

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Application for Mediators

Please complete the entire application, using additional paper if necessary. You may also attach a resume.

Name: Bernie Wellington Ellis

Firm or Office Name: McNair Law Firm, P.A.

Office Address: P. O. Box 447, Greenville, SC 29602

Office Phone: 864-271-4940 Office Fax: 864-271-4015

email address: BEllis@mcnair.net

ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 8/28/92 I.D. No.: 5650

Date admitted to the South Carolina Bar: 5/7/92 Bar No.: 064841

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.):
New York State, 1991, #2431096 Fourth Circuit Court of Appeals 1/23/96

Membership and positions held in bar, ADR and professional associations: _____

Are you a member in good standing in each jurisdiction where admitted to practice law? yes no

Are you currently the subject of any pending disciplinary proceeding in any jurisdiction? yes no

Have you, within the last 5 years, been denied admission to a bar for character or ethical reasons or disciplined for professional misconduct? yes no

EDUCATION

Year law degree received 1990 Law School University of Virginia

Other professional degrees received (including year and school) _____

LEGAL EXPERIENCE (A minimum of 5 years of law practice required)

Summarize legal experience (including teaching) since admission to the bar, particularly in the past five years:

September, 1990–February, 1992 – Tax attorney with Breed, Abbott & Morgan
New York, NY

March, 1992–July, 1999 – Litigation attorney with McNair Law Firm, P.A.,
Columbia, SC

July, 1999–Present – Litigation attorney with McNair Law Firm, P.A.,
Greenville, SC

Percentage of practice in last 5 years representing plaintiff 35 % or defense 65 %

Percentage of Federal or State court practice in last 5 years: Federal 50 % State 50 %

Number of years engaged in active litigation: 10

EXPERTISE

Indicate all substantive areas in which you have expertise. Place a "1" by your strongest area(s) and a "2" by all other areas in which you have expertise. (Do not rank beyond "1" and "2.") After any category you have marked, please identify any sub-areas of expertise you have (e.g. "medical malpractice" after Personal Injury).

- | | |
|---|--|
| <input type="checkbox"/> Admiralty | <input type="checkbox"/> Security or Shareholders suits |
| <input type="checkbox"/> Antitrust | <input type="checkbox"/> Labor |
| <input checked="" type="checkbox"/> 1 Contracts | <input checked="" type="checkbox"/> 1 ERISA |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Wrongful Termination |
| <input checked="" type="checkbox"/> 1 Fraud or Civil RICO | <input checked="" type="checkbox"/> 1 Civil Rights in Employment |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Other Civil Rights |
| <input type="checkbox"/> Miller Act | <input type="checkbox"/> Copyrights |
| <input checked="" type="checkbox"/> 2 Personal Injury | <input type="checkbox"/> Patent |
| <input checked="" type="checkbox"/> 2 Product Liability | <input type="checkbox"/> Trademark |
| <input type="checkbox"/> Other (specify) _____ | |

Publications: _____

MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above):
I have participated in a number of mediations as counsel for the plaintiff and for the defendant. I have conducted two mediations involving an alleged breach of contract. I have conducted one mediation involving an allegation of business fraud. I have conducted one mediation involving an alleged violation of the South Carolina wage payment statute and breach of contract.

Other courts or organizations for whom you serve as a mediator (please note any certifications):
South Carolina Circuit Court

Number of mediations conducted: 4 Number of other ADR sessions conducted: _____

MEDIATION AND OTHER ADR TRAINING

Course Provider	Course Content	Date	Place	No. of Hours
SC Council for	Court mediation training	12/4-8/00	Columbia, SC	40
<u>Conflict Resolution</u>				

OTHER INFORMATION

Are you familiar with the statutes, rules and practice governing alternative dispute resolution in the District of South Carolina? yes no

Other relevant experience or skills or other information you would like considered in connection with this application:

Cities in which you are available to conduct mediation:

Columbia

Charleston

Greenville

Florence

Other I am able to conduct mediations statewide. I have access to office space in Columbia, Charleston, Greenville, Georgetown and Myrtle Beach.

Fees charged:

Hourly Rate: \$ 180.00

Minimum charge each mediation: \$ 180.00

How do you bill for travel? (explain): I generally bill full rate for travel time where it is necessary to travel during business hours. This is entirely negotiable.

I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; the Rules for Lawyer Disciplinary Enforcement, Rule 413, South Carolina Appellate Court Rules; and the Local Rules of the District Court; (2) Provide mediation to indigents without pay if ordered by the Court; (3) Notify the Alternative Dispute Resolution Program Director of any change in the above facts or otherwise in my ability to perform duties as a mediator; (4) Disclosure of information contained in this application to litigants and other members of the public.

I certify that the foregoing is true and correct.

Signature: *See W. Elk*
Applicant

Date: 4/4/02

Return completed application to:
Sherry M. Mullis, Director
Alternative Dispute Resolution Program
United States District Court
Post Office Box 835
Charleston, SC 29402-0835

Reviewed by: *Sherry M. Mullis*
ADR Program

Date: 4/18/02

Approved: *[Signature]*
U.S. District Judge

Date: 4/22/02