

Trial & Appellate Advocacy Section (Civil Law Update)

SPEAKER BIOGRAPHIES

Andrew Mathias

Andrew Mathias has gained a lot of experience over the years from working on complex civil and criminal litigation matters in private practice and seeing the behind-the-scenes operations of the South Carolina judicial system.

On a daily basis, Andrew advises businesses and individuals that are facing the prospect of a lawsuit, or navigating the trial courts during the course of litigation. Additionally, he regularly handles significant appeals in both state and federal courts.

Andrew can handle whatever dispute comes your way. He is adept at advising businesses and individuals during the pre-litigation, discovery disputes, and appellate stages of litigation. His recent experience includes high-stakes civil litigation between large, multi-national corporations requiring discovery practice in several countries. Additionally, he has practiced before the appellate courts of multiple jurisdictions, advancing the positions of individuals and companies seeking protection of both liberty and property.

Andrew works closely with Billy Wilkins, former Chief Justice of the Fourth Circuit Court of Appeals. Together, along with a team of litigation professionals, they represent businesses and individuals that are facing “bet-the-company” cases. Their advice is invaluable.

Prior to joining Nexsen Pruet, Andrew clerked for South Carolina Supreme Court Chief Justice Jean Hofer Toal. He earned his B.A. in Political Science, magna cum laude, from Clemson University and his Juris Doctor degree from the University of South Carolina School of Law. While in law school he argued a mock appeal before a panel of judges including U.S. Supreme Court Chief Justice John Roberts.

James Emerson Smith, Jr.

James is a 46-year-old Columbia native, married to Kirkland T. Smith of Mt. Pleasant, SC. They have three sons, James “Emerson” Smith III, age 20, Thomas Bridges Smith, age 17, Paul Bradford Smith age 11, and a daughter Shannon Elizabeth Smith age 10.

James attended the University of South Carolina and obtained a Bachelor of Arts in Political Science in 1990, and then went on to obtain his Juris Doctor from USC in 1995. After being admitted to the Bars of South Carolina, North Carolina and Georgia, James began his legal career as an Associate at the firm of NELSON, MULLINS, RILEY & SCARBOROUGH in September 1995. In November of 1996, James began a solo practice and currently is the sole shareholder of his three attorney firm, JAMES E. SMITH, JR., P.A. In 1997, he was awarded the Outstanding Young Alumni Award from the University of South Carolina, in 2010 he was awarded the Distinguished Service Award from the University of South Carolina College of Arts and Sciences and in 1999 he was named the South Carolina Bar’s Young Lawyer of the Year. In his first ten years of practice, James was rated by his peers through Martindale-Hubble as “AV,” the highest awarded.

James is also President and CEO of The Congaree Group, LLC (TCG) a Service Disabled Veteran-Owned Small Business (SDVOSB). James started TCG January 2011 to provide medical and pharmaceutical supplies and services to VA and DoD hospitals and medical facilities.

James was elected to the South Carolina House of Representatives in November 1996. In his first year of service he was elected to the position of Assistant Minority House Leader. James served in the position for three years before becoming the Chief Minority Whip. James was then elected House Minority Leader and served from 2002 until 2005. James was re-elected to the House in November of 2010 and currently serves as 1st Vice-Chairman of the Judiciary Committee.

While maintaining his own private law practice, small business and being a member of the South Carolina House, James also serves in our Armed Forces. After 911 and serving for eight (8) years as a JAG officer in South Carolina Army National Guard, James resigned then re-enlisted to pursue a commission as an Infantry Officer. James is currently a Major and Read Det. Commander of 1-118th Infantry Combined Arms Battalion. James served in support of Operation Enduring Freedom Afghanistan with the 218th Infantry Brigade where he was awarded the Combat Infantryman's Badge, The Bronze Star and The Purple Heart.

James has served on various non-profit boards and has volunteered with numerous civic groups including service as a Fellow - Liberty Fellowship, affiliated with the Aspen Global Leadership Initiative, Chair for the Public Policy Committee of the United Ways' Success By 6 initiative, SC First Steps, Board Member, Prevent Child Abuse, SC, Board Member and is currently serving as a Board Member of the Alston Wilkes Society, Congaree Riverkeeper, Red Cross, Friends of The Edisto (FRED) and Nickelodeon. James and his family are members of the Trinity Episcopal Cathedral in Columbia, SC and also attend Church of the Apostles in Columbia, SC.

Marjorie E. "Betsy" Goodale

Title: Chief Staff Attorney, South Carolina Supreme Court

Betsy has a bachelor's degree in nursing from Clemson and worked as a registered nurse for several years before making a career change. She attended law school at USC and went to work for the South Carolina Supreme Court as a staff attorney upon graduation in 1991. She became the Chief Staff Attorney in 2003. She is on the Board of the National Association of Appellate Court Attorneys and currently serves as the Chair of its Education Committee.

Hon. John C. Few

John attended undergrad at Duke and received his Juris Doctor degree from the University of South Carolina School of Law in 1988. He first served as a law clerk to The Honorable G. Ross Anderson before practicing law in Greenville. John served as a Circuit Court Judge from July 1, 2000 until February 3, 2010 when he was elected and sworn in as Chief Judge of the South Carolina Court of Appeals.

Judge Few has been active in teaching law. He has been a member of the Faculty at the National Judicial College in Reno, Nevada, since 2005. Judge Few has been an Adjunct Professor of Law at the Charleston School of Law since 2008, where "Professor" Few has taught Evidence and Advanced Evidence. In the summer of 2010 Charleston School of Law named him a Distinguished Visiting Professor. He has also given and moderated numerous Continuing Legal Education Seminars in South Carolina, and several other states. In 1996, he gave a speech entitled "Citizen Participation in the Legal System," for which he was awarded First Place in the American Bar Association's nationwide Edward R. Finch Law Day speech contest. Judge Few is a Fellow in the Liberty Fellowship Class of 2008, and a Senior Advisor to a member of the Liberty Fellowship Class of 2012.

John has two daughters, Reed and Anna, and a son, Cannon. John is the son of J. Kendall Few of Greenville, and Belva Beasley Few of Greenwood. John and his children are members of First Presbyterian Church in Greenville.

John received his B.A. from Duke University and his law degree from the University of South Carolina. He served as law clerk to Federal District Judge G. Ross Anderson Jr. and then practiced law in Greenville, South Carolina. John served as a state trial judge from 2000 until February 2010, when he became Chief Judge of the South Carolina Court of Appeals. John teaches law at the National Judicial College and several law schools.

Hon. William G. Young

Honorable William G. Young, Judge of the United States District Court, District of Massachusetts, has been an active trial judge for more than 25 years, serving on both the Massachusetts Superior Court (1977-85) and the United States District Court for the District of Massachusetts (1985-present). After receiving his A.B., *magna cum laude*, from Harvard University in 1962, he served two years as an officer in the United States Army. His legal career began in 1967 when he was admitted to the Massachusetts bar upon graduating from the Harvard Law School. He served as law clerk to the Honorable Raymond S. Wilkins, Chief Justice of the Supreme Judicial Court. Following his clerkship, he practiced law as an associate and then partner at the Boston law firm of Bingham, Dana & Gould. His legal career has also included stints as a Special Assistant Attorney General and as Chief Counsel for former Massachusetts Governor Francis W. Sargent.

A longtime teacher of evidence and trial advocacy, he has taught at several law schools including Harvard, Boston College, and Boston University. Commonly referred to as the Education Judge, he is active in judicial education at the Federal Judicial Center and the Flaschner Judicial Institute. Moreover, he volunteers much of his time to educating the bar and has been a staple at continuing legal education programs and institutions including Virginia Continuing Legal Education and the Practicing Law Institute (PLI). He has won national acclaim for his work on the Massachusetts Continuing Legal Education's annual lecture series On Trial with Judge Young, which offers each fall an intensive 15-week study of trial techniques and trial evidence.

In addition to teaching in the classroom, Judge Young has written extensively. He is the principle author of Massachusetts Evidentiary Standards (1992 through 2005 eds.) and Vols. 19 and 19A, Evidence (Mass. Practice Series 1998), and co-author of Daubert's Gatekeeper: The Role of the District Judge in Admitting Expert Testimony (Tulane Law Review), and An Open Letter to U.S. District Judges, The Federal Lawyer (July 2003).

Kirsten E. Small (Course Planner)

Ms. Small is a member in Nexsen Pruet's Greenville office, where she focuses her practice on appellate litigation and complex federal litigation. She has argued numerous appeals before the Fourth Circuit Court of Appeals, the South Carolina Court of Appeals, and the South Carolina Supreme Court. Her work has involved her in cases at the leading edge of computer fraud laws, the constitutional implications of social media evidence, and health care law. Additionally, she has handled appeals for indigent prisoners asserting violations of their constitutional rights.

Ms. Small often works closely with the trial team to develop themes for trial and appeal, drafting critical filings such as summary judgment motions, and monitoring trials to ensure that all potential issues are preserved for review.

After receiving her J.D. from Georgetown University Law Center in 1994, Ms. Small served as a law clerk to two judges of the Fourth Circuit Court of Appeals: Judge William W. Wilkins from 1994-1995 and 1996-2007, and Judge Honorable Karen J. Williams from 1995-1996.

Tina M. Cundari

Tina Cundari is a member of Sowell Gray Stepp & Laffitte, LLC, in Columbia, where she has practiced since 2005. Tina has represented public and private entities and individuals at the trial and appellate level in both state court and federal court, including the United States Supreme Court, as well as in other forums, such as the Office of Disciplinary Counsel and the Financial Industry Regulatory Authority (FINRA). Tina grew up in Ladson, South Carolina, and graduated from the Honors Program of the College of Charleston in 1996 with a B.A. in English. Following graduation, Tina worked as a litigation paralegal for a nationally recognized plaintiffs' firm in Charleston and then for a small firm in San Juan, Puerto Rico. She received her law degree from the University of North Carolina at Chapel Hill in 2003. Tina moved to Columbia in 2003 to clerk for The Honorable Jean Hoefler Toal, Chief Justice of the South Carolina Supreme Court. While clerking, Tina taught legal writing for a year at the University of South Carolina School of Law. Tina practices in the areas of commercial litigation, professional liability and ethics, and appellate advocacy.

Additional Speakers without Submitted Biographies:

James E. Smith, Jr.