

# Employment & Labor Law Section

## SPEAKER BIOGRAPHIES

*by order of presentation*

### **Nekki Shutt**

*Burnette Shutt McDaniel*

*Columbia, SC*

Nekki's goal as an attorney is to treat every client with dignity and to strive for justice. These values were instilled at an early age, as she watched her mother, a public defender who went to law school when Nekki was in second grade, advocate for people trapped in the system. Similarly, Nekki represents clients in their fights against the system. Her emphasis is on employee benefits under ERISA. Nekki's clients include employees who believe the company has wrongfully denied them disability benefits. She works with them from the time of the initial claim, on through internal appeals and into the court system if necessary. She also assists those denied life insurance benefits. Her work in employee benefits also includes cases involving federal COBRA and South Carolina health insurance continuation laws.

A co-founder of Burnette Shutt & McDaniel, Nekki's practice includes a range of other employment law issues as well, such as wage disputes, discrimination and wrongful termination. Nekki earned her Juris Doctor at the University of South Carolina School of Law after working for several years for a publicly traded insurance company. She rose through the human resources department to the position of corporate recruiter, responsible for hiring employees for more than 225 positions a year. In addition to her legal career, Nekki has long been committed to the cause of social justice. In 2002 she was a founder SC Equality, the state's LGBTQ civil rights organization. She served on its board and related boards for 15 years. Her legal work at times has overlapped her commitment to the cause. Nekki and Burnette Shutt & McDaniel co-founder Malissa Burnette led the legal team that paved the way for same-sex marriage in South Carolina nine months before the U.S. Supreme Court ruled all states must recognize same-sex marriage.

Nekki also is deeply committed to helping the next generation of lawyers. She's presented, moderated, planned and created a number of Continuing Legal Education programs for the SC Bar. She's developed innovative programs, such as a CLE on Modern Family Law that addresses issues related to lesbian, bisexual, gay and transgender clients. Another CLE she co-created, "Against The Wind: A Legal History of Civil Rights in South Carolina," received a national Award of Professional Excellence from the Association for Continuing Legal Education.

**Sheila M. Willis**  
*Fisher & Phillips, LLP*  
*Columbia, SC*

Sheila Willis is an associate at the law firm of Fisher Phillips LLP. She represents employers in a variety of labor and employment matters, frequently advising clients regarding hiring, discipline, investigations, and other related issues. She handles matters related to employment discrimination, wage and hour litigation, OFCCP compliance, unemployment proceedings, as well as providing training for supervisors and managers on harassment, Equal Employment Opportunity (EEO) compliance, the Family Medical Leave Act and many other areas. Prior to joining Fisher Phillips, Sheila practiced in a regional civil defense firm, representing employers in litigation and a variety of administrative proceedings. Sheila has also worked as a Staff Attorney for the Supreme Court of South Carolina.

Sheila is involved in various professional and community activities. She serves as President and is on the Board of Directors for the South Carolina Women Lawyers' Association (SCWLA). She also serves on the Board of Directors for Columbia – Society for Human Resource Management (SHRM) and is a previous board member for the South Carolina Defense Trial Attorneys Association (SCDTAA). Sheila is active in the Richland County Bar, American Bar Association, and is a member of the Junior League of Columbia. Sheila also is very active in the South Carolina Bar Young Lawyers' Division, serving as the Secretary-Treasurer of the Division of the Cinderella Project. She is President-Elect of the South Carolina Bar Young Lawyers Division.

Prior to attending law school, Sheila was a member of store leadership for a Fortune 500 retail company, providing employee supervision and managing a variety of employee issues related to wage and hour, workers' compensation, discrimination issues, performance management, and other personnel issues.

**Benjamin A. Baroody**  
*The Bellamy Law Firm*  
*Myrtle Beach, SC*

Ben Baroody is a shareholder with the Bellamy Law Firm, a full service law firm with offices in Myrtle Beach and Pawley's Island. Ben is a native of Florence and a graduate of The Citadel and University of South Carolina School of Law.

Ben's practice focuses primarily upon representation of local businesses and employers within the hospitality, tourism, golf, and restaurant industries. While Ben is primarily a litigator, he also participates in business transactions and in drafting various employment-related documents. Ben has recently litigated several wage and hour cases in federal court.

**David B. McCormack**  
*David McCormack ADR, LLC*  
*Charleston, SC*

David B. McCormack is a former Partner in the Charleston, South Carolina office of Womble Bond Dickinson (US), LC,P. While at Womble, his practice encompassed all aspects of federal and state employment law, including wrongful termination, employment discrimination, wage and hour matters, and trade secret/restrictive covenant litigation. Effective January 1, 2019, he left Womble to form David McCormack ADR, LLC, an entity devoted exclusively to conducting mediations and arbitrations. David has mediated more than 750 cases and arbitrated over 30 matters throughout the state and region.

Mr. McCormack received his B.A. degree from Yale University, his M.A. degree from Cambridge University, Cambridge, England, and his J.D. degree from the University of Virginia. He is a member of the South Carolina Bar's Employment and Labor Law and Dispute Resolution Sections and the College of Labor and Employment Lawyers. David is a member of the American Arbitration Association Employment and Commercial Panels, the National Academy of Distinguished Neutrals, and the American Health Lawyer Association Arbitration panel. Mr. McCormack is certified by the South Carolina Supreme Court as a Certified Specialist in Employment and Labor Law and is listed in the current editions of "The Best Lawyers in America, Chambers USA:America's Leading Lawyers for Business, and South Carolina Super Lawyers in the category "Labor and Employment Law".

**David E. Rothstein**  
*Rothstein Law Firm, P.A.*  
*Greenville, SC*

David Rothstein founded the Rothstein Law Firm, PA in Greenville, SC, in July 2010. He is a certified specialist in employment and labor law, and he primarily represents individuals in employment-related matters. He obtained his undergraduate degree in finance from the McIntyre School of Commerce at the University of Virginia in 1990 and his law degree from the University of South Carolina School of Law in 1993, where he was the Editor in Chief of the South Carolina Law Review. After law school, he served as a judicial law clerk to the Hon. Joseph F. Anderson, Jr., United States District Court for the District of South Carolina, from 1993-1995, and to the Hon. Robert F. Chapman, United States of Appeals for the Fourth Circuit, from 1995-1996. He has been in private practice since October 1996. He previously served as the chair of the Employment and Labor Law Section Council of the South Carolina Bar and was a member of the Specialization Advisory Board for Employment and Labor Law. He also served as an associate bar examiner in South Carolina for 9 years. He was admitted to the North Carolina Bar in April 2008.

David is married to Jill Rothstein, who was the Risk Management Director for the South Carolina Bar for 17 years, and is currently General Counsel for the Greenville County Sheriff's Office. Jill also serves as Special Counsel to the Rothstein Law Firm, assisting lawyers with ethics issues and professional grievance matters. They have two children, Chloe, who is a Junior

at Wake Forest University, and Eli, who is a Senior in High School and will most likely start at the Savannah College of Art and Design in the Fall. Most evenings, David can be found between the hours of 9:00 and 10:00 being dragged around the neighborhood by his two unruly Labrador Retrievers, Dutch and Daisy.

**Jennifer “Jenni” K. Dunlap**  
*Parker Poe Adams & Bernstein, LLP*  
*Charleston, SC*

Jenni Dunlap is a versatile litigator and advisor who focuses on getting her clients what they need so they can get back to business. Jenni handles employment and business disputes in federal and state courts for clients in the banking, utility, manufacturing, and health care industries. She is a no-nonsense counselor for businesses who want straightforward and practical advice consistent with their big-picture goals.

Jenni's clients benefit from the variety of cases she has handled. By working with clients in a broad range of industries, Jenni knows that every case and every client is unique. She takes a tailored and results-oriented approach for each case in order to fit each client's desired outcome. After graduating from Vanderbilt University School of Law in 2000, where she was a managing editor of the *Vanderbilt Law Review*, Jenni practiced law for two large international law firms in Atlanta. While in Atlanta, Jenni focused on a wide array of employment and tort matters, as well as working on high-profile class action lawsuits. Since moving to South Carolina in 2006, Jenni has continued to handle employment matters in addition to representing clients in general business, unfair trade practices, and tort lawsuits.