statements about Mr. Underwood and Mr. Neal routing security detail payments through a detention center bank account; and (4) Mr. Neal used excessive force against arrestees. On March 31, 2021, I granted the government's motion in limine to exclude specified opinions that the defendants' experts were going to offer at trial.

I presided over defendants' jury trial from April 12 to 23, 2021. On April 23, 2021, the jury returned guilty verdicts against Mr. Underwood for wire fraud, federal program theft, and deprivation of civil rights; against Mr. Neal for conspiracy to violate federal law, wire fraud, falsification of records in a federal investigation, federal program theft, and deprivation of civil rights; and against Mr. Sprouse for conspiracy to violate federal law, falsification of records in a federal investigation, federal program theft, and issuance of a false statement. Each of the defendants filed a motion for judgment of acquittal and motion for new trial. I denied each of these motions.

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Decisions in this case can be found at *United States v. Underwood*, Crim. Action No. 0:19-cr-420-JMC, 2021 WL 22469 (D.S.C. Jan. 2, 2021) (granting the government's motion in limine); 2021 WL 1207455 (D.S.C. Mar. 31, 2021) (granting the government's motion in limine); 2021 WL 5864022 (denying Mr. Underwood's motion for judgment of acquittal and motion for new trial); *United States v. Neal*, No. 0:19-cr-420-JMC, 2021 WL 5986706 (denying Mr. Neal's motion for judgment of acquittal and motion for new trial); *United States v. Sprouse*, No. 0:19-cr-420-JMC, 2021 WL 5986731 (denying Mr. Sprouse's motion for judgment of acquittal and motion for new trial).

4. *S.C. Elec. & Gas Co. v. Randall*, No. 3:18-cv-01795-JMC (D.S.C.)

This matter concerned the failed construction by South Carolina Electric & Gas Company ("SCE&G") of two nuclear reactors known as V.C. Summer Units 2 and 3 in Jenkinsville, South Carolina. Through legislation passed by the South Carolina General Assembly, SCE&G was able to alleviate the cost of financing the project with tax credits and revised rates from 2008 to 2016. In early 2017, SCE&G determined that it was going to take longer and cost more to complete the Units. Furthermore, in July 2017, SCE&G learned that its joint venture partner was going to abandon the project. As a result, SCE&G decided that it was no longer commercially reasonable to move forward with constructing the Units. After announcing it would cease construction of the reactors on July 31, 2017, SCE&G filed this action against the commissioners of the South Carolina Public Service Commission on June 29, 2018, alleging that SCE&G's rights under the Due Process Clause of the Fourteenth Amendment, the Bill of Attainder Clause of Article 1, § 10, and the Takings Clause of the Fifth and Fourteenth Amendments were violated when the South Carolina General Assembly passed an act and resolution that essentially eliminated the rate increases SCE&G received to offset the cost of constructing the reactors. On July 18, 2018, I granted the South Carolina House of Representatives Speaker Jay Lucas and South Carolina Senate President Pro Tempore Hugh K. Leatherman, Sr.'s requests to intervene in the case. On August 6, 2018, I denied SCE&G's motion for preliminary injunction seeking to stay enforcement of the act and resolution after determining that SCE&G could not show a likelihood of success on the merits of its constitutional

claims. On August 7, 2018, I denied SCE&G's expedited motion for an injunction pending appeal.

On August 7, 2018, SCE&G appealed my denial of its motion for preliminary injunction to the United States Court of Appeals for the Fourth Circuit. On September 24, 2018, the Fourth Circuit denied SCE&G's emergency motion for injunction pending appeal and to expedite the decision. The Fourth Circuit also denied the defendants' motion to dismiss the appeal for lack of subject matter jurisdiction. Thereafter, the parties agreed to dismiss the appeal, and on December 4, 2018, the Fourth Circuit dismissed SCE&G's appeal pursuant to Federal Rule of Appellate Procedure 42(b).

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Decisions for this case can be found at *S.C. Elec. & Gas Co. v. Randall*, 333 F. Supp. 3d 552 (D.S.C. 2018) (denying SCE&G’s motion for preliminary injunction); C/A No. 3:18-cv-01795-JMC, 2018 WL 3751470 (D.S.C. Aug. 7, 2018) (denying SCE&G’s expedited motion for an injunction pending appeal); *S.C. Elec. & Gas Co. v. Whitfield*, No. 18-1899, 2018 WL 7203223 (4th Cir. Dec. 4, 2018) (dismissing SCE&G’s appeal).

5. *Butler v. Fluor Corp.*, 0:17-cv-02201-JMC (D.S.C.)

In *Butler*, and its companion matter *Pennington v. Fluor*, the plaintiffs alleged that the terminations of their employment violated the Worker Adjustment and Retraining Notification Act (“WARN”). The cases arose out of the decision by South Carolina Electric & Gas Company (“SCE&G”) on July 31, 2017, to stop the construction of two nuclear reactors at the V.C. Summer Nuclear Station in Jenkinsville, South Carolina. As a result of SCE&G’s decision, Fluor laid off approximately 4,000 employees who had been working and/or receiving assignments at V.C. Summer. The plaintiffs filed suit alleging that Fluor, SCE&G, and other entities were a single employer of all individuals working at V.C. Summer. After I consolidated the cases for purposes of discovery and pretrial motions, I granted the plaintiffs’ motions for class certification on July 17, 2018. The parties then engaged in extensive discovery. Thereafter, on January 6, 2021, I granted the defendants’ motions for summary judgment and denied the plaintiffs’ motions for summary judgment. I concluded that Fluor and the other entities did not act as a single employer under the WARN Act and Fluor by itself did not qualify as an employer subject to the WARN Act’s provisions.

On appeal, the United States Court of Appeals for the Fourth Circuit affirmed my decision finding that the cases did not meet the standard for single-employer liability and Fluor had complied with its requirements under the WARN Act.

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Decisions for this case can be found at *Butler v. Fluor Corp.*, C/A No. 0:17-cv-02201-JMC, C/A No.: 0:17-cv-02094-JMC, 2018 WL 8693487 (D.S.C. Feb. 16, 2018 (consolidating the cases); *Pennington v. Fluor Corp.*, 327 F.R.D. 89 (D.S.C. 2018) (granting class certification); *Butler v. Fluor Corp.*, 511 F. Supp. 3d 688 (D.S.C. 2021) (granting the defendants' motions for summary judgment and denying the plaintiffs' motions for summary judgment); *Pennington v. Fluor Corp.*, No. 21-1141, No. 21-1143, 2021 WL 5570631 (4th Cir. Nov. 30, 2021) (affirming summary judgment).

6. *Cohen v. United States*, No. 3:16-cv-01489-JMC (D.S.C.); *Brown v. United States*, No. 3:16-cv-03053-JMC (D.S.C.); *Kings Grant Owners Ass'n, Inc. v. United States*, No. 3:17-cv-00289-JMC (D.S.C.); *Heilich v. United States*, No. 3:16-cv-03054-JMC (D.S.C.); *Sun Suk v. United States*, No. 3:17-cv-02674-JMC (D.S.C.)

During a four-day period in October 2015, a historic storm event occurred across South Carolina causing rainfall totals in the Columbia area that exceeded 1,000-year recurrence intervals. The plaintiffs filed cases against the United States seeking to recover monetary compensation under the Federal Tort Claims Act ("FTCA") for damage caused to their homes by flood water released when it breached the Semmes Lake Dam and the Lower Legion Lake Dam at Fort Jackson army installation. The plaintiffs asserted that the government's management at Fort Jackson negligently failed to operate and maintain the Semmes Lake Dam and negligently failed to conduct mandatory maintenance on the dams. After extensive discovery, the plaintiffs filed for partial summary judgment and the government moved to dismiss the matters. On September 27, 2018, I granted the government's motion to dismiss, concluding that the conduct challenged by the plaintiffs fell under the discretionary function exception of the FTCA and, therefore, that the claims were barred by sovereign immunity. On December 21, 2018, I denied the plaintiffs' motions to alter or amend judgment, in which they asserted that the discretionary function exception was inapplicable to their claims. The plaintiffs appealed my ruling to the United States Court of Appeals for the Fourth Circuit. On June 3, 2020, the Fourth Circuit affirmed my decision and entered its judgment and mandate on July 27, 2020.

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Decisions in this case can be found at *Cohen v. United States*, C/A No. 3:16-cv-01489-JMC, 2018 WL 4635961 (D.S.C. Sept. 27, 2018) (granting the Government's motion to dismiss); 2018 WL 6715567 (D.S.C. Dec. 21, 2018) (denying the plaintiffs' motions to alter and amend); 813 F. App'x 864 (4th Cir. 2020) (affirming dismissal of the case).

7. *South Carolina v. United States*, No. 1:16-cv-00391-JMC (D.S.C.)

In this matter, the State of South Carolina sued the United States, the U.S. Department of Energy, and others alleging that they failed to adhere to statutory obligations within 50 U.S.C. § 2566, which required the federal government to either (1) construct a mixed-oxide fabrication facility at the Savannah River Site ("SRS") and achieve specified production results or (2) remove metric tons of defense plutonium from SRS and provide financial and economic assistance payments to the State. On February 7, 2017, I dismissed the State's claim for economic payments, concluding that jurisdiction over such remedy was proper only in the United States Court of Federal Claims. On March 20, 2017, I entered an order compelling the defendants "to remove from South Carolina one metric ton of defense plutonium." And on December 20, 2017, I entered an order specifically giving the defendants two years to remove the plutonium. The defendants appealed my rulings to the United States Court of Appeals for the Fourth Circuit. On October 26, 2018, the Fourth Circuit affirmed my decision and entered its judgment and mandate on December 18, 2018.

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Decisions for this case can be found at *South Carolina v. United States*, C/A No. 1:16-cv-00391-JMC, 2017 WL 491696 (D.S.C. Feb. 7, 2017) (granting in part the defendants' motion to dismiss); 243 F. Supp. 3d 673 (D.S.C. 2017) (granting in part the State of South Carolina's motion for summary judgment); 2017 WL 7691885 (D.S.C. Dec. 20, 2017) (requiring the defendants to specifically remove plutonium from South Carolina); 907 F.3d 742 (4th Cir. 2018) (affirming decision).

8. *United States v. Ceja-Rangel*, No. 5:14-cr-00556-JMC-2 (D.S.C.); *United States v. Fuentes-Morales*, No. 5:14-cr-00556-JMC-1 (D.S.C.)

Defendants Fuentes-Morales and Ceja-Rangel had ties to the Sinaloa Cartel and were involved in a cartel kidnapping conspiracy. The government charged both defendants with conspiracy to commit kidnapping, kidnapping, conspiracy to detain a hostage for ransom, brandishing a firearm during and in relation to a crime of violence, and making a false statement. Mr. Ceja-Rangel was also charged with being a convicted felon in possession of a firearm. I conducted an 11-day jury trial; it resulted in a mistrial because the jury foreperson refused to convict either defendant on any count. I then conducted a nine-day trial; that second trial resulted in a verdict of guilty on all counts against both defendants. On May 10, 2016, I sentenced Mr. Ceja-Rangel to 677 months of imprisonment. On February 23, 2017, I sentenced Mr. Fuentes-Morales to 619 months of imprisonment.

Mr. Ceja-Rangel appealed his sentence to the United States Court of Appeals for the Fourth Circuit. The Fourth Circuit affirmed my sentence on May 4, 2017, and issued its judgment and mandate on May 26, 2017. Mr. Fuentes-Morales also appealed his sentence to the Fourth Circuit. On October 15, 2019, the Fourth Circuit granted a joint motion by the parties to vacate Mr. Fuentes-Morales' sentence as to two charges of brandishing a firearm during and in relation to a crime of violence and remanded the matter to me for resentencing. On February 25, 2020, I resentenced Mr. Fuentes-Morales to a term of 500 months of

imprisonment. Mr. Fuentes-Morales appealed that sentence, too. The Fourth Circuit affirmed my sentence on November 13, 2020, and issued its judgment and mandate on December 7, 2020.

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Decisions for this case can be found at *United States v. Ceja-Rangel*, 688 F. App'x 203 (4th Cir. 2017) (affirming sentence of Mr. Ceja-Rangel); *United States v. Fuentes-Morales*, 828 F. App'x 926 (4th Cir. 2020) (affirming resentencing of Mr. Fuentes-Morales).

9. *Bradacs v. Haley*, No. 3:13-cv-02351-JMC (D.S.C.)

In *Bradacs*, the plaintiffs sued the South Carolina Governor and Attorney General to challenge the constitutionality of South Carolina laws denying legal recognition in South Carolina to same-sex marriages formalized outside of the state. Specifically, the plaintiffs asserted civil rights claims under 42 U.S.C. § 1983 for violations of due process and equal protection under the Fourteenth Amendment

to the U.S. Constitution. On November 10, 2014, I dismissed the Governor of South Carolina from the action based on Eleventh Amendment immunity. On November 18, 2014, I entered an opinion granting the plaintiffs' motion for summary judgment on their claims that South Carolina's "denial of legal recognition to the marriages of same-sex couples violates the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the United States Constitution," but denied summary judgment as to their "claim asserting that South Carolina's denial of legal recognition to the marriages of same-sex couples who were married in other states or jurisdictions violates the Full Faith and Credit Clause of the United States Constitution."

On December 25, 2014, the Attorney General of the State of South Carolina appealed my ruling to the United States Court of Appeals for the Fourth Circuit. While the appeal was pending, the United States Supreme Court issued *Obergefell v. Hodges*, 576 U.S. 644 (2015). Thereafter, the Attorney General moved to dismiss the appeal, observing that the State of South Carolina no longer had any legal basis to defend its constitutional amendment limiting marriage to the union of one man and one woman. The United States Court of Appeals for the Fourth Circuit then dismissed the appeal pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure.

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10. *In re Bldg. Materials Corp. of Am. Asphalt Roofing Shingle Prods. Liab. Litig.*, No. 8:11-mn-02000-JMC (D.S.C.); *Thompson v. GAF Materials Corp.*, No. 8:11-cv-00983-JMC (D.S.C.); *First Baptist Church of Blairsville v. GAF Materials Corp.*, No. 8:12-cv-00087-JMC (D.S.C.); *Green v. GAF Materials Corp.*, No. 8:12-cv-00088-JMC (D.S.C.); *Posey v. GAF Materials Corp.*, No. 3:11-cv-02784-JMC (D.S.C.); *Morocco v. Bldg. Materials Corp. of Am.*, No. 8:11-cv-02785-JMC (D.S.C.); *McDaniel v. Bldg. Materials Corp. of Am.*, No. 8:11-cv-02879-JMC (D.S.C.); *Haner v. Bldg. Materials Corp. of Am.*, No. 8:11-cv-02926-JMC (D.S.C.); *Erickson v. Bldg. Materials Corp. of Am.*, No. 8:11-cv-03085-JMC (D.S.C.); *Griffin v. Bldg. Materials Corp. of Am.*, No. 8:12-cv-00082-JMC (D.S.C.); *Ragan v. Bldg. Materials Corp. of Am.*, No. 8:12-cv-00095-JMC (D.S.C.); *Byrd v. Bldg. Materials Corp. of Am.*, No. 8:12-cv-00789-JMC (D.S.C.); *Ashley v. Bldg. Materials Corp. of Am.*, No. 8:13-cv-03424-JMC (D.S.C.)

Classes of plaintiffs in the District of South Carolina, the District of Minnesota, the Eastern District of Virginia, and the District of New Jersey alleged that roofing shingles manufactured by Building Materials Corporation of America d/b/a GAF Materials Corp. ("GAF") failed prematurely due to defects inherent in the shingles and that GAF knew about the purported defects. The United States Judicial Panel of Multidistrict Litigation consolidated the various cases, transferred them to the District of South Carolina, and assigned them to me in October 2011. As new cases were transferred in by the Judicial Panel, I worked with the parties to establish appropriate scheduling orders in all of the cases. Thereafter, I entered five pre-trial orders in the lead case to govern aspects of the litigation including the designation of plaintiffs' counsel, steering committee, and liaison, the procedure for conducting depositions, and the preservation of evidence. I also addressed a number of pending substantive motions filed in the related cases up to the settlement of this case on the eve of trial. On July 9, 2014, I entered an order denying GAF summary judgment as to the plaintiffs' class claims for negligence, breach of express and implied warranties, and unjust enrichment and scheduled the matter for trial at the end of July 2014. Thereafter, prior to the trial, I ruled on a substantial number of pre-trial motions. On the eve of trial, the parties reached a global settlement of all claims; the settlement provided for creation of a settlement class and a claims process providing for cash and shingle replacement benefits based on property location, roof size, and the extent of any damaged shingles. On October 15, 2014, I entered an order granting the plaintiffs' motion to certify a class for settlement purposes and for preliminary

approval of the class action settlement and form and dissemination of notice to the class. On April 23, 2015, I granted final certification of the settlement class, appointed class representatives, co-lead counsel, and a third-party claims administrator, and approved the settlement agreement. On June 23, 2015, I appointed a special master to preside over any disputes between the parties consistent with, pursuant to, or in relation to their settlement agreements and to adjudicate appeals of the claims administrator's decisions.

From July 2015 to the present, the special master has adjudicated appeals of the third-party claims administrator's denial of settlement class members' claims for benefits. Pursuant to the parties' settlement agreement, the claims period will end in April 2022.

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The decision for this case can be found at *Brooks v. GAF Materials Corp.*, 41 F. Supp. 3d 474 (D.S.C. 2014) (granting in part and denying in part GAF's motion for summary judgment).

- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

1. *In re Blackbaud, Inc., Customer Data Sec. Breach Litig. MDL No. 2972*, No. 3:20-mn-02972-JMC, 2021 WL 3568394 (D.S.C. Aug. 12, 2021)

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2. *Middleton v. Andino*, 488 F. Supp. 3d 261 (D.S.C. 2020)

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3. *Phillips & Jordan, Inc. v. McCarthy Improvement Co.*, No. 5:18-cv-00559-JMC, 2020 WL 5793377 (D.S.C. Sept. 29, 2020)

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4. *Accident Ins. Co. v. U.S. Bank Nat'l Ass'n*, No. 3:16-cv-02621-JMC, 2020 WL 1910096 (D.S.C. Apr. 20, 2020)

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5. *Brown-Thomas v. Hynie*, 441 F. Supp. 3d 180 (D.S.C. 2019)

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6. *Cohen v. United States*, No. 3:16-cv-01489-JMC, 2018 WL 4635961 (D.S.C. Sept. 27, 2018)

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7. *S.C. Elec. & Gas Co. v. Randall*, 333 F. Supp. 3d 552 (D.S.C. 2018)

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8. *South Carolina v. United States*, 243 F. Supp. 3d 673 (D.S.C. 2017)

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9. *Greenville Cty. Republican Party Exec. Comm. v. South Carolina*, 824 F. Supp. 2d 655 (D.S.C. 2011)

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10. *Bradacs v. Haley*, 58 F. Supp. 3d 514 (D.S.C. 2014)

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- e. Provide a list of all cases in which certiorari was requested or granted.

I have searched my files and legal databases for cases of mine in which certiorari was requested or granted. I found the following cases.

Billioni v. Bryant, No. 0:14-cv-03060-JMC (D.S.C. Jun. 20, 107), *remanded*, 998 F.3d 572 (4th Cir. 2021), *petition for cert. docketed*, No. 21-792 (U.S. Nov. 30, 2021)

Johnson v. Cty. of Horry, C/A No. 4:09-cv-01758-JMC, 2012 WL 3260417 (D.S.C. Aug. 8, 2012), *aff'd*, 509 F. App'x 256 (4th Cir. 2013), *cert. denied*, 571 U.S. 887.

- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If

any of the opinions listed were not officially reported, provide copies of the opinions.

As a United States District Judge, I have presided over nearly 5,000 cases. Appeals have been filed in only about 500 of those matters. In the vast majority of those appeals, the United States Court of Appeals for the Fourth Circuit has either dismissed the appeal or affirmed my decision. My decisions have been either reversed or vacated in approximately four percent of the appeals filed, and in far less than one percent of all my nearly 5,000 matters.

Thomas v. Andino, No. 3:20-cv-01552-JMC & No. 3:20-cv-01730-JMC, 2020 WL 2617329 (D.S.C. May 25, 2020); *Middleton v. Andino*, 488 F. Supp. 3d 261 (D.S.C. 2020), *staying injunction*, No. 20-2022, 2020 WL 5739010 (4th Cir. Sept. 24, 2020), *reh'g en banc granted*, 976 F.3d 403 (4th Cir. 2020), *denying stay*, 990 F.3d 768 (4th Cir. 2020), *granting stay sub nom. Andino v. Middleton*, 141 S. Ct. 9 (2020). South Carolina voters challenged state laws regarding voting by absentee ballot as violations of the fundamental right to vote under the First and Fourteenth Amendments and the Voting Rights Act due to health risks caused by the Covid-19 pandemic. I granted a preliminary injunction enjoining the defendants from enforcing the witness requirement during the November 2020 election. On appeal, the Fourth Circuit stayed the injunction pending appeal, then granted a hearing *en banc*, upon which it denied the stay. The Supreme Court of the United States then stayed the preliminary injunction order pending appeal and petition for writ of certiorari. Ultimately, the Fourth Circuit dismissed the appeal as moot.

AmGuard Ins. Co. v. SG Patel & Sons II, LLC, No. 5:19-cv-00635-JMC, 2020 WL 980084 (D.S.C. Feb. 28, 2020), *rev'd and remanded*, 999 F.3d 238 (4th Cir. 2021). Plaintiff AmGuard Insurance Company filed an interpleader action seeking to post the maximum amount sought by accident victims under defendant's insurance policy. I dismissed AmGuard's interpleader claim for lack of subject matter jurisdiction on the ground that no diversity of citizenship existed among the claimants to the AmGuard policy, as required by 28 U.S.C. § 1335(a). In a matter of apparent first impression, the Fourth Circuit held that the plaintiff's citizenship could be considered to satisfy minimal diversity requirements for statutory interpleader when the action was in the nature of interpleader. The Fourth Circuit also concluded I abused my discretion when I did not consider whether Federal Rule of Civil Procedure 22 applied to the case. Accordingly, the Fourth Circuit reversed the dismissal and remanded the case for further proceedings. On remand, I entered an order allowing AmGuard to deposit a \$3,000,000.00 bond and enjoining the defendants from commencing any future action against AmGuard as to the deposited funds.

Heyward v. Price, No. 6:18-cv-00150-JMC, 2019 WL 1416880 (D.S.C. Mar. 29, 2019), *aff'd in part, vacated in part, remanded*, 785 F. App'x 109 (4th Cir. 2019). Mr. Heyward, a prisoner, brought a Section 1983 claim alleging excessive force

when the defendant correctional officer sprayed him with pepper spray. I accepted in part the recommendation of the magistrate judge, granting the defendant's motion for summary judgment, denying Mr. Heyward's motion for summary judgment, and denying as moot Mr. Heyward's outstanding discovery motions and motion to amend his complaint. On appeal, the Fourth Circuit considered the subjective and objective component of the plaintiff's Eighth Amendment claim. As to the subjective component, the Fourth Circuit agreed with my conclusion that there were genuine issues of material fact as to whether Mr. Heyward acted with the requisite state of mind. As to the objective component, however, the Fourth Circuit concluded that I should not have granted summary judgment on Mr. Heyward's excessive force claim, because I should have considered whether the pepper spray amounted to more than *de minimis* force. The Fourth Circuit thus vacated the grant of summary judgment to Mr. Heyward and remanded with instructions to apply the *de minimis* force standard. The case was then reassigned to another district judge, and it has now been dismissed following a settlement.

Heindel v. Andino, 359 F. Supp. 3d 341 (D.S.C. 2019), *judgment vacated, appeal dismissed*, No. 19-1204, 2019 WL 7781470 (4th Cir. Nov. 5, 2019). In this case, South Carolina voters brought suit against members of the South Carolina Elections commission for allegedly violating their right to have their ballots counted properly by using older touch-screen voting machines. I held that the plaintiffs did not have standing based on the speculative possibility of hacking or risk of malfunction. Upon consideration of the plaintiffs' unopposed motion to voluntarily dismiss their appeal and vacate the lower court judgment, the Fourth Circuit granted the plaintiffs' motion, vacated the lower court judgment, and dismissed the appeal pursuant to Federal Rule of Appellate Procedure 42(b).

Halcomb v. Ravenell, 344 F. Supp. 3d 844 (D.S.C. 2018), *rev'd and remanded*, 992 F.3d 316 (4th Cir. 2021). A state prison inmate, proceeding *pro se*, brought action against a classification committee chairperson, alleging violations of Fourteenth Amendment due process in not being given notice of a security detention hearing. I denied the prison official's motion for summary judgment based on qualified immunity. The Fourth Circuit agreed that the right to fair notice of a security hearing was appropriately identified. But the Fourth Circuit disagreed with my conclusion that a state prisoner's right to fair notice of a security detention hearing is so clearly established that a reasonable official would have known that the state prisoner had the right to be notified prior to his security detention hearing. Accordingly, the Fourth Circuit reversed the denial of the prison official's motion for summary judgment and remanded the matter with instructions to enter an order granting the motion. On remand, I entered an order granting the prison official's motion for summary judgment based on the entitlement to qualified immunity.

South Carolina v. United States, 329 F. Supp. 3d 214 (D.S.C. 2018), *vacated and remanded*, 912 F.3d 720 (4th Cir. 2019). This case involved a dispute between

South Carolina and the United States to dispose of plutonium stored within the Savannah River Site. I granted South Carolina's request for a preliminary injunction barring the federal government from ceasing construction of a facility designed to dispose of nuclear material. I concluded that South Carolina had standing due to environmental risks associated with long-term storage of nuclear material at the Savannah River Site, which abuts property owned by South Carolina. On appeal, the Fourth Circuit held that South Carolina's alleged injury was too speculative at the time to support standing, and that South Carolina's claims were not ripe for adjudication. Accordingly, the Fourth Circuit vacated the preliminary injunction and remanded the case for further proceedings. On remand, I dismissed the action without prejudice pursuant to the Fourth Circuit's ruling.

United States v. Goodwin, No. 3:17-cr-01143-JMC-1, 2018 WL 6582999 (D.S.C. Dec. 14, 2018), *vacated and remanded*, 811 F. App'x 870 (4th Cir. 2020). I determined at sentencing that Mr. Goodwin's prior convictions for possession with intent to distribute marijuana did not qualify as "controlled substance offense[s]" and declined to sentence Mr. Goodwin as a career offender. I sentenced Mr. Goodwin to a total term of 125 months of imprisonment. After I sentenced Mr. Goodwin, but before the government appealed, the Fourth Circuit decided *United States v. Furlow*, 928 F.3d 311 (4th Cir. 2019), *vacated and remanded on other grounds*, 140 S. Ct. 2824 (2020), where it concluded that certain controlled substance statutes under South Carolina law were subject to the modified categorical approach, such that a defendant's conviction for distribution of crack cocaine under S.C. Code Ann. § 44-53-375(B) (West 2021) constituted a predicate offense under the Armed Career Criminal Act and career offender sentencing guidelines. Extending *Furlow*, the Fourth Circuit held that Mr. Goodwin's prior state-level convictions for possession with intent to distribute marijuana could qualify as predicate offenses for purposes of the career offender guidelines. On remand, I vacated the original judgment and re-sentenced Mr. Goodwin to 36 months of home confinement due to a qualifying medical condition during the COVID-19 pandemic and several mitigating circumstances regarding his criminal history, including the nonviolent nature of his predicate offenses which designated him as a career offender in accordance with the Fourth Circuit's ruling.

Blanding v. Comm'r of Soc. Sec. Admin., No. 9:17-cv-02747-JMC, 2018 WL 4786779 (D.S.C. Oct. 4, 2018), *rev'd and remanded*, No. 18-2446, 2019 WL 2382960 (4th Cir. Mar. 26, 2019). Mr. Blanding appealed the denial of his claim for social security benefits to this court. I accepted the magistrate judge's report and recommendation and affirmed the decision of the Commissioner of the Social Security Administration after finding Mr. Blanding's objection merely restated arguments already raised before the magistrate judge and that the administrative law judge's questions to Mr. Blanding regarding his access to his medical records were not improper. Upon the Commissioner's consent motion to remand the case, the Fourth Circuit remanded the case with instructions to reverse the decision of

the administrative law judge and remand the case for further administrative proceedings.

United States v. Brown, No. 6:08-cr-01141-JMC-1 (D.S.C. May 18, 2018), *aff'd in part, vacated in part, and remanded*, 744 F. App'x 830 (4th Cir. 2018). Prior to my appointment, this court sentenced Mr. Brown to 120 months of imprisonment for various firearms offenses. I revoked Mr. Brown's supervised release and sentenced him to 14 months of imprisonment followed by a new term of supervised release of 22 months. The Fourth Circuit found that I announced Mr. Brown's revocation sentence without explicit consideration of the applicable factors under 18 U.S.C. § 3553(a) or Mr. Brown's arguments for a lower sentence. The Fourth Circuit additionally found the error was not harmless. Accordingly, the Fourth Circuit affirmed the revocation of Mr. Brown's supervised release, but vacated his revocation sentence and remanded for resentencing. On remand, I conducted a revocation hearing and entered an amended judgment and custodial sentence of one year and one day of imprisonment.

Poly-Med, Inc. v. Novus Sci. Pte. Ltd., No. 8:15-cv-01964-JMC, 2018 WL 1932551 (D.S.C. Apr. 24, 2018), *appeal dismissed and remanded sub nom. Poly-Med Inc v. Novus Sci. PTE Ltd.*, 773 F. App'x 727 (4th Cir. 2019). This case involved numerous claims stemming from an alleged breach of contract between a medical materials developer and a medical devices company regarding the development and sale of surgical mesh. I granted partial summary judgment on the plaintiffs' breach of contract claims as time barred and dismissed the remaining claims upon the parties' stipulation. After this ruling, the Supreme Court of South Carolina recognized a continuing breach theory that would allow the time-barred claims to proceed. The Fourth Circuit certified to the Supreme Court of South Carolina the question of the continuing breach theory's applicability under South Carolina law in this case. The Supreme Court of South Carolina has heard oral argument on this matter, but has not yet answered the question.

United States v. Jackson, No. 1:16-cr-00401-JMC, 2017 WL11574030 (D.S.C. 2017), *vacated and remanded*, 713 F. App'x 172 (4th Cir. 2017). Mr. Jackson pleaded guilty to one count of bank robbery in violation of 18 U.S.C. § 2113(a) and was sentenced to a total term of 140 months of imprisonment. I sentenced Mr. Jackson as a career offender based on his prior robbery and attempted robbery convictions. The Fourth Circuit held that I erred in applying the modified categorical approach to determine if the career offender enhancement should be applied to Mr. Jackson's base offense level, and that Mr. Jackson's prior offenses were not "crimes of violence" under Georgia law. Accordingly, the Fourth Circuit vacated Mr. Jackson's sentence and remanded the case for resentencing. Thereafter, I resentenced Mr. Jackson to a total term of 50 months of imprisonment.

United States v. Buckman, No. 7:17-cr-00528-JMC, 2017 WL 6272034 (D.S.C. Dec. 11, 2017), *aff'd in part, vacated in part, and remanded*, 810 F. App'x 184 (4th Cir. 2020). Mr. Buckman was charged for violations of the felon in possession of a firearm statute. I determined at sentencing that Mr. Buckman's prior convictions for distributing crack cocaine did not qualify as "controlled substance offense[s]" and declined to sentence Mr. Buckman as a career offender. After I sentenced Mr. Buckman to a total term of 92 months of imprisonment, but before the government appealed, the Fourth Circuit decided *United States v. Furlow*, 928 F.3d 311 (4th Cir. 2019), *vacated and remanded on other grounds*, 140 S. Ct. 2824 (2020), where it concluded that certain controlled substance statutes under South Carolina law were subject to the modified categorical approach, such that a defendant's conviction for distribution of crack cocaine under S.C. Code Ann. § 44-53-375(B) constitutes a predicate offense under the Armed Career Criminal Act and career offender sentencing guidelines. Mr. Buckman had two prior state-level convictions for distribution of crack cocaine, and the Fourth Circuit held that based on *Furlow*, my conclusion that these were not predicate offenses was incorrect. The Fourth Circuit also held that Mr. Buckman's offense level could not be enhanced for obstruction of justice in light of his perjurious testimony, because I did not adequately address the factual basis for each element of the alleged perjury. As a result, the Fourth Circuit vacated Mr. Buckman's sentence and remanded for resentencing. On remand, I vacated the original judgment and re-sentenced Mr. Buckman to 180 months of imprisonment. Mr. Buckman appealed the amended sentence, but has since requested to withdraw his appeal, which is currently pending before the Fourth Circuit.

Trustgard Ins. Co. v. Brown, No. 3:17-cv-00807-JMC, 2017 WL 5991866 (D.S.C. Dec. 4, 2017), *vacated and remanded sub nom. Trustgard Ins. Co. v. Collins*, 942 F.3d 195 (4th Cir. 2019). Plaintiff Trustguard Insurance Company sought an order declaring that a commercial motor vehicle policy issued to Defendant Michael Brown does not provide coverage to Mr. Brown for an underlying motor vehicle accident. I granted Trustgard's motion for summary judgment. On appeal, the Fourth Circuit concluded that I should not have assumed jurisdiction under the Declaratory Judgment Act to reach the merits of Trustgard's action because the record was limited and there was potential to interfere with ongoing state proceedings. Accordingly, the Fourth Circuit vacated the decision and remanded with instructions to dismiss the action without prejudice. I accordingly dismissed the complaint on June 1, 2020.

United States v. Whaley, No. 5:12-cr-00810-JMC, 2017 WL 5257018 (D.S.C. Nov. 13, 2017), *vacated in part, appeal dismissed in part*, 733 F. App'x 706 (4th Cir. 2018). Mr. Whaley pleaded guilty to knowingly possessing firearms in furtherance of drug trafficking crimes, for which I sentenced him to 262 months of imprisonment. Subsequently, Mr. Whaley filed a motion to vacate under 28 U.S.C. § 2255, raising three claims of ineffective assistance of counsel, including his lawyer's failure to file a notice of appeal after Mr. Whaley requested him to.

Mr. Whaley asserted, in part, that his lawyer had failed to file a direct appeal despite Mr. Whaley's explicit instructions. I denied the § 2255 motion and declined to issue a certificate of appealability. On appeal, the Fourth Circuit held that I abused my discretion when I dismissed this claim without first holding an evidentiary hearing because the success of Mr. Whaley's claim ultimately hinged on a credibility determination. The Fourth Circuit vacated in part and remanded with instructions to hold a hearing on this claim. Pursuant to the Fourth Circuit's ruling, I held an evidentiary hearing on March 5, 2019. I subsequently granted Mr. Whaley's motion to vacate my original May 30, 2014, judgment to enter a new judgment which he could appeal. Thereafter, I resentenced Mr. Whaley to the same term of imprisonment indicated in the original judgment. The Fourth Circuit dismissed Mr. Whaley's subsequent appeal.

Billioni v. York Cty., No. 0:14-cv-03060-JMC, 2017 WL 2645737 (D.S.C. June 20, 2017), *remanded sub nom. Billioni v. Bryant*, 759 F. App'x 144 (4th Cir. 2019). Mr. Billioni, an officer at the York County Detention Center, brought suit against the Detention Center and York County Sheriff Bruce Bryant for wrongful discharge, retaliation, violations of his First Amendment rights and violations of the South Carolina Whistleblower Statute, after he was allegedly fired for providing information to the press about the death of an inmate in custody at the York County Detention Center. I denied the defendants' summary judgment motion as to Mr. Billioni's retaliatory-discharge claim because I determined that Mr. Billioni's speech was protected under the First Amendment. The Fourth Circuit concluded that I incorrectly applied the "actual disruption standard" instead of the "reasonable apprehension of disruption" standard in determining whether Mr. Billioni's speech disrupted the efficiency of his employer's operations and was therefore not protected under the First Amendment. As a result, the Fourth Circuit remanded with instructions to apply the correct legal standard. On remand, I granted the defendants' motion for summary judgment and denied Mr. Billioni's motion for reconsideration after applying the correct legal standard to the case. On appeal, the Fourth Circuit affirmed my order finding that Mr. Billioni's speech was not protected by the First Amendment.

March v. Stevenson, No. 5:15-cv-04633-JMC, 2017 WL 1035989 (D.S.C. Mar. 17, 2017), *remanded*, 698 F. App'x 95 (4th Cir. 2017), *appeal dismissed*, 734 F. App'x 195 (4th Cir. 2018). Mr. March filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. I accepted the magistrate judge's report and recommendation and dismissed the petition after finding that the petitioner's objections were untimely and, in any event, non-specific. The Fourth Circuit reversed, concluding that the petitioner's notice of appeal offered some excuse for his untimeliness and construed it as a request for an extension of time. The Fourth Circuit accordingly remanded the case for the limited purpose of allowing me to determine whether the time for filing a notice of appeal should be extended. On remand, I did not extend the appeals period after concluding that Mr. March had sufficient opportunity to submit his notice of appeal, and the Fourth Circuit dismissed the subsequent appeal.

Russell v. Reynolds, No. 9:14-cv-04035-JMC, 2016 WL 1165408 (D.S.C. Mar. 25, 2016), *remanded*, 670 F. App'x 187 (4th Cir. 2016), *appeal dismissed*, 691 F. App'x 772 (4th Cir. 2017). Mr. Russell filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. I accepted the magistrate judge's report and recommendation and dismissed Mr. Russell's ineffective assistance of counsel claims. The Fourth Circuit concluded that Mr. Russell's notice of appeal was untimely filed, but that it could not determine from the record when Mr. Russell gave the notice of appeal to prison officials for mailing. The Fourth Circuit thus remanded the case for the limited purpose of allowing me to gather this information from the parties. On remand, I found the appeal was untimely, and the Fourth Circuit dismissed the subsequent appeal.

Cramer v. Nat'l Cas. Co., 190 F. Supp. 3d 510 (D.S.C. 2016), *rev'd*, 690 F. App'x 135 (4th Cir. 2017). Ms. Cramer, an ambulance driver, brought suit seeking a declaratory judgment that she was entitled to underinsured motorist coverage for her injuries after she was struck by an underinsured driver while standing on the shoulder of the road after stopping to respond to a motor vehicle accident. I granted Ms. Cramer's motion for summary judgment, and held she was "occupying" her work vehicle when a collision occurred. This meant she was entitled to recover under her employer's insurance policy. The Fourth Circuit concluded, however, that the plaintiff was not "occupying" her work vehicle because she was standing away from the ambulance, rather than "getting in" the vehicle, when it was struck by an underinsured motorist. Accordingly, the Fourth Circuit reversed in favor of the insurer. Pursuant to the Fourth Circuit's decision, I entered judgment for the defendant on June 27, 2017.

United States v. Lemon, No. 3:14-cr-00760-JMC-4 (D.S.C. Aug. 13, 2015), *aff'd in part and remanded*, 655 F. App'x 169 (4th Cir. 2016). Ms. Lemon pleaded guilty to conspiracy to commit bank and wire fraud in violation of 18 U.S.C. § 1349, and I sentenced her to a term of 57 months in prison. The Fourth Circuit affirmed my judgment and sentence, but noted that the order of forfeiture contained a clerical error. The restitution amount ordered at sentencing was \$40,813.09, but the figure reported in the forfeiture order was \$40,815.09. Accordingly, the Fourth Circuit remanded for correction of the forfeiture order. On remand, I entered a corrected order of forfeiture.

Arora v. James, No. 5:14-cv-00018-JMC, 2015 WL 5616260 (D.S.C. Sept. 24, 2015), *aff'd in part, vacated in part, and remanded*, 689 F. App'x 190 (4th Cir. 2017). This case involved alleged violations of the Family and Medical Leave Act, deprivations of civil rights under Section 1983, and false imprisonment stemming from Mr. Arora's dismissal from his job. I adopted the magistrate judge's recommendation and denied the Aroras' motion to amend their complaint as futile. Upon review, the Fourth Circuit concluded the proposed amendment was not futile because the substantive allegations in the underlying claim sounded in ordinary negligence, despite being mislabeled by the plaintiffs as medical

malpractice. Accordingly, the Fourth Circuit vacated my judgment and remanded for further proceedings. The case continued as directed by the Fourth Circuit and I granted summary judgment in favor of the defendants.

United States v. Kearney, No. 6:15-cr-00125-JMC-1 (D.S.C. Sept. 22, 2015), *aff'd and remanded*, 673 F. App'x 316 (4th Cir. 2017). I sentenced Mr. Kearney to 77 months of imprisonment for conspiracy to defraud the government and for purchasing a firearm with false identification. The Fourth Circuit determined the sentence was reasonable upon finding that I properly calculated the guideline range and gave the parties an opportunity to argue for an appropriate sentence. The Fourth Circuit identified a clerical error in the court's judgment which incorrectly identified the firearm offense to which Mr. Kearney pleaded guilty as 18 U.S.C. §§ 922(g)(1), 924(a)(2), rather than 18 U.S.C. 922(a)(6), and remanded for the limited purpose of correcting the clerical error in the judgment. On remand, I entered an amended judgment consistent with the Fourth Circuit's ruling.

Cahaly v. LaRosa, 25 F. Supp. 3d 817 (D.S.C. 2014), *aff'd in part, vacated in part, and remanded*, 796 F.3d 399 (4th Cir. 2015). Mr. Cahaly, a political consultant, filed suit under Section 1983 to challenge a South Carolina anti-robocall statute. I ruled in favor of Mr. Cahaly on his compelled-speech challenge, finding the statute unconstitutional due to its content-based restriction of speech. I also issued a permanent injunction barring the statute's enforcement. At the same time, however, I granted summary judgment to the defendant law enforcement officers, concluding that they were entitled to qualified immunity and that they had probable cause to arrest Mr. Cahaly. Next, I found mandatory disclosures within the anti-robocall statute amounted to an unconstitutional compulsion of speech. Finally, I held Mr. Cahaly lacked standing to challenge the statute on vagueness grounds. The Fourth Circuit agreed that the statute was a content-based restriction and could not survive strict scrutiny, and that Mr. Cahaly lacked standing to challenge the statute on vagueness grounds. But the Fourth Circuit also concluded that Mr. Cahaly lacked standing to challenge the disclosure provision as compelled speech. The Fourth Circuit accordingly vacated my judgment on this ground and remanded with instructions to dismiss it. On remand, I entered an order dismissing Mr. Cahaly's compelled speech claim for lack of standing.

China v. Marksberry, No. 5:13-cv-00091-JMC, 2014 WL 4402806 (D.S.C. Sept. 4, 2014), *aff'd and remanded*, 627 F. App'x 242 (4th Cir. 2015). Mr. China, a state prisoner, brought this Section 1983 claim for excessive force by correctional officers. I adopted the recommendation of the magistrate judge and granted summary judgment to the defendants on Mr. China's civil rights claim. The defendants argued Mr. China's appeal was untimely filed. Mr. China contended that his notice of appeal was timely. Upon review, the Fourth Circuit found Mr. China presented an affidavit which indicated he filed his appeal in a timely manner, though the affidavit did not appear on the court's docket. The Fourth

Circuit remanded the case for the limited purposes of determining whether Mr. China timely noticed an appeal by properly delivering a notice to prison officials to mail to the court, and, if not, whether he was entitled to an extension. On remand, I entered a text order deeming Mr. China's notice of appeal as having been timely filed. Thereafter, the Fourth Circuit concluded that Mr. China's notice of appeal was timely filed, denied the correctional officers' motion to dismiss the appeal and Mr. China's motion to appoint counsel, and affirmed my decision.

Duckett v. Fuller, No. 6:13-cv-3205-JMC, 2014 WL 8276426 (D.S.C. Mar. 19, 2014), *R&R adopted*, No. 6:13-cv-03205-JMC, 2015 WL 1280711 (D.S.C. Mar. 19, 2015), *rev'd and remanded*, 819 F.3d 740 (4th Cir. 2016). I considered a prisoner's claim challenging the quality of food at the prison facility under the Eighth Amendment and granted the State's motion to dismiss based on *res judicata*. But the Fourth Circuit concluded the State failed to meet its burden of demonstrating that any of the six exceptions to the rule against nonparty preclusion applied. The Fourth Circuit reversed my decision granting the state defendants' motion to dismiss under Federal Rule of Civil Procedure 12(b)(6) and remanded the case for further proceedings. I referred the case back to the magistrate judge. The case was dismissed on November 18, 2016, without costs and without prejudice. The parties stipulated to the dismissal of all claims with prejudice with each party bearing its own costs.

Baker v. Colvin, No. 8:14-cv-00113-JMC, 2014 WL 657552 (D.S.C. Feb. 18, 2014), *remanded sub nom, Baker v. Comm'r Soc. Sec. Admin.*, 578 F. App'x 259 (4th Cir. 2014). Mr. Baker appealed the denial of his claim for social security benefits to this court. I accepted the magistrate judge's report and recommendation and dismissed Mr. Baker's civil case after finding that he did not timely object to the report. Mr. Baker then filed objections two days after my dismissal order was entered. The Fourth Circuit considered Mr. Baker's claim that he did not receive the report and remanded the case to the court to construe as a motion for reconsideration under Rule 59(e) of the Federal Rules of Civil Procedure. On remand, I entered an order denying the motion for reconsideration.

United States v. Gaffney, No. 7:07-CR-00711-JMC, 2012 WL 12903127 (D.S.C. Dec. 14, 2012), *aff'd in part, vacated in part, and remanded*, 524 F. App'x 24 (4th Cir. 2013). Mr. Gaffney was sentenced to 135 months of imprisonment after pleading guilty to conspiracy to distribute and possess crack cocaine. I denied Mr. Gaffney's motion for reduction in sentence under both the Fair Sentencing Act of 2010 ("FSA") and accompanying sentencing guidelines. On review, the Fourth Circuit found that the defendant was not eligible for relief under the FSA, but found that I should have also addressed his eligibility for relief under Amendment 750, independently of the FSA. The Fourth Circuit vacated my judgment in part and remanded for further proceedings to determine if Mr. Gaffney was eligible for relief under Amendment 750, and if so, whether to grant such a reduction. On remand, I granted Mr. Gaffney's motion for reduction in

sentence and sentenced him to 120 months of imprisonment with all other terms and conditions of his original sentence remaining the same.

Atkinson v. House of Raeford Farms, Inc., No. 6:09-CV-01901-JMC, 2012 WL 2923246 (D.S.C. July 18, 2012), *rev'd sub nom. Barton v. House of Raeford Farms, Inc.*, 745 F.3d 95 (4th Cir. 2014). Plaintiff employees brought a collective action against their employer, a chicken processing plant, for its alleged failure to pay due compensation. I denied the defendant's motion for summary judgment as to the plaintiff employees' retaliation and state law wages claims, specifically finding that the wages claim, in particular, was not preempted by Section 301 of the Labor Management Relations Act ("LMRA"). A jury found for the plaintiffs on the state law wages claim and, during a bench trial, I found in favor of eight of the plaintiffs on their retaliatory-discharge claims. On appeal, in a 2-1 decision, the Fourth Circuit held that Section 301 of the LMRA preempted the state wage claim because the dispute necessarily implicated the parties' collective bargaining agreement. Accordingly, the Fourth Circuit instructed that the state wage claim should be dismissed. Regarding the retaliation claims, the Fourth Circuit found that I had erred by not applying the "determinative factor test" and that, when that test was used, the plaintiffs' evidence was insufficient to satisfy their burden of proof for causation. Accordingly, the Fourth Circuit reversed my judgment regarding six of the eight employees' claims for retaliation. After the Fourth Circuit entered its mandate, no further action was taken in this matter.

Tedder v. Johnson, No. 8:09-CV-03067-JMC, 2012 WL 931979 (D.S.C. Mar. 19, 2012), *rev'd*, 527 F. App'x 269 (4th Cir. 2013). I granted summary judgment in favor of a prison guard on Mr. Tedder's excessive force challenge under the Eighth Amendment, while he was an inmate in state custody, where he alleged that he was pepper sprayed by a correctional officer. The Fourth Circuit agreed with me that Mr. Tedder had adduced a genuine issue of material fact on the issue of administrative exhaustion, but reversed my judgment that he had proffered insufficient evidence to satisfy the subjective component of his Eighth Amendment claim: whether the officer had wantonly and maliciously sprayed him with pepper spray. The case proceeded to trial and a jury found for the defendant officer. The Fourth Circuit affirmed my judgment after the subsequent appeal.

United States v. Hughes, No. 7:11-cr-00053-JMC-13 (D.S.C. Oct. 21, 2011), *aff'd in part, vacated in part, and remanded*, 484 F. App'x 766 (4th Cir. 2012). I sentenced Ms. Hughes to a term of five months of imprisonment and ordered her to pay restitution following her conviction for mail fraud. The Fourth Circuit held that I was required to make factual findings in my restitution order keying the payment schedule to take Ms. Hughes' financial resources, projected earnings, and financial obligations into consideration and showing that the order of restitution was feasible. Because I failed to make such findings, the Fourth Circuit vacated and remanded the case. On remand, I conducted a hearing regarding restitution and entered an amended judgment setting the restitution payments at \$20 per month.

McFadden v. McKie, No. 3:11-673-JMC, 2011 WL 2183639 (D.S.C. June 6, 2011), *vacated and remanded*, 464 F. App'x 155 (4th Cir. 2012). Mr. McFadden, a state prisoner, sued under Section 1983 alleging the defendants were providing him with inadequate food in prison. He also alleged retaliation and collective punishment. I adopted the magistrate judge's report and recommendation denying Mr. McFadden's request to proceed with his complaint without prepayment of fees. The Fourth Circuit found Mr. McFadden should not have been classified as a "three-striker" for purposes of the Prison Litigation Reform Act ("PLRA"), because a dismissal for failure to state a claim without prejudice does not count as a strike under the PRLA. Accordingly, the Fourth Circuit vacated the order and remanded for further proceedings. On remand, I dismissed the matter without prejudice after Mr. McFadden failed to bring his case into proper form in accordance with instructions set forth by the magistrate judge.

McFadden v. Major, No. 3:09-2927-JMC, 2011 WL 489972 (D.S.C. Feb. 7, 2011), *vacated and remanded*, 439 F. App'x 283 (4th Cir. 2011). Mr. McFadden filed a writ of habeas corpus seeking an order compelling his attorney to file a motion for reconsideration of his bond. I dismissed Mr. McFadden's action and adopted the magistrate judge's report after finding he had not filed timely objections to the report. On appeal, Mr. McFadden claimed he did not receive the magistrate judge's report or the accompanying notice prompting him to file any objections within 14 days of service of the report. The Fourth Circuit concluded the record supported Mr. McFadden's claim, vacated my judgment on this ground, and remanded for further proceedings. After the Fourth Circuit entered its mandate in 2012, no further action was taken in this matter.

As a state court judge, I was reversed by the South Carolina Supreme Court in *South Carolina Dep't of Rev. v. Anonymous Co. A*, 678 S.E.2d 255 (S.C. 2009). In that case, the plaintiffs, two separate corporations owned by the same individuals, appealed the denial of their application to the South Carolina Department of Revenue for refund of sales taxes paid upon uncollectible installment contracts. The South Carolina Administrative Law Court ("ALC") ruled in favor of the plaintiffs and I affirmed the ALC's holding. The Department of Revenue appealed, and the South Carolina Supreme Court concluded that I had erred in finding that a dealer and finance company together constitute a person under South Carolina law.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

As a United States District Judge, I have issued more than 3,300 formal written opinions and several thousand substantive text orders. All of these opinions are stored in an electronic database. Many of my decisions are also available on

Westlaw and Lexis. Approximately two percent of my decisions have been selected for publication by official reporters.

As a South Carolina Circuit Court Judge all of my written opinions were unpublished consistent with Circuit Court practice. These opinions are part of the case files that are publicly available in the South Carolina Circuit Court clerk's office.

- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

Middleton v. Andino, 488 F. Supp. 3d 261, 307 (D.S.C. 2020), *staying injunction*, 2020 WL 5739010 (4th Cir.), *granting reh'g*, 976 F.3d 403 (4th Cir. 2020), *denying stay en banc*, 990 F.3d 768 (4th Cir.), *granting stay*, 141 S. Ct. 9 (2020)

Halcomb v. Ravenal, 344 F. Supp. 3d 844 (D.S.C. 2018), *rev'd and remanded sub nom. Halcomb v. Ravenell*, 992 F.3d 316 (4th Cir. 2021)

S.C. Elec. & Gas Co. v. Randall, 333 F. Supp. 3d 552 (D.S.C. 2018), *appeal dismissed sub nom. S.C. Elec. & Gas Co. v. Whitfield*, 2018 WL 7203223 (4th Cir. 2018)

Cahaly v. LaRosa, 25 F. Supp. 3d 817 (D.S.C. 2014), *aff'd in part, vacated in part, and remanded*, 796 F.3d 399 (4th Cir. 2015)

Greenville Cty. Republican Party Exec. Comm. v. South Carolina, 824 F. Supp. 2d 655 (D.S.C. 2011), *aff'd in part, dismissed in part*, 604 F. App'x 244 (4th Cir. 2015)

- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

While sitting by designation on the United States Court of Appeals for the Fourth Circuit, I wrote the following majority opinions:

United States v. Delangel-Velasco, 469 F. App'x 185 (4th Cir. 2012). Mr. Delangel-Velasco appealed his sentence, arguing that the district court erred when it imposed a three-month upward variance. In unanimous opinion affirming the district court's sentence, I observed that the sentence was procedurally and substantively reasonable under the circumstances.

United States v. Argueta, 470 F. App'x 176 (4th Cir. 2012). Mr. Argueta appealed his conviction by a jury arguing that the evidence presented at trial was insufficient to support the jury's verdicts. In the unanimous opinion affirming the

convictions, I concluded that the district court did not abuse its discretion regarding the admission of certain testimonial evidence. I further observed that it was the jury's province to weigh the evidence and resolve any conflicts and, in this case, the evidence was sufficient to sustain the convictions.

Belrose v. Hartford Life & Accident Ins. Co., 478 F. App'x 21 (4th Cir. 2012). In this ERISA action, Mr. Belrose appealed the district court's dismissal of his action challenging the termination of long-term disability benefits. In affirming that decision, I wrote that the district court properly determined when the ERISA claim accrued and correctly applied the plan's limitations period. Accordingly, there was no error because Mr. Belrose filed his action over a year after the limitations period expired. The decision was unanimous.

Hentosh v. Old Dominion Univ., 767 F.3d 413 (4th Cir. 2014). Mr. Hentosh appealed the district court's decision to grant summary judgment to his former employer on a retaliation claim. Mr. Hentosh argued that the claim should have been dismissed because the district court lacked subject matter jurisdiction over a retaliation claim that grew out of and was reasonably related to conduct that was the subject of an untimely filed charge of discrimination. In affirming the district court, I held that the exercise of subject matter jurisdiction was proper because the retaliation claim was like the discriminatory conduct which, although untimely, was exhausted in a prior charge.

I also joined the following opinions, all of which were unanimous:

Carter v. Fleming, 879 F.3d 132 (4th Cir. 2018)

Def. of Wildlife v. N.C. Dep't of Transp., 762 F.3d 374 (4th Cir. 2014)

E.E.O.C. v. A.C. Widenhouse, Inc., 576 F. App'x 227 (4th Cir. 2014)

McAirlaids, Inc. v. Kimberly-Clark Corp., 756 F.3d 307 (4th Cir. 2014)

United States v. Barnes, 480 F. App'x 231 (4th Cir. 2012) (per curiam)

United States v. McCullum, 469 F. App'x 194 (4th Cir. 2012) (per curiam)

Schwartz v. Rent A Wreck of Am. Inc., 468 F. App'x 238 (4th Cir. 2012)

United States v. Edmonds, 700 F.3d 146 (4th Cir. 2012)

United States v. Edmonds, 679 F.3d 169 (4th Cir. 2012)

Gilbert v. Residential Funding LLC, 678 F.3d 271 (4th Cir. 2012)

Aggarao v. MOL Ship Mgmt. Co., Ltd., 675 F.3d 355 (4th Cir. 2012)

United States v. Ibisevic, 675 F.3d 342 (4th Cir. 2012)

Gerner v. County of Chesterfield, Va., 674 F.3d 264 (4th Cir. 2012)

Ocean Pines Ass'n, Inc. v. C.I.R., 672 F.3d 284 (4th Cir. 2012)

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal. (If your court employs an “automatic” recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself *sua sponte*. Identify each such case, and for each provide the following information:
- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself *sua sponte*;
 - b. a brief description of the asserted conflict of interest or other ground for recusal;
 - c. the procedure you followed in determining whether or not to recuse yourself;
 - d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

As a United States District Judge, I provide the District of South Carolina Clerk’s Office a regularly-updated list of individuals and entities in whose cases I would recuse. To the best of my recollection, I have never had to recuse myself *sua sponte*, as the court’s screening system prevents cases presenting potential conflicts of interest from being assigned to me.

In the following case, I granted a party’s motion for recusal:

Bellamy v. Warden, No. 4:16-cv-03807-RMG (D.S.C. Jan. 3, 2017). Mr. Bellamy filed a motion for recusal when I was assigned his habeas petition, asserting that, as a Circuit Court Judge, I had denied him access to DNA analysis that would have proven his innocence. Given my prior involvement in Mr. Bellamy’s case, I recused myself from his habeas matter.

In the following cases, a motion for recusal was filed, which I denied upon finding that the motion was meritless or procedurally barred:

United States v. Carter, No. 3:17-cr-00351-JMC-1 (D.S.C. Nov. 17, 2021). Mr. Carter asked me to recuse myself due to a delay in ruling on his Rule 60 motion to reconsider

the denial of his motion for writ of habeas corpus under 28 U.S.C. § 2255. Mr. Carter claimed the delay showed prejudice to his constitutional claims, despite me having previously addressed the substance of the claims. I did not recuse myself because delay alone is insufficient to require recusal, and Mr. Carter had not offered any other reason for me to recuse myself from his case.

Sanders v. Wal-Mart Stores E. LP, No. 1:14-cv-03509-JMC (D.S.C. Sept. 20, 2019). In a Rule 60 motion, Mr. Sanders moved to have his case reassigned to another district judge, asserting that I had previously displayed personal bias towards him and that he also had a pending civil suit against me. Prior to his motion to recuse me, Mr. Sanders also attempted to recuse the assigned magistrate judge because of her refusal to grant certain motions in the case. I did not recuse myself as I deemed Mr. Sanders' request to be moot because he did not request recusal until after he appealed my ruling against him to the United States Court of Appeals for the Fourth Circuit, which affirmed my order.

Sanders v. Comm'r of Soc. Sec. Admin., No. 0:18-cv-03070-JMC (D.S.C. Nov. 13, 2018). Mr. Sanders filed several motions for recusal when I was assigned his appeal concerning his benefits, asserting that I had previously displayed discriminatory animus towards his mental disabilities, as evidenced by my prior rulings against him. I did not recuse myself because Mr. Sanders' assertions did not establish bias or prejudice, but rather that he disagreed with prior unfavorable rulings.

United States v. Miller, No. 6:04-cr-00022-JMC-3 (D.S.C. Mar. 12, 2018). Throughout this criminal proceeding, Mr. Miller filed motions seeking to recuse each judge assigned to the case. After his case was assigned to me, Mr. Miller was displeased that I denied several of his motions alleging that the government had breached its plea agreement with him, and he moved for my recusal. I denied the recusal motion as untimely under both 28 U.S.C. §§ 144 and 455.

Kohler Co. v. Broadspire Servs., Inc., No. 7:13-cv-03511-JMC (D.S.C. Feb. 10, 2014). After advising the plaintiff that, 13 years earlier, I had been a law partner in the defense counsel's firm, the plaintiff filed a motion for recusal. I considered the relevant statutes, canons, and rules, and determined that recusal was not required because I had left the firm more than a decade before, and the plaintiff offered no other reason for recusal.

During my tenure as a Circuit Court Judge, the State of South Carolina did not employ an automatic recusal system. Instead, recusal was determined on a case-by-case basis, applying the Judicial Canons and the South Carolina Rules of Professional Conduct. Consistent with those principles, I recused myself *sua sponte* in the following case:

McMaster v. Cap. Consortium Grp., L.L.C., No. 2007-CP-40-3116 (Richland Cty. Ct. Com. Pl.). After I ruled against the defendants on a motion for a temporary injunction, they not only moved for reconsideration, but also filed a separate action listing me and other government officials as defendants. Consequently, I recused myself *sua sponte* from the matter.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

In 1999, Columbia, South Carolina Mayor Robert Coble appointed me to the Board of Directors of the Midlands Authority for Conventions, Sports & Tourism. I served on the Board until 2006, and as the Board's secretary from 2003 to 2006.

In 2000, South Carolina Governor James H. Hodges appointed me to the position of Deputy Director for the Division of Labor of the South Carolina Department of Labor, Licensing, and Regulation. I served as Deputy Director until 2002.

In 2002, Governor Hodges appointed me to the South Carolina Workers' Compensation Commission, where I served as a Commissioner until 2006.

I have not had any unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have not held any offices in or rendered services to any political party or election committee. I have not held a position or played a role in a political campaign.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
- i. whether you served as a clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;
- I have never served as a clerk to a judge.
- ii. whether you practiced alone, and if so, the addresses and dates;
- I have never practiced law alone.

- iii. the dates, names and addresses of laws firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

1990 – 2000
Nexsen Pruet, LLC
1230 Main Street, Suite 700
Columbia, South Carolina 29201
Partner (2000)
Associate (1992 – 1999)
Law Clerk (1991)
Summer Associate (1990, 1991)

2000 – 2002
South Carolina Department of Labor, Licensing and Regulation
110 Centerview Drive
Columbia, South Carolina 29210
Deputy Director, Division of Labor

2002 – 2006
South Carolina Workers' Compensation Commission
1333 Main Street, Suite 500
Columbia, South Carolina 29201
Commissioner

2006 – 2010
South Carolina Judicial Department
1015 Sumter Street
Columbia, South Carolina 29201
Circuit Court Judge

2010 – present
United States District Court for the District of South Carolina
901 Richland Street
Columbia, South Carolina 29201
District Judge

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have never served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

During my tenure at Nexsen Pruet, LLC, my primary practice areas included general litigation, employment and labor law, and domestic relations.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

At Nexsen Pruet, LLC, my typical clients included individuals, governmental agencies, and corporations. During my later years in the law firm, I specialized in employment and labor law as both advisory and litigation counsel for clients.

In my role as a Deputy Director for the South Carolina Department of Labor, Licensing and Regulation, I administered programs for wages and child labor, Occupational Safety Health Administration (“OSHA”), OSHA Voluntary Programs, elevators and amusement rides. migrant labor, and labor-management mediation.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

While at Nexsen Pruet, LLC, I practiced primarily in the areas of employment and labor law and general litigation. I appeared in court more often than occasionally, but less than frequently.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 50% |
| 2. state courts of record: | 25% |
| 3. other courts: | 5% |
| 4. administrative agencies: | 20% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|------|
| 1. civil proceedings: | 100% |
| 2. criminal proceedings: | 0% |

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

During my years as an associate attorney with Nexsen Pruet, LLC, I estimate that I participated in approximately 25 trials. I handled most of my cases with partners in

the firm. I did, however, handle about eight administrative hearings and trials as sole or chief counsel.

i. What percentage of these trials were:

1. jury: 85%
2. non-jury: 15%

e. Describe your practice, if any, before the Supreme Court of the United States, Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have never practiced before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *Stanley v. Bamberg County*, No. 1997-CP-05-19 (Bamberg Cty. 2d Jud. Cir. 1997) (Keesley, J.)

Mr. Blume, a convicted felon, committed suicide while he was incarcerated at the Bamberg County Detention Center. At the time of his booking, Mr. Blume was intoxicated, attempted to escape, complained that he could not breathe, requested nasal spray, and later slumped to the floor. As a result, he was put on suicide watch. Although staff checked on Mr. Blume on a regular, frequent basis, he committed suicide in his cell using his underwear as a noose. The plaintiff, the personal representative of Mr. Blume's estate, alleged causes of action for negligence, wrongful death, and conscious pain and suffering.

For over two years, I served as co-lead counsel for defendant Bamberg County. During the course of the litigation, I assisted in all aspects of the trial of the case, including written discovery, depositions, dispositive motions, and witness preparation. Additionally, I assumed responsibility for the direct examination of the most crucial witness, the jail officer who last checked Mr. Blume before his death. The trial court

granted defendant Bamberg County a mistrial on the basis of a hung jury, and the case eventually settled.

Co-counsel:

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Opposing Counsel:

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2. *Woods v. Woods*, No. 1993-CP-40-0003 (Richland Cty. 2d Jud. Cor. 1993) (Byars, J.)

The plaintiff, Ms. Woods, left her husband, Mr. Woods, while living in North Carolina and took their two children to California. Mr. Woods filed an affidavit with a North Carolina court in which he misrepresented to the court that he and the children resided in North Carolina, despite having knowledge that Ms. Woods and their children were living in California. Based on the fraudulent affidavit, Mr. Woods obtained an *ex parte* order granting him custody of the children. He then presented this order to police in California who gave him custody of the children, and he returned to North Carolina. Ms. Woods sought to regain custody of her children from her ex-husband and obtained an *ex parte* order from California granting her temporary custody of the children.

From 1993 to 1994, I served as lead counsel for Ms. Woods. In that capacity, I had primary responsibility over all aspects of the case, requiring me to research and draft briefs on significant legal issues. I argued the case before the family court requesting that the court give full faith and credit to Ms. Wood's California order granting her temporary custody. The court did so, and as a result, Ms. Woods regained custody of her children. Ms. Woods was eventually awarded permanent custody of the children by the California court.

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Opposing Counsel:

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3. *White v. Chambliss*, No. 1:93-3058-6 (D.S.C. 1993) (Simon, J.)

The plaintiff filed this action against the South Carolina Department of Social Services (“DSS”) and certain DSS social workers for the alleged wrongful death of her minor child while the child was in foster care. The minor child was admitted to the hospital with a broken arm. Hospital staff reported suspected child abuse. As a result, the minor child was placed in DSS custody and ultimately foster care. Approximately one month after being placed in foster care, the child died from blows to the head.

From 1993 to 1997, I served as co-lead counsel for the DSS social worker who was involved in the placement of the minor child into foster care. I filed a motion for summary judgment asserting that the DSS case worker should be shielded from liability based on a qualified immunity defense. The district court denied the motion for summary judgment. I also helped draft the social worker’s brief on appeal to the United States Court of Appeals for the Fourth Circuit, which reversed the district court’s decision and granted summary judgment for the social worker based on my argument that she was entitled to qualified immunity.

Co-counsel:

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Opposing Counsel:

Sally Walker

This attorney is no longer listed in the South Carolina Bar directory.

4. *Dooley v. Newton*, No. 3:94-cv-1848-OBC (D.S.C. 2014) (Perry, J.)

The plaintiff brought suit against UPS alleging a violation of the Americans with Disabilities Act (“ADA”) based on UPS’s alleged failure to reasonably accommodate plaintiff’s purported disability (a back injury). From 1994 to 1997, I served as co-lead counsel for UPS. In that capacity, I researched and authored UPS’s briefs in support of summary judgment, arguing that the plaintiff had already been awarded permanent and total disability by the South Carolina Workers’ Compensation Commission, and that he was judicially estopped from contending in support of his ADA claim that he could work and perform the essential functions of his job with UPS. Endorsing both arguments, the district court granted UPS’s motion, and entered summary judgment for UPS.

Co-counsel:

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Opposing Counsel:

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5. *Gibbs v. SCE&G*, No. 3:93-cv-00770-MJP (D.S.C. 1993) (Perry, J.)

The plaintiff's riding privileges were suspended on South Carolina Electric & Gas Company's Dial-A-Ride Transit system for persons with disabilities as a result of various complaints by drivers and passengers regarding his disruptive and offensive behavior. The plaintiff filed suit, alleging causes of action for discrimination, retaliation, and coercion under the Americans with Disabilities Act, a violation of 42 U.S.C. § 1983, state law claims for intentional and negligent infliction of emotional distress, negligent hiring and supervision, libel per se, and civil conspiracy.

From 1993 to 1995, I served as co-lead counsel for defendant SCE&G. In that capacity, I played a key role throughout the extensive discovery and motions practice in the case. I also drafted and argued SCE&G's motion for summary judgment. The district court granted summary judgment in SCE&G's favor on five of the plaintiff's nine causes of action. The case settled shortly thereafter.

Co-counsel:

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Heyward McDonald (deceased), counsel for another Defendant

6. *Sea Pines Ass'n for the Prot. of Wildlife, Inc. v. S.C. Dep't of Nat. Res. & Cmty. Servs. Assocs., Inc.* (Dorchester Cty. 1st Jud. Cir. 1998) (Williams, J.), *affirmed by the South Carolina Supreme Court*, 550 S.E.2d 287 (S.C. 2001)

Sea Pines Plantation had been legally designated as a wildlife sanctuary in Hilton Head, South Carolina. From 1999 to 2001, I served as co-lead counsel for local and national animal rights groups and individual residents and homeowners of Sea Pines who ultimately sought a permanent injunction to restrain the South Carolina Department of Natural Resources ("SCDNR") from issuing permits for the lethal elimination of deer within Sea Pines and a declaratory judgment that SCDNR was not complying with the requisite statutes, rules, and regulations relative to the issuance of permits in a wildlife sanctuary. As co-lead counsel, I researched and authored all of the briefs in the case and obtained an *ex parte* temporary restraining order enjoining SCDNR and the neighborhood association from obtaining permits for the killing of deer in Sea Pines. The request for temporary injunction was later denied, but on a petition for writ of supersedeas that I drafted, the South Carolina Court of Appeals granted my clients an injunction enjoining SCDNR from issuing any further permits for killing deer in Sea Pines until the case was tried. At the non-jury trial of the case, I examined witnesses and made arguments before the court. The judge denied the request for a permanent injunction. Shortly thereafter, SCDNR issued another permit, and I filed another successful petition for a writ of supersedeas with the Court of Appeals. The case was heard eventually by the South Carolina Supreme Court, which affirmed the Circuit Court and denied the request for a permanent injunction.

Co-counsel:

Harold W. Jacobs (deceased)

Opposing Counsel:

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South Carolina Administrative Law Court
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Attorney for SCDNR

James A. Quinn

This attorney is no longer listed in the South Carolina Bar directory.

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Gray B. Taylor
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Bluffton, SC 29910

(843) 705-2888

Attorneys for Community Services Associates, Inc.

7. *White v. S.C. State Budget & Control Bd.*, No. 4711 (S.C. 1997) (Waller, J., Finney, J., Toal, J., Moore, J., Burnett, J.)

In this case, the plaintiff attorneys sued the mayor and city manager for civil conspiracy and defamation *per se*, alleging that the defendants conspired against and defamed them by publicly accusing them of charging excessive fees in the settlement of a case during a radio broadcast interview. From 1994 to 1997, I served as co-lead counsel for the mayor and city manager. In that capacity, I researched and drafted the defendants' successful summary judgment motion. I also briefed and argued the appeal before the South Carolina Supreme Court, which affirmed in part, reversed in part, and remanded the case to the trial court. Thereafter, the case settled.

Co-counsel:

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Opposing Counsel:

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8. *Harris v. L&L Wings, Inc.*, No. 4:95-cv-00952-CMC (D.S.C. Feb. 27, 1997) (Currie, J.), *affirmed*, 132 F.3d 978 (4th Cir. 1997) (Wilkinson, J.)

The plaintiffs alleged causes of action for sexual harassment, under both *quid pro quo* and hostile environment theories, retaliatory discharge, and pay discrimination pursuant to Title VII of the Civil Rights Act and the Equal Pay Act. From 1995 to 1997, I served as co-lead counsel for the defendants. In that capacity, I researched and authored the briefs in support of summary judgment, which the district court granted, as to the Title VII sex discrimination disparate pay claim. I prepared for and participated in all aspects of the trial. I argued the motions for directed verdict, which the district court granted as to the equal pay cause of action and one of the plaintiffs' retaliation claims. The jury returned a verdict in favor of the plaintiffs on the other retaliation claim and the sexual

harassment claims. We appealed, and I assisted in writing the briefs for the United States Court of Appeals for the Fourth Circuit, which affirmed the jury's verdict.

Co-counsel:

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9. *Berry v. Bakker*, No. 3:98-cv-01202-DWS (D.S.C. May 25, 1999) (Shedd, J.)

The plaintiff sought a declaratory judgment under 28 U.S.C. § 2201 as to the ownership interests in an escrow fund maintained by the plaintiff. The plaintiff also sought an order in the nature of interpleader, under 28 U.S.C. §§ 2361 and 2410, to identify and order the disbursement of the interest owned or claimed by the United States in the fund.

Defendants Bakker and Messner entered into an agreement with the United States to settle the income tax obligations. The agreement placed certain intellectual property of Defendant Bakker into an escrow fund managed by the plaintiff. It also established how funds would be disbursed to the Internal Revenue Service, Defendants Bakker and Messner, and their attorneys.

From 1998 to 1999, I served as local counsel for Mr. Bakker and Ms. Bakker-Messner in a declaratory judgment action to establish the plaintiff's rights to any proceeds from literary or intellectual property. I reviewed and assisted with the preparation of all documents filed with the court, writing dispositive motions, creating discovery plans, and leading settlement negotiations. The case eventually settled.

Co-counsel:

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10. *Hatton v. S.C. State Univ.* (1997); the case was never set before a judge because it settled

From 1996 to 1997, I served as co-lead counsel for South Carolina State University and South Carolina State University Board of Trustees in this case filed against them by a former president of the University. The president sued the University claiming that she was wrongfully terminated in breach of her contract. As co-lead counsel, I was responsible for all aspects of the case. I also attended several meetings with and provided legal advice to the Board of Trustees, conducted an investigation into the allegations against the president and other school officials, and assisted with the preparation of many legal documents involved in the case. The case eventually settled.

Co-counsel:

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18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation, Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organization(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney -client privilege.)

As the Deputy Director for the South Carolina Department of Labor, Licensing, and Regulation, I wrote position statements and legal memoranda regarding challenges to the agency's policies and procedures.

In my volunteer service with various professional and civic organizations, I have assisted with legal advice at free legal clinics. As a lawyer and law student, I worked on by-laws and reviewed governance documents in support of the mission of these organizations, including the Federal Judges Association, the American Bar Association Judicial

Division, Columbia Lawyers Association, the Columbia Chapter of Jack and Jill of America, Inc., Heathwood Hall Episcopal School, and the YMCA of the USA.

As a District Judge, I also helped to create the BRIDGE Program in the Columbia Division of the District of South Carolina, which provides rehabilitative services to federal defendants with substance abuse issues. This involved drafting and reviewing documents to set up the program, assessing applicants, and adhering to qualitative measures for successful outcomes for individuals in the program.

I have not performed any lobbying activities on behalf of any client or organization.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus for each year or term the course was taught, provide four (4) copies to the committee.

None.

20. **Deferred Income/Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

I do not have any plans or commitments to pursue outside employment.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

When my nomination is formally submitted to the Senate, I will file my Financial Disclosure Report and will supplement this Questionnaire with a copy of that Report.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

None.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If confirmed, I will continue to abide by the Code of Conduct for United States Judges and other applicable authority in resolving any conflicts of interest.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional work load, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

Throughout my legal career and as a law student, I have consistently demonstrated a commitment to serving the underprivileged, underrepresented, and socially or economically disadvantaged.

As a District Judge, I have worked to promote community understanding of the work of the state and federal judiciary. To accomplish this, I host students from various schools to discuss the state and federal judicial systems. I also mentor elementary, secondary, and law students and attorneys from all walks of life through my participation in various groups. Additionally, I helped to create the BRIDGE Program in the Columbia Division of the District of South Carolina, which provides rehabilitative services to federal defendants with substance abuse issues. I continue to support the BRIDGE Program by volunteering to support the initiative for five to ten hours each month.

As a practicing lawyer, I regularly represented persons on a pro bono basis and provided legal advice at free legal clinics concerned with access to justice. I likewise served on the boards of various non-profit organizations with a mission of supporting their work to serve disadvantaged persons. Additionally, I regularly spoke at seminars in poor and rural communities on various legal topics, mentored diverse lawyers, encouraged diversity initiatives, prepared written materials for self-represented litigants, and volunteered in my community. For instance, I assisted the South Carolina Supreme Court's Access to Justice Commission with a publication and the production of a video to assist self-represented litigants with accessing and understanding the court system. All

told, I estimate that I performed at least 100 hours of volunteer service per year as a practicing lawyer.

26. **Selection Process:**

- a. Describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and any interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

On September 29, 2021, I was contacted by an attorney from the White House Counsel's Office regarding my interest in being considered for potential nomination to the Court of Appeals, and I interviewed with attorneys from that Office later that day. Since that date, I have been in contact with attorneys from the Office of Legal Policy at the Department of Justice. On December 23, 2021, the President announced his intent to nominate me.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue, or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.