

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: DONALD ATLAS FURTADO

Firm or Office Name: McNAIR LAW FIRM, P. A.

Office Address: P. O. BOX 1431, CHARLESTON, SC 29402
(DELIVERY: 100 CALHOUN ST., SUITE 100, 29401)

Office Phone: 843-723-7831 Office Fax: 843-805-6576

E-mail Address: dfurtado@mcnair.net

ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: _____ I.D. No.: _____

Date admitted to the South Carolina Bar: 4 APRIL 1988 Bar No.: 11234

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.):

GEORGIA BAR - DEC. 1966 (#280986); GEORGIA SUPREME COURT, JUNE 13, 1967; U. S. DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, DEC. 15, 1966; U. S SUPREME COURT-JUNE 29, 1970

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

PREVIOUS QUESTION (continued): DISTRICT OF COLUMBIA BAR- MAY 16, 1969 (#951665); U. S. DISTRICT COURT, DISTRICT OF COLUMBIA - MAY 16, 1969

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

Have you, within the last five years, been publicly reprimanded or publicly disciplined for professional conduct?
 yes no

Have you, within the last five years, been denied admission to a bar for character or ethical reasons, or been disbarred/suspended from the practice of law? yes no

EDUCATION

Year law degree received 1966 Law School YALE LAW SCHOOL

Other professional degrees received (including year and school):

B. A. UNIVERSITY OF NORTH CAROLINA (CHAPEL HILL) - 1959

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

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

Adjunct Professor, Charleston School of Law (8/2009 to Present); Of Counsel, McNair Law Firm, P.A., Charleston, SC (1996-Present); General Counsel, Harbour Associates, Inc., Tampa, FL (1992-1996); Private practice, Hilton Head Island, SC (1988-1992); Of Counsel, Donovan, Leisure, Newton, & Irvine, Washington, D.C. (1988-1993); General Counsel, Venture Management, Inc., Atlanta, GA (8/1970-6/1977); White House Fellow and Asst. to Special Counsel to President of U. S. (9/1967-9/1968); Brownstein, Zeidman & Schomer, Washington, D.C. (3/1969-8/1970); Alston, Miller & Gaines, Atlanta, GA (now Alston & Bird) (2/1966-9/1967)

Percentage of practice in last 5 years representing plaintiff 0 % or defense 0 %

Percentage of Federal or State court practice in last 5 years: Federal 0 % State 0 %

Number of years engaged in active litigation: 45 off & on

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"/> Contracts ①	<input type="checkbox"/> ERISA
<input type="checkbox"/> Environment	<input type="checkbox"/> Wrongful Termination
<input type="checkbox"/> Fraud or Civil RICO	<input type="checkbox"/> Civil Rights in Employment
<input type="checkbox"/> Insurance	<input type="checkbox"/> Other Civil Rights
<input type="checkbox"/> Miller Act	<input type="checkbox"/> Copyrights
<input type="checkbox"/> Personal Injury	<input type="checkbox"/> Patent
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Trademark
<input checked="" type="checkbox"/> Other (specify) <u>Property & finance</u> ①	

Publications: _____

MEDIATION EXPERIENCE

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

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

Circuit Court, South Carolina

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

MEDIATION AND OTHER ADR TRAINING

<u>Course Provider</u>	<u>Course Content</u>	<u>Date</u>	<u>Place</u>	<u>No. of Hours</u>
Center for Dispute Resolution	Civil Court Mediation Training	5/23-27/11	Charles. School of Law	40.00
South Carolina Bar	Circuit Court Arbitrator Training	4/19/11	SC Bar website	6.00

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:

I have broad experience in law, business, government, the military and non-profit operations which gives me the knowledge and perspective needed to understand complex facts and issues, listen to the views of the parties involved, and render an objective and fair decision or opinion. I have been actively involved in resolving many disputes or potential disputes over the years. In some cases, my involvement was as legal counsel for one of the parties. In other cases, my involvement was as a government official, the president of large home owners associations, a leader of a non-profit entity, or a principal of a business. I have also negotiated, drafted or reviewed many documents defining enforcement procedures, including mediation and arbitration. My primary focus as an attorney has been in transactional matters relating to diverse business issues. I have also been a businessman, involved in all aspects of real estate acquisition, development, financing, construction, and marketing. I have served as a senior federal official involved in international trade and finance, the operations of a major federal department, and negotiations with other entities.

Cities in which you are available to conduct mediation:

Columbia Charleston Greenville Florence

Other _____

Fees charged:

Hourly Rate: \$ 300 Minimum charge each mediation: \$ \$1,000

How do you bill for travel? (explain): I bill for one-half of the travel time involved. If driving, I bill for mileage reimbursement at the approved federal rate. If flying, I bill for actual air fare. I bill for the actual cost of meals, hotels, cabs, etc.

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: *Donald G. Futato* Date: June 28, 2011
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: *Danny H. Mullis* Date: 6/30/11
ADR Program

Approved: *[Signature]* Date: 7/5/11
U.S. District Judge

Resume of Donald A. Furtado

Office:

McNair Law Firm, P. A.
100 Calhoun Street
Suite 400
Charleston, SC 29401

Mailing Address:

P. O. Box 1431
Charleston, SC 29402

Telephone: 843 723 7831
Direct Fax : 843 805 6576
E-mail: dfurtado@mcnair.net

Overview

Don Furtado's career includes broad experience as a military officer, attorney, businessman, and government official. He is currently "of counsel" to McNair Law Firm, P. A., in its Charleston, South Carolina office, where his law practice includes diverse transactional matters, real estate, construction, finance, and governmental economic development incentives. He is also an Adjunct Professor at the Charleston School of Law, teaching a "how to" course in Practical Business Transactions.

He graduated from the University of North Carolina at Chapel Hill, where he was class and student government president, a member of Phi Beta Kappa and the recipient of the University's Senior Leadership Award. After serving as a Navy Underwater Demolition Team (now, the SEALs) officer and attending the University of Sydney, Australia Law School as a Rotary International Fellow, he graduated from Yale Law School.

Before his association with McNair Law Firm, P.A., Don practiced law in Atlanta, Washington, D.C., and Hilton Head Island, South Carolina, and was "of counsel" to law firms in New York and Washington, D C. As an attorney, project manager, or senior executive and general counsel of Atlanta, Tampa, and South Carolina-based development, construction, brokerage, and consulting firms, he has been actively involved in both the operational and legal aspects of a wide variety of projects, such as mixed-use communities, commercial and hotel development, single family and multifamily residential, hotel and residential condominiums, interval ownership, and marinas.

In addition to his extensive private sector experience, Don served as Deputy Under Secretary for International Trade at the U. S. Department of Commerce, Senior Vice President of the U. S. Export-Import Bank, a White House Fellow and Assistant to the Special Counsel to the President of the United States, Assistant to the Administrator of the Small Business Administration, and a member of the Hilton Head Island Planning Commission. Don has been actively involved in many community service programs.

Education

1966, LL.B., Yale Law School
1963, University of Sydney Law School
1959, B.A., University of North Carolina at Chapel Hill