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: Brian C. Duffy

Firm or Office Name: Nelson Mullins Riley & Scarborough, LLP

Office Address: 151 Meeting Street/6th Floor, Charleston, SC 29401

Office Phone: (843) 534-4258 Office Fax: (843) 534-4248

email address: brian.duffy@nelsonmullins.com

ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: January 2005 I.D. No.: 9491

Date admitted to the South Carolina Bar: November 1998 Bar No.: 16247

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.): District of Columbia Bar (12/3/01) #464677; US Supreme Court (8/5/02); USDC for the District of Columbia (5/6/02); US Courts of Appeals for the District of Columbia, Federal and 11th Circuits; US Court of Federal Claims

Membership and positions held in bar, ADR and professional associations: American Bar Association, Charleston County Bar Association, South Carolina Defense Trial Attorneys' Association, US Supreme Court Historical Society

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 1998 Law School Vanderbilt University School of Law

Other professional degrees received (including year and school)
Bachelor of Arts, University of North Carolina at Chapel Hill, 1995

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:

Of Counsel, 2004-Present, Nelson Mullins Riley & Scarborough, LLP. Charleston, SC
Adjunct Professor, Currently Teaching Commercial Law, Charleston School of Law, Charleston, SC
Associate, 2001-2004, Arnold & Porter, Washington, DC
Associate Counsel, 2000- 2001, Judicial Review Commission on Foreign Assets Control, Washington, DC
Law Clerk to US Circuit Judge Karen L. Henderson of the US Court of Appeals for the D.C. Circuit, 1999 - 2000, Washington, DC
Law Clerk to US District Judge C. Lynwood Smith, Jr. of the Northern District of Alabama, 1998-99, Huntsville, AL

Percentage of practice in last 5 years representing plaintiff 50 % or defense 50 %

Percentage of Federal or State court practice in last 5 years: Federal 65 % State 35 %

Number of years engaged in active litigation: 5

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).

	Admiralty	2	Security or Shareholders suits
	Antitrust		Labor
1	Contracts		ERISA
	Environment	2	Wrongful Termination
2	Fraud or Civil RICO	2	Civil Rights in Employment
	Insurance	1	Other Civil Rights
	Miller Act		Copyrights
2	Personal Injury		Patent
2	Product Liability		Trademark
1	Other (specify) Commercial Law		

Publications:

Barring Foul Blows, 50 Vand. L. Rev. 1335 (1997)
Admissibility of Expert Testimony: South Carolina's Standard in Relation to and in Light of Daubert, 25:1, The Defense Line, 6 (1997)

MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above):

I have represented clients in mediations involving many of the categories above. At the time of this application, however, I am beginning my practice as a mediator.

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

Number of mediations conducted: 0 Number of other ADR sessions conducted: 0

MEDIATION AND OTHER ADR TRAINING

Course Provider	Course Content	Date	Place	No. of Hours
SC Bar	Civil Mediation Certification Training	8/17-21 2006	Columbia, SC	40.00
Nelson Mullins Riley & Scarborough	The Anatomy of a Mediation	8/24/2005	Columbia, SC	1.00

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:

[x] Columbia [x] Charleston [ ] Greenville [x] Florence

Other _____

Fees charged:

Hourly Rate: $ 265.00 Minimum charge each mediation: $ No minimum

How do you bill for travel? (explain): Generally for travel time. For significant travel, I include mileage and reasonable expenses for necessary accomodations.

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: _____ Date: _____
Applicant

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

Reviewed: x Danny Mullis Date: 7/19/00
ADR Program

Approved: _____ Date: _____
U.S. District Judge

3/2000