

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: Ellison D. Smith, IV

Firm or Office Name: SMITH, BUNDY, BYBEE & BARNETT

Office Address: 49 Broad St., P.O. Box 579, Charleston, SC 29402

Office Phone: (803) 577-6302 Office Fax: (803) 722-5912

ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 1969 I.D. No.: 3895

Date admitted to the South Carolina Bar: 1969 Bar No.: 005077

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.): United States Court of Appeals for the Fourth Circuit; U.S. Supreme Court; U.S. Court of

Federal Claims Membership and positions held in bar, ADR and professional associations: none

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 1969 Law School University of South Carolina

Other professional degrees received (including year and school) none

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:

I have actively been engaged in the practice of law since 1969. I spent the first three years in labor disputes representing management. Three years as an Assistant Attorney General for the State of S.C. handling civil litigation, and the last twenty years as a private practitioner handling civil litigation with an emphasis in the last ten years on environmental matters. I have served as a Hearing Officer for the State Dept. of Labor, DHEC, and the S.C. Coastal Council.

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 20 % State 80 %

Number of years engaged in active litigation: 26 years

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

Publications: _____

MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): I mediated cases in both the state and federal courts on a variety of legal issues embracing some but not all of the categories listed above.

Other courts or organizations for whom you serve as a mediator: Court of Common Pleas for Charleston and Beaufort Counties and other Courts of Common Pleas as requested.

Number of mediations conducted: approx. 15

MEDIATION TRAINING

<u>Course Provider</u>	<u>Course Content</u>	<u>Date</u>	<u>Place</u>	<u>No. of Hours</u>
S.C. Council for Mediators and ADR	Mediation Certification	Mar. 3 thru 7, 1994	Columbia, SC	40

OTHER INFORMATION

Are you familiar with the statutes, rules and practice governing mediation conferences 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:
none

Cities in which you are available to conduct mediation:

X Columbia X Charleston Greenville X Florence
Other Beaufort

Fees charged:

Hourly Rate: \$ 125 Minimum charge each mediation: \$ 250

How do you bill for travel? (explain): portal to portal

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 Oct. 6, 1995
Signature Applicant
Ellison D. Smith, IV

Return completed application to:
U.S. District Court
Mediation
1845 Assembly Street
Columbia, SC 29201-2481

[Signature] Date 10/16/95
Approved: U.S. District Judge

SUPPLEMENT

FAX: 579-1434

SMITH, BUNDY, BYBEE & BARNETT, P.C.
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ELLISON D. SMITH, IV
W.H. BUNDY, JR.
RICHARD D. BYBEE
STAN BARNETT

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73 BOYKIN MILL RD.
P.O. BOX 5
BOYKIN, SC 29128
(803)425-1093

DATE: June 15, 2000

TO: Danny Mullis, ADR Program Director
United States District Court

FAX NO: _____

FROM: Ellison D. Smith, IV

RE: Mediator Listing

Danny: My application for mediators looks fine

OUR FILE NO: -0-

TOTAL PAGES SENT (INCLUDING COVER SHEET): 1

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