

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: JOHN B. KERN

Firm or Office Name: JOHN B. KERN, ATTORNEY AT LAW AND PROCTOR IN ADMINISTRATION

Office Address: 56-58 BROAD STREET, P.O. BOX 91  
CHARLESTON, SOUTH CAROLINA 29401

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ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 6/13/97 <sup>254.</sup> I.D. No.: 6840

Date admitted to the South Carolina Bar: 11/21/94 Bar No.: 7562

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.): U.S. COURT OF INT'L  
TRADE (1/6/96); FOURTH CIRCUIT COURT OF APPEALS (6/30/96) - NO Bar #.

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 1994 Law School WILLAMETTE UNIVERSITY

Other professional degrees received (including year and school) MASTER OF MANAGEMENT,  
ATLANTON GRADUATE SCHOOL, WILLAMETTE UNIV., 1994.

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:

MINE IS A 'BOUNIQUE' PRACTICE FOCUSED ON ADMINISTRATION CLAIMS  
AND DISPUTES IN INTERNATIONAL TRADE. I HAVE TAUGHT COURSES  
IN IMPORT & EXPORT LAW AT THE S.C. WORLD TRADE INSTITUTE FOR 3 yrs.

Percentage of practice in last 5 years representing plaintiff 70 % or defense 30 %

Percentage of Federal or State court practice in last 5 years: Federal 60 % State 40 %

Number of years engaged in active litigation: 6

### 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).

|  |                                      |
|--|--------------------------------------|
| <u>1</u> Admiralty                                   | _____ Security or Shareholders suits |
| _____ Antitrust                                      | _____ Labor                          |
| <u>2</u> Contracts                                   | _____ ERISA                          |
| _____ Environment                                    | _____ Wrongful Termination           |
| _____ Fraud or Civil RICO                            | _____ Civil Rights in Employment     |
| _____ Insurance                                      | _____ Other Civil Rights             |
| _____ Miller Act                                     | _____ Copyrights                     |
| _____ Personal Injury                                | _____ Patent                         |
| _____ Product Liability                              | _____ Trademark                      |
| <u>1</u> Other (specify) <u>INT'L TRADE DISPUTES</u> |                                      |

Publications: \_\_\_\_\_  
\_\_\_\_\_

### MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): AS A LITIGANT, PARTICIPATED IN MANY MEDIATION CONFERENCES, PARTICULARLY BETWEEN THE ADMIRALTY + MARITIME JURISDICTION OF THE COURTS.

Other courts or organizations for whom you serve as a mediator: \_\_\_\_\_  
\_\_\_\_\_

Number of mediations conducted: 1

### MEDIATION TRAINING

| Course                                   | Course   | No. of |               |    |
|--|--|--------|---------------|----|
| Provider                                 | Content  | Hours  |               |    |
| ① NEILAMEITE UNIV. COLLEGE OF LAW        | ADR WORKSHOP   | 1994   | Salem, Oregon | 5  |
| ② ATLANTON Graduate School of Management | STATE EC - Graduate Level Dispute Resolution & Negotiations Course | 1992   | Salem, Oregon | 30 |

**OTHER INFORMATION**

Are you familiar with the statutes, rules and practice governing mediation conferences 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 \_\_\_\_\_

Fees charged:

Hourly Rate: \$ 150.<sup>00</sup>      Minimum charge each mediation: \$ N/A

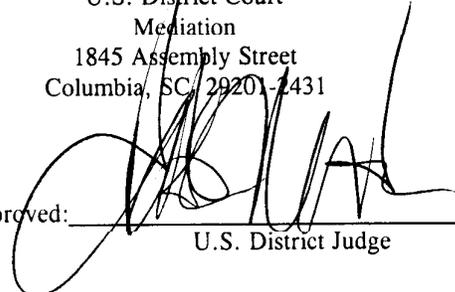
How do you bill for travel? (explain): MESSAGE ADDRESSES FOR LOCAL; ACTUAL COSTS OTHERWISE.

I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; to the Rules on Disciplinary Procedure, 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 Clerk of Court 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 3-28-2000  
Applicant

Return completed application to:  
U.S. District Court  
Mediation  
1845 Assembly Street  
Columbia, SC, 29201-2431

Approved:  Date 3/21/2000  
U.S. District Judge