

2011 YCRLAW UPDATE



YCRLAW
Young Clement Rivers, LLP

FROM OUR MANAGING PARTNER

This year has been transformative for Young Clement Rivers, LLP. While our attorneys and staff continue to provide excellent legal services, we are also experiencing some exciting changes. These changes, which will include a new location for the firm, are expected to enhance the firm's ability to serve the needs of its clients.

On behalf of our firm, thank you for another successful year and for the confidence you have shown in us by continuing to request and rely upon the expertise and counsel of our attorneys and staff. We are grateful for the ongoing relationships, many of which are longstanding, with our clients and friends. We continue to seek new opportunities to serve with still more efficiency and effectiveness. We look forward to working with you in the weeks and months ahead. As always, we pledge to provide quality, progressive legal services, delivered with integrity.

Wilbur E. Johnson, Managing Partner

CHANGES ON THE HORIZON

Here at YCR, 2011 has brought with it some great changes that we hope will be valuable to our community, as well as our clients. The biggest change this year is our upcoming move in November to 25 Calhoun Street near the beautiful Charleston Harbor and the South Carolina Aquarium. To date, many

restaurants and retail establishments in the area have struggled to survive with many businesses and tourists deeper in the heart of downtown Charleston. Mayor Riley, a strong supporter of our upcoming move, has been particularly interested in revitalizing this area, and we are hopeful that our relocation will help in this effort.

In addition, the attorneys at Young Clement Rivers have been intimately involved in the new building's design. We are mindful of the importance of working with one another closely to discuss cases and ideas in order to achieve the optimal result for our clients. The new building is particularly designed to make collaboration easier and more effective. We look forward to sharing our new offices with you in the near future.

Without continual growth and progress, such words as improvement, achievement, and success have no meaning.

- Benjamin Franklin



Our new building at 25 Calhoun Street

OUR NEWEST PARTNER

YCRLAW is pleased to announce yet another exciting change this year. **Jim Scott**, who has been a vital part of the Professional Liability and Retail Liability groups since 2001, has recently been named as a partner in our firm. Jim received his Juris Doctor from the University of South Carolina School of Law and his undergraduate degree from Clemson University. He is active in community organizations in his home town of McClellanville, where he has served on Town Council for the past 7 years. He is also a member of the Board of Trustees for the Archibald Rutledge Academy, an active member of the New Wappetaw Presbyterian Church, and was recently appointed to the Clemson University Cooperative Extension Advisory Council.



Jim Scott

OUR NEWEST ASSOCIATE

YCRLAW welcomes **Nicholas J. Rivera** as an associate attorney. Nicholas will practice primarily in the Construction Law Practice Group. He has a BA in Political Science from Clemson University and most recently worked as a law clerk for The Honorable Perry M. Buckner. In his college days, Nicholas was a four year letterman and scholarship athlete in Varsity Soccer, and he was president of the Sports & Entertainment Law Association, as well as a member of the Charleston Law Review, in law school.



Nicholas J. Rivera

Change is the law of life. And those who look only to the past or present are certain to miss the future.

- John F. Kennedy

2011 YCR HEADLINES

▶ The **Administrative and Regulatory Law Group** continues to represent clients before federal, state and local agencies, regulatory boards, and commissions. Michael Molony was instrumental in wording recent automobile insurance legislation to eliminate the requirement that a car owner hold a valid driver's license in order to obtain automobile insurance. Michael has also been chosen for inclusion in the Best Lawyers in America 2011 Edition.

▶ The attorneys in the **Alternative Dispute Resolution Group** are effective mediators and arbitrators. Bill Howard received the first Peace Award from the South Carolina Bar ADR Section at the annual South Carolina Bar Conference, Michael Molony recently participated as an Arbitrator with the American Arbitration Association on a major contract dispute involving aeronautical firms, and Wallace G. (Buster) Holland is now officially certified as a circuit court mediator in South Carolina, under the new South Carolina court rules.

▶ The **Commercial and Appellate Litigation Practice Group** received numerous favorable rulings from both trial and appellate courts throughout South Carolina on behalf of insurance carriers, developers, and both local and national corporations. These rulings included several favorable rulings on novel issues of law in relation to insurance coverage, bad faith, and corporate liability.



▶ The **Commercial Transactions and Real Estate Group** worked with a client to successfully conclude substantial commercial construction and leasing projects recently, including a \$32,000,000 sale of real estate with related financing and a related \$12,000,000 construction loan relating to the development of a master-planned, mixed-use business park. The group represented local banks in a number of complex commercial loans, as well as landlords and tenants in long term leases and a large variety of clients in acquisitions and divestitures of various types of businesses.

▶ The **Community Associations Group** has been active in the South Carolina Legislative Action Committee. Joe DaPore is a member of the committee and helped draft the "Managers Certification Act," or S-699, for introduction to the Senate, which would make certification and continuing education mandatory requirements for Community Association managers, who are individuals charged with the day to day operations of Condo regimes, POA's, and HOA's. Joe has also been instrumental in helping to put together a seminar on "Condominium Law," which will be held on December 7 in Charleston.

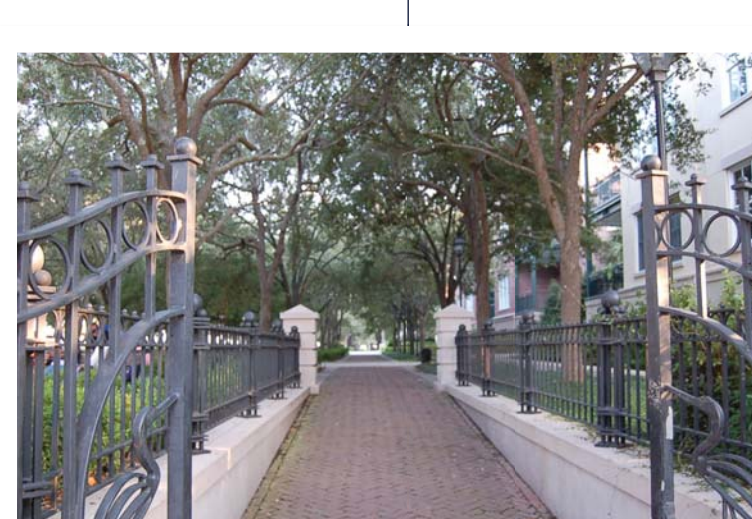


▶ The **Construction Law Practice Group** has handled a broad range of construction related claims this year including claims related to defective design/construction, surety law, breach of contract, mechanics liens, and construction liens in various types of buildings and for a wide array of clients.

▶ The **Employment and Labor Law Group** continues to maintain its position as one of the most successful employment law practices in the coastal South Carolina area. Carol Ervin and Shawn Wallace were named as "Super Lawyers" by the prestigious South Carolina Super Lawyers publication. The group has secured summary judgment, dismissals, and "no cause determinations" in several cases for their clients this year. Carol Ervin serves in various capacities for ALFA, Wilbur Johnson serves as a Board Member of the Federal Reserve Bank of Richmond and was named to Best Lawyers in America, 2011, and Brian Quisenberry serves as a Board Member of the South Carolina Chapter of the Federal Bar Association. Shawn Wallace serves as an officer of the Charleston Executive Women's Board and a Board Member of the Sophia Institute.

▶ The **Professional Liability Group** represents a wide variety of professionals and is active in the community. This year, D. Jay Davis, Jr. presented "Key Themes and Tactics in Medical Malpractice" to The National Business Institute in Charleston, South Carolina. Jay Davis and Jim Scott recently presented seminars on litigation risk management to the South Carolina Medical Association, the Medical University of South Carolina, and Roper St. Francis Healthcare. Jay was also asked to serve on the Charleston Day Board of Trustees.

▶ Our **Tax, Estate Planning, and Probate Practice Group** provides comprehensive tax and legal advice in all aspects of estate planning. This year, C. Michael Branham has been chosen for inclusion in Marquis Who's Who in American Law, 2011-2012, and he recently spoke to the Charleston Business Forum on "Estate Planning Updates and Current Planning Considerations." Ray Burroughs recently spoke on behalf of the South Carolina Pro Bono Clinics and Seminars Program on "Wills, Estates, and Probate," and he published "\$83 REVISITED: BASIC CONSIDERATIONS & AN EXAMPLE" in South Carolina Tax Reports, Spring 2011.



▶ The firm's **Trucking and Transportation Practice Group** has been designated as South Carolina counsel for a large, over-the-road motor carrier, as well as for a national transportation insurer. The Group's lawyers have also developed a solid reputation in the interesting area of dram shop litigation and generated a new relationship with a specialty liquor liability insurer. Our effectiveness in that area - an insurer who writes policies for product manufacturers nationwide.

▶ Attorneys in the **Workers' Compensation Group** have spoken at several seminars this year, including presentations by Drake Rogers at ALFA programs. Robert Gruber and Matt Riddle have successfully mediated several lead cases, and Drake Rogers is handling over 400 occupational disease claims. Buster Holland has procured extensive recoveries from three third party cases for clients this year, including 100% of a lien by the Second Injury Fund and a third-party payment so that the client was made whole on a \$300,000 case. Leslie Whitten and Matt Riddle published "Notice and Statute of Limitations in Repetitive Trauma Cases" in the May edition of the South Carolina Lawyer.

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