

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: Billy C. Killough

Firm or Office Name: Barnwell Whaley Patterson & Helms, LLC

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ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 1979 I.D. No.: 2330

Date admitted to the South Carolina Bar: 1979 Bar No.: 3454

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

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

American Intellectual Property Law Association; Carolina Patent Trademark Copyright Law Association

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 1979 Law School University of South Carolina

Other professional degrees received (including year and school):

Bachelor of Industrial Engineering; Georgia Institute of Technology – 1974

Master of Business Administration; University of South Carolina – 1979

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:

I have handled a very broad range of legal matters during my career. My practice currently focuses on patents, trademarks, copyrights, technology matters and complex business matters.

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 100% State 0%

Number of years engaged in active litigation: 32

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 type="checkbox"/> Contracts | <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 checked="" type="checkbox"/> 2 Copyrights |
| <input type="checkbox"/> Personal Injury | <input type="checkbox"/> 1 Patent |
| <input type="checkbox"/> Product Liability | <input checked="" type="checkbox"/> 2 Trademark |
| <input checked="" type="checkbox"/> 2 Other (specify) <u>Technology; Complex Business Disputes; Aviation</u> | |

Publications:

MEDIATION EXPERIENCE

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

I have participated as counsel in mediations in each of the subject matters set forth above, and in multiple jurisdictions.

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

Number of mediations conducted: _____ Number of other ADR sessions conducted: 1
Arbitrator, using AAA Commercial Arbitration Rules

MEDIATION AND OTHER ADR TRAINING

| <u>Course Provider</u> | <u>Course Content</u> | <u>Date</u> | <u>Place</u> | <u>No. of Hours</u> |
|----------------------------------|-----------------------|--------------|----------------|---------------------|
| SC Bar | Civil Mediator Course | August, 2011 | Columbia, SC | 40 |
| American Arbitration Association | Mediation | 1990's | Charleston, SC | 8 |

OTHER INFORMATION

Are you familiar with the statutes, rules and practice governing alternative dispute resolution in the District of South Carolina? X yes ___no

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

My experience as corporate engineer, business person, pilot and patent/trademark/copyright attorney are relevant to acting as mediator in disputes involving these matters.

Cities in which you are available to conduct mediation:

X Columbia X Charleston X Greenville X Florence

Other: _____

Fees charged:

Hourly Rate: \$350 _____ Minimum charge each mediation: \$1,000 _____

How do you bill for travel? (explain):

Travel time is billed, excepting that if the total time for the day exceeds 8 hours, excess travel time is billed at 1/2.

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: [Handwritten Signature]
Applicant

Date: October 27, 2011

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: [Handwritten Signature]
ADB Program

Date: 11/1/11

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

Date: 11/2/11