Winter 2009-2010



February 28-March 2



31st Annual Medical Seminar Francis Marion Hotel Charleston SC

Visit the website for details.

In This Issue

Mediation



South Carolina Workers' Compensation Educational Association

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Donna R. Croom Executive Director www.scwcea.org



SCWCEA Elects New Officers and Board of Directors At Annual Meeting

During the SCWCEA Annual Meeting at the Embassy Suites at Kingston Plantation on October 21, 2009, the membership elected new officers and three individuals to serve a three-year term on the SCWCEA Board of Directors beginning January 1, 2010. Your new officers are:

President Chris C. Daniel, Companion Property & Casualty Group,

Columbia, SC

Vice PresidentRichard V. Davis, Esq., Christian & Davis, LLC, Greenville, SCSecretaryMichael S. Swindell, Esq., Harris & Graves, PA, Greenville, SCTreasurerHarry B. Gregory, Jr., Esq., SC State Accident Fund, Columbia, SC



Chris C. Daniel is the Director of Claims for Companion Property and Casualty Group in Columbia, SC. He oversees claims and managed care operations for Companion's workers' compensation division. Mr. Daniel received his BA degree from Wofford College and holds an Associate in Claims professional designation from the Insurance Institute of America and is a licensed adjuster in Georgia and both Carolinas.

Richard V. Davis, Esq., is a partner in the law firm of Christian and Davis in Greenville, SC serving as a trial advocate for injured victims. A graduate of Clemson University, he received his Juris Doctor Degree from the University of South Carolina School of Law. Mr. Davis is past Chairman of the State Ethics Commission, serves on the Board of Kids' Chance of South Carolina, Inc. and is a former Eagle Scout.

Michael S. Swindell, Esq., practices workers' compensation and social security law with Harris and Graves in Greenville, SC. He received his undergraduate degree from the University of South Carolina and his J.D. from the University of South Carolina School of Law. Mr. Swindell is a retired Captain from the United States Army and a past Board member of Kids' Chance of South Carolina, Inc.

Harry B. Gregory, Jr., Esq., serves as Director of the South Carolina State Accident Fund. A magna cum laude gradate of the University of South Carolina, Mr. Gregory received his juris doctorate degree from the University of South Carolina School of Law. He serves on numerous boards and commissions.

The new Board of Directors members are Roy A. Howell, Jr., Esq., Trask and Howell, LLC, Mt. Pleasant, SC; Joseph H. Hutchinson, Santee Cooper, Moncks Corner, SC and William B. "Bret" Salley, Jr., Esq., Salley Law Firm, PA, Lexington, SC.

"We are excited to welcome these three new workers' compensation professionals to the SCWCEA Board of Directors", says Chris C. Daniel, SCWCEA President Elect, "Each brings a wealth of workers' compensation experience and will also provide a unique perspective to our organization and its mission. The association Board has always remained strong and will continue to advance the educational programs for the membership during the years ahead."

President

Chris C. Daniel Companion Property and Casualty Group Columbia SC

Vice President Richard V. Davis Christian and Davis Law Firm Greenville SC

Secretary
Michael S. Swindell
Harris and Graves PA

Harris and Graves,PA *Greenville SC*

Treasurer

Harry B. Gregory, Jr. S.C. State Accident Fund *Columbia SC*

David Benenhaley Piggly Wiggly Carolina Company Charleston SC

Paige Bowling Corporate Pharmacy Services Gadsden AL

Barbara A. Cullum Zurich North America *Charlotte NC*

S. Belinda Ellison Law Office of Belinda Ellison Lexington SC

J. Russell Goudelock, II Past President McAngus Goudelock and Courie, LLC Columbia SC

Roy A. Howell, III Trask and Howelll, LLC Mt. Pleasant SC

Joseph H. Hutchinson Santee Cooper Moncks Corner SC

Carl H. Jacobson Uricchio, Howe, Krell, Jacobson & Torporek Charleston SC

continued next page

President's Message

SCWCEA Chronicles



It has truly been an honor to serve as President of the SCWCEA during the past three years. This organization has always been, and continues to be, very important to me. It has provided me with many cherished friendships and business relationships, as well as allowed me the opportunity to advance the many educational programs of the association.

As my term comes to an end, I would like to personally thank each of you for your unselfish and tireless efforts which have helped make this organization the success it has become. Although we have not been immune to the downturn in the

economy, I encourage you to stay engaged and involved. Volunteer to serve on a committee, explore being a faculty member at one of the meetings, or share your experiences with others who may have an interest in joining. Our strong network of professionals, combined with the educational resources and events we offer, make the SCWCEA more important than ever!

Thank you for the opportunity to serve. May your holiday season be filled with meaning, peace, joy, creativity and prosperity. From the entire Board of Directors and Staff of the SCWCEA, Happy Holidays!

J. Russell Goudelock, II

SCWCEA New Officers and Board of Directors continued

Roy A. Howell, III, Esq., is a founding partner of Trask and Howell, LLC in Mt. Pleasant, SC. A native of Bennettsville, SC, he received his undergraduate degree from the College of Charleston and his juris doctorate from Campbell University. Mr. Howell has over seventeen years experience in workers' compensation law.



Joseph H. Hutchinson serves as senior safety specialist and workers' compensation administrator for Santee Cooper (SC's public utility). He has more than 25 years of experience in workers' compensation claims insurance and work place safety. Mr. Hutchinson is a Certified Utility Safety Administrator through the National Safety Council and is also a Certified Workers' Compensation Professional through Michigan State University.



William B. "Bret" Salley, Jr., Esq., practices in the areas of workers' compensation, personal injury and criminal defense for the Salley Law Firm, PA in Lexington, SC. He received his undergraduate degree from the College of Charleston and his J.D. from the University of South Carolina School of Law. Mr. Salley is the immediate Past President of the Injured Workers' Advocates.



The three new members replace Eric C. Bailey of Cardinal Logistics Management Corporation, J. Russell Goudelock, II, Esq., of McAngus, Goudelock & Courie, LLC and William B. Smith, II, Esq., of Chappell, Smith & Arden, PA. Re-elected for a second year term were David Benenhaley, Piggly Wiggly Carolina Company, Charleston, SC; Barbara A. Cullum, Zurich North America, Charlotte, NC; Carl A. Jacobson, Esq., Uricchio, Howe, Krell, Jacobson, Toporek, Theos & Keith, PA, Charleston, SC and Harold J. Willson, Jr., Esq., Willson, Jones, Carter & Baxley, PA, Greenville, SC.

Stanford E. Lacy Collins and Lacy, PA *Columbia SC*

Stephen R. Ratliff
The Directions Group,
Inc.
Mt. Pleasant SC

Commissioner Andrea C. Roche S.C. Workers' Compensation Commission Columbia SC

William B. "Bret" Salley, Jr. Salley Law Firm, PA Lexington SC

William E. Shaughnessy Turner Padget Greenville SC

Sunnie M. Thomason Michelin-PRIME *Greenville SC*

Commissioner Avery B. Wilkerson, Jr. S.C. Workers' Compensation Commission Columbia SC

Commissioner
Derrick L. Williams
S.C. Workers'
Compensation
Commission
Columbia SC

O. Shayne Williams Turner Padget Graham & Laney, PA *Greenville SC*

Harold J. Willson, Jr. Willson, Jones, Carter and Baxley, PA *Greenville SC*

SCWCEA Chronicles

2010 Medical Seminar Returns to Charleston

More exciting than the location is the content of the 2010 SCWCEA Medical Seminar!

- Attendees will get insider information on the S.C. Workers' Compensation Commission's new eCase Status system to access in real time their case status from Executive Director, Gary Cannon.
- Dr. Donald Johnson and the commissioners will cover medical issues so that you will know what's important to authorization of treatment and final decisions on cases.
- The ever popular Breakfast with the Commissioners will also be back to allow you to ask that question you always wanted to ask the commissioners.
- Mark Arden will share his experience gained in cases arising from the Graniteville train disaster involving several different chemicals. Lessons learned cover the complexities of diagnosing skin rash and pulmonary issues, eye problems and psychiatric disorders.
- Dr. Donald Johnson will update attendees on advances in spine surgery which make procedures faster, cheaper and safer than ever before.
- Hard medical knowledge on workers' compensation orthopaedic surgery IME's from the physician's perspective will be provided courtesy of Dr. Richard Friedman.
- Cost savings on pharmacy costs while maintaining quality of care will be the objective of Tim Covington's presentation on drug benefit and management design.
- Karen Shelton will discuss Medicare Set Asides and non-covered medical costs in an
 effort to help attendees settle future medical care claims.
- H1N1 influenza history, threat and current status will be the topic of Dr. Tom Fabian's presentation. He will also cover pandemic interventions.
- There will be a humorous and uplifting presentation from Kelly Swanson to help you hang on when someone hijacks your fairy tale and life doesn't goes exactly as planned.

Early registrants will get the best chance of getting one of the limited number of spaces for a tour of MUSC's facilities, including the new Ashley River Tower which shows the wave of the future in medical facilities; the simulation lab at the College of Nursing; and the Dental College.

The SCWCEA Medical Seminar is February 28 though March 2 at the historic Francis Marion Hotel in the center of all the action in Charleston. Seminar registration materials have been mailed and are available on the web at www.scwcea.org. Another reason to register early is the early bird registration rate which allows you to save \$100 per registration, but that rate only lasts though January 29.

The Medical Seminar Committee has worked hard to bring you an information packed program in a great location. They also recognize the difficulties of our current economic environment and there is a new group registration discount. Register 2 people from the same firm or business and get the third registration at a 50% discount! All registrations must be received together and be accompanied by full payment.

We look forward to seeing you in Charleston!



Workers' Comp Mediation: It's A Great Idea!!

By Jack D. Griffeth
Certified Mediator, Collins and Lacy, PC
jgriffeth@collinsandlacy.com

Which Cases Should Be Mediated?

Obviously, mediation is not necessary for small cases. For example, a cut finger, a broken toe, a small scar. However, mediation can be very valuable particularly in complex cases and in any case where permanent and total disability is an issue [i.e. physical brain injury cases, severe back injury cases, cases involving psychological overlay, "mental/mental" cases, and cases involving two or more body parts].

Mediation is particularly helpful in resolving "third-party settlements." Bringing together the claimant's lawyer, the Employer/Carrier's representative, and the third party insurance representative is particularly effective and can resolve two claims at one time. Otherwise, in third party cases, the tort case will involve a mediation and even if it resolves, there will be a petition or hearing by the Commission to reduce the Employer/Carrier's lien. Stan Lacy and I have been mediating comp cases a long time and here are:

Stan And Jack's Top 10 Tips For Successfully Mediating Workers' Comp Cases

- 1. Choose your mediator carefully. Be sure to get someone you trust and someone who has practiced workers' comp or knows comp.
- 2. Be prepared. Know your case [from the claimant's side or employer/carrier side].
- 3. Be flexible to settlement possibilities structured settlements, medical trusts for future medical expenses, not to mention Medicare Set Aside accounts and the approved process by CMS.
- 4. Engage in settlement negotiations before mediation, if possible.
- 5. Be prepared to identify and reframe the issues .
- 6. Identify any settlement stumbling blocks
- 7. Consider the probable outcomes of a Commission hearing including appeals and the time and expense involved.
- 8. Be sure the claimant and the insurance representative are present. Not only do the S.C. ADR Rules require this but interaction between the claimant and the insurance company representative directly can help build rapport and trust.
- 9. Remember the price of poker goes up after mediation.
- 10. Be patient mediation ain't for quitters.

Mediation And The Commission

By Virginia L. Crocker Judicial Director, SC Workers' Compensation Commission vcrocker@wcc.sc.gov

The Commission has developed a mediation program designed to bring parties together to settle cases. In 2007, the Commission began offering mediation services in appellate cases to resolve disputes more quickly. The program has now been expanded to include mediation at any phase of the litigation process.

Mediation has been particularly successful in cases involving multiple parties and medically complex issues. These cases often involve Medicare set asides and life care plans that are better addressed by agreement of the parties than by order of the Commission. Similarly, resolution by mediation is the preferred method to settle additional benefits that may be negatively impacted by an Order of the Commission. Mediation has also proven helpful in doubtful and disputed cases which may otherwise result in a protracted appellate process.

Commissioners favor mediation. Often, commissioners will postpone a hearing to allow parties to mediate. Every effort is made to accommodate a request to mediate prior to the hearing. Mediation does not remove the case from the docket, so there is no delay in moving forward should the case not settle. When time to mediate is desired, the parties should present alternative dates for mediation with their request to the Judicial Department.

Another service offered by the Judicial Department is status conferences. While status conferences do not completely resolve cases, they can help delineate issues, identify additional parties and resolve evidentiary issues. This saves time at the hearing and prevents last minute postponements. The Judicial Department will be happy to set your case for a status conference prior to hearing should you feel it would be helpful in the management of the case.

Neither mediation nor status conferences are mandatory in South Carolina but both are certainly encouraged. They are valuable tools in managing cases efficiently and effectively.

The Commission welcomes the opportunity to serve you. To schedule mediation or a status conference, contact the Judicial Director via email at vcrocker@wcc.sc.gov. The service is free.

A North Carolina Perspective Mediation Pros and Cons

By Vernon Sumwalt
The Sumwalt Law Firm, Charlotte, North Carolina

This article discusses some of my experience with mediation in workers' compensation cases in North Carolina. Before doing this, however, there are several disclosures.

First, I'm probably going to make a few readers uncomfortable at some of my comments. I don't meant to, although this is probably one of the reasons why "they" (whoever "they" are) asked an outsider from North Carolina and not one of your colleagues from South Carolina to play the guinea pig in expressing my opinions on mediation in print. Second, I am a plaintiff's attorney (always have been) and am not a certified mediator, although a number of my friends in the defense bar use me to mediate complex cases, and I can thus share my perspective as a non-advocate as well. Finally, my South Carolina law license has been inactive going on almost a decade now, which means that I don't have a dog in the fight when it comes to whether South Carolina should or should not use mediation in workers' compensation cases. But enough with the preliminary disclosures. Let's dive into the subject of mediation.

One of the reasons the North Carolina Industrial Commission (the "IC") started using mediation in the 1990s was to reduce the volume of litigated cases requiring formal decisions.

This year, the IC's statistics indicate that more than 70% of cases settle at mediation, and this number jumps to 75% if one includes cases settled after mediation but before a hearing. These numbers have been relatively constant over the years. These statistics look very good on paper, but our firm's internal statistics are very different.

Only 25% or so of our cases resolve at mediation, although most of our cases do, in fact, settle at some point. This suggests (1) we like hearings more than other attorneys do, (2) other attorneys settle case out more quickly than we do, or (3) both of these.

In cases of larger exposure, you often need more than one mediation to get sufficient settlement authority, and in other cases —particularly those involving significant future medical needs or jurisdictional disputes—settlement might not be appropriate. The trick is identifying those cases that can be settled at mediation, while letting those that cannot proceed through the hearing process.

The biggest concern with mediation deals with time. In our profession, like all others, time is precious. Not just because of the clinché "time is money," but the time we

spend at the office is time we do not spend with our families and loved ones. Although they don't say it openly, most plaintiff's attorneys get frustrated when a case does not settle at mediation, because they still have to show up for three or four hours that could spent working up other cases. (More on this "inconvenience" later.)

When one adds three or more hours to a case in which there is a contingency fee, furthermore, the effective hourly rate decreases and reflects less efficient work. Defense firms that accept flat-fee work can appreciate the same concern about unproductive mediations. By contrast, it's very easy—too easy, really—to propose that mediation will be abused by defense attorneys who are paid by the hour simply in their quest of additional billable hours, because this motive is too obvious to survive very long in the competitive market of insurance defense work.

Not to say that it doesn't happen. Some defense attorneys—mostly young and inexperienced ones—are eager to use mediation just for the insincere pursuit of billable hours rather than a sincere attempt at claims resolution, only to find their reputations for doing so catch up with them not only among their colleagues, but perhaps more importantly their clients. I've seen more than one defense firm lose large clients to more efficient firms for this very reason.

Mediation

Mediation Pros and Cons From A North Carolina Perspective continued

Now back to the "inconvenience" that I mentioned, which I say tongue-in-cheek. My last six settlements have occurred at mediations even though, as I am inclined to do more often than I care to admit, I was dead certain beforehand that the mediations would be a waste of everyone's time. The moral of the story? One should never underestimate the power of sitting down for a few hours to talk about a case with opposing counsel and their

Everyone with authority in a case must attend mediation under the North Carolina rules, and the case has everyone's full attention for several hours. Insurance adjusters handle hundreds of cases at a time and getting their full attention to any case, even a complex one they have handled for years, is invaluable. Even if the case does not settle, mediation is a chance to gather information in order to evaluate a case more accurately, and this applies equally to both the plaintiff's and defense bars.

As a plaintiff's attorney, if my case is not strong, I want to find out about this sooner than later so that I can save the time and expense of pursuing it longer than necessary. Most of my friends who do defense work share the same view and would rather know of cases involving large exposure so that they can at least advise their clients accordingly, whether the forecast of exposure accurate or not, instead of being surprised by high demands at the eleventh hour.

Also, mediation is not only about educating the other side about your case, it is more importantly a chance to educate your own client. Few injured workers and their families understand how cases are evaluated under workers' compensation laws, and it takes more than a few conversations for many of them to come to terms with the fact that they cannot get non-economic damages through workers' compensation.

By the same token, it is not a mere "billing opportunity" when defense attorneys have to use mediation as opportunities to educate their clients about issues or potential exposure in a case. As I said before, cases might resolve after one or more mediations, but this does not mean that the first mediation did not serve a purpose.

In terms of mediators, my favorites are ex-deputy commissioners from the IC or my colleagues from the workers' compensation defense bar. There are a few "defense" attorneys who have converted their practices to doing mediation exclusively. Hourly billing rates for mediation are generally higher than hourly fees by clients, or so I hear, but it's not like we're spending inordinate amounts of time mediating workers' compensation claims.

We don't break out the power points or have "day in the life" videos playing for hours like you would see in general civil practice, because these presentations are not relevant to many issues and generally do not contribute to the evaluation of exposure under the Workers'

Compensation Act. Therefore, we dive straight in and start talking shop on the issues in dispute.

For this reason, I prefer mediators who are persuasive and can encourage movement by opposing parties from their original evaluation of the cases, and I've found that ex-deputy commissioners and defense attorneys are, generally speaking, the most successful at doing this. On a different note, using non-workers' compensation attorneys as mediators is completely worthless, and I cannot say this in strong enough words.

Mediators who do not practice workers' compensation law simply cannot or do not appreciate the unique issues of jurisdiction, compensability, liability, and disability under the Act quickly enough in order to be persuasive in the few hours you have at mediation.

Even if the negotiations resolve only subissues (such as average weekly wage) so that the Commission can focus its resources on more important issues, parties spend their time (and money) better by just passing notes to each other on the table rather than getting a mediator to mediate a subject matter that he or she knows little about.

One of the good things about mandatory mediations in North Carolina is that they are not really "mandatory," and either party can ask the Commission for an exemption

Mediation

Mediation Pros and Cons From A North Carolina Perspective continued

if a case most likely will not benefit from mediation. As a general rule, every case going to a hearing is subject to mandatory mediation in North Carolina. This adds cost to litigated cases, but at least according to the IC's statistics, it has helped parties resolve their disputes on a voluntary basis to a great degree and, thus, avoid the cost of subsequent litigation and appeals.

With respect to cases that can be exempt from "mandatory" mediations, the attorneys to those cases are best suited to advise the IC's Dispute Resolution Section when these exemptions are necessary. I have had more than one defense attorney call me asking to bypass or reschedule mediation simply because he or she could not get settlement authority from the carrier. This not only saves money, but it saves time, and is much appreciated. And, of course, the parties can always set up mediations on a voluntary basis when there is not a hearing request filed with the Commission.

In conclusion, this article is not a comprehensive list of all pros and cons with mediation in North Carolina, but mediation has worked very well here for the purpose it was intended: resolving claims that can be resolved, while letting claims that need litigation to resolve disputes proceed to hearings.

About The Author

Vernon Sumwalt practices with the Sumwalt Law Firm in Charlotte, North Carolina, in the areas of workers' compensation, workplace torts, and Social Security disability. He is a board-certified specialist in workers' compensation law by the North Carolina State Bar and has presented at over sixty-five continuing legal education seminars.

In addition to numerous articles in legal periodicals, he has co-authored The Law of Workers' Compensation in South Carolina (2nd ed. 1998, 3rd ed. 2003, and 4th ed. 2005, 5th ed. 2008), and The Law of Automobile Insurance in South Carolina (4th ed. 2000, 5th ed. 2002, 6th ed. 2009), and he wrote the workers' compensation chapter in The South Carolina Law of Damages (1st ed. 2004, 2nd ed. 2009), all published by the South Carolina Bar.

Mr. Sumwalt serves on the Executive and Amicus Committees of the Workers' Compensation Section of the North Carolina Advocates for Justice. He has also served as Chair (2008-2009 term) and Vice Chair (2007-2008 term) of the Workers' Compensation Section Council of the North Carolina Bar Association.

Mr. Sumwalt belongs to the American Association for Justice (AAJ), the Workplace Injury Litigation Group (WILG), the South Carolina Association for Justice (SCAJ), and the National Organization of Social Security Claimants Representatives (NOSSCR). He is also a member of the Larson's National Workers' Compensation Advisory Board (Lexis-Nexis[®]), was selected for inclusion in The Best Lawyers in America® in the specialty of Workers' Compensation Law for the 2009 edition, and was recognized as a "Rising Star" by North Carolina Super Lawyers (2009 edition) (www.superlawyers.com) in the field of workers' compensation.

He received his undergraduate degree at the University of Miami in 1994 and his law degree from the University of South Carolina in 1998.

SCWCEA Member Mediators

Following is a listing of SCWCEA members who are certified mediators. This information was provided by the SC Bar with an effective date of 12/7/09.

Board of Arbitrator and Mediator Certification South Carolina Supreme Court Columbia, South Carolina

Grady L. Beard, Esq.

Sowell Gray Stepp & Laffitte, LLC

Post Office Box 11449 Columbia, SC 29211

Phone: (803) 231-7824 Fax: (803) 231-7874

Email: gbeard@sowell.com Website: www.sowell.com

Date Certified: 9/4/2009

Locations: Calhoun, Charleston, Fairfield,

Florence, Greenville, Greenwood, Horry, Kershaw, Lexington, Newberry, Orangeburg

Richland, Spartanburg, Sumter, York

Michael E. Chase, Esq.

Turner, Padget, Graham & Laney, P.A.

P.O. Box 1473

Columbia, SC 29202

Phone: (803) 227-4241

Fax: (803) 400-1465

Email: mchase@turnerpadget.com

Website: turnerpadget.com Date Certified: 8/26/2005 Locations: Lexington, Richland

Ajerenal Danley, Esq.

The Danley Law Firm, P.C.

Post Office Box 1454

Columbia, SC 29202

Phone: (803) 254-2269

Fax:(803) 779-9577

Email: madanley@thedanleylawfirm.com

Website: thedanleylawfirm.com

Date Certified: 4/20/2009

Locations: Aiken, Fairfield, Lexington,

Orangeburg, Richland, Sumter

Albert J. Dooley, Jr., Esq.

Dooley Law Firm

218 E. Main St.

Lexington, SC 29072

Phone: (803) 359-2547

Fax: (803) 957-3900

Email: jenifer@dooleylawfirm.com

Website: dooleylawfirm.com Date Certified: 11/27/2007

Locations: Lexington, Richland

Cynthia C. Dooley, Esq.

Turner Padget Graham & Laney, P.A.

PO Box 1473

Columbia, SC 29202

Phone: (803) 227-4209

Fax: (803) 799-3957

Email: cdooley@turnerpadget.com

Website: www.turnerpadget.com Date Certified: 2/27/2008

Location: Richland

F. Earl Ellis, Jr., Esq.

Ellis, Lawhorne & Sims, P.A.

P.O. Box 2285

Columbia, SC 29202

Phone: (803) 254-4190

Fax: (803) 779-4749

Email: eellis@ellislawhorne.com

Website: www.ellislawhorne.com

Date Certified: 1/14/2002

Location: Richland

William N. Epps, Jr., Esq.

Epps & Nelson

P.O. Box 2167

Anderson, SC 29622

Phone: (864) 224-2111

Fax: (864) 224-3536

Email: bnepps@bellsouth.net

Date Certified: 11/14/2008

Locations: Abbeville, Anderson,

Greenville, Greenwood, Oconee, Pickens

Patrick C. Fant, III, Esq.

Fant Law, P.A.

P.O. Box 5366

Greenville, SC 29606

Phone: (864) 250-8023

Fax: (864) 250-0825

Email: pcf@fantlawfirm.com

Website: www.fantlawfirm.com

Date Certified: 2/21/2005

Location: Greenville

Mediation

SCWCEA Member Mediators continued

H. Mills Gallivan, Esq. Gallivan, White & Boyd, P.A. P.O. Box 10589 Greenville, SC 29603 Phone: (864) 271-9580

Email: mgallivan@gwblawfirm.com Website: www.gwblawfirm.com Date Certified: 10/6/2000 Locations: Anderson, Greenville, Greenwood, Laurens, Oconee, Pickens,

Spartanburg

Jeffrey R. Gilbert, Esq. Gilbert & Shull, LLC

Fax: (864) 271-7502

880 S. Pleasantburg Drive, Unit 3-G

Greenville, SC 29605 Phone: (864) 527-0077 Fax: (864) 527-8766 Email: jg@gilbertshull.com Website: gilbertshull.com Date Certified: 9/4/2009 Location: Greenville

Jack D. Griffeth, Esq.

Collins and Lacy P.O. Box 5819 Greenville, SC 29606 Phone: (864) 282-9104

Email: jgriffeth@collinsandlacy.com Website: www.collinsandlacy.com

Date Certified: 5/13/1998

Locations: Anderson, Greenville, Laurens,

Oconee, Pickens, Spartanburg

Daniel W. Hayes, Esq.

Sowell Gray Stepp & Laffitte, L.L.C. P.O. Box 11449 Columbia, SC 29211 Phone: (803) 231-7830 Fax: (803) 231-7862

Email: dhayes@sowell.com Website: www.sowell.com Date Certified: 9/5/2008

Locations: Richland

Tina N. Herbert, Esq.

McAngus, Goudelock & Courie, L.L.C. 700 Gervais Street, Suite 300 Columbia, SC 29201 Phone: (803) 779-2300

Phone: (803) 779-2300 Fax: (803) 748-0526

Email: tina.herbert@mgclaw.com Website: www.mgclaw.com Date Certified: 7/27/2005

Location: Richland

C. Jo Anne Wessinger Hill, Esq.

Richardson Plowden & Robinson, P.A. PO Drawer 7788

Columbia, SC 29202 Phone: (803) 771-4400 Fax: (803) 779-0016

Email: jhill@richardsonplowden.com Website: www.richardsonplowden.com

Date Certified: 9/26/2007 Locations: Lexington, Richland

Mary Lou Hill, Esq.

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

P.O. Box 2757 Greenville, SC 29602 Phone: (864) 271-1300 Fax: (864) 235-4754 Email: hillml@odnss.com Date Certified: 8/1/2002 Location: Greenville

Richard L. Hinson, Esq.

Turner, Padget, Graham & Laney, P.A.

P.O. Box 5478 Florence, SC 29502 Phone: (843) 656-4422 Fax: (843) 413-5814

Email: Rhinson@turnerpadget.com Website: www.turnerpadget.com Date Certified: 1/18/2000

Location: Florence

Charles J. Hodge, Esq.

Hodge Law Firm, P.C. P.O. Box 2765 Spartanburg, SC 29304-2765

Phone: (864) 585-3873 Fax: (864) 585-6485

Email: hodgecharles@hotmail.com Website: www.hodgelawfirm.com

Date Certified: 3/28/1996

Locations: Charleston, Greenville, Horry,

Spartanburg

C. Roland Jones, Jr., Esq.

Jones & Hendrix, P.A. 50 Applewood Ln. Spartanburg, SC 29307-2225 Phone: (864) 583-5577 Fax: (864) 583-2166

Email: crolandjones@msn.com Date Certified: 10/15/1997 Locations: Anderson, Charleston,

Cherokee, Greenville, Spartanburg, Union,

York

SCWCEA Member Mediators continued

Jimmy R. King, Esq. King Law Firm, P.C. 2203 North Main Street Anderson, SC 29621 Phone: (864) 225-9155 Fax: (864) 225-9151 Email: jrk klf@bellsouth.net Date Certified: 4/10/2001

Location: Anderson

Patrick E. Knie, Esq. Patrick E. Knie, P.A. P.O. Box 5159 Spartanburg, SC 29304-5159

Phone: (864) 582-5118 Fax: (864) 585-1615 Email: pknie@knielaw.com Website: www.knielaw.com Date Certified: 6/11/1999

Locations: Anderson, Cherokee, Greenville, Laurens, Pickens, Spartanburg, Union

Stanford E. Lacy, Esq.

Collins & Lacy, P.C. P.O. Box 12487 Columbia, SC 29211 Phone: (803) 255-0434 Fax: (803) 771-4484 Website: www.collinsandlacy.com

Date Certified: 5/16/2006 Locations: Aiken, Calhoun, Chester, Darlington, Fairfield, Florence, Kershaw, Lee, Lexington, Newberry, Orangeburg,

Richland, Saluda, Sumter

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Jasper, Kershaw, Lancaster, Laurens, Lee, Lexington, Marion, Marlboro,

McCormick, Newberry, Oconee. Orangeburg, Pickens, Richland, Saluda, Spartanburg, Sumter, Union, Williamsburg, York, Statewide

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Save the Dates



February 28 - March 2

31st Annual Medical Seminar

Francis Marion Hotel Charleston, SC

October 17-20

34th Annual Educational Conference on Workers' Compensation

Embassy Suites at Kingston Plantation Myrtle Beach, SC

Visit the website for details.

Market like you're in a dogfight... And, you're the underdog!

Maintaining your marketing efforts in a down economy will bring increased sales in the long term! Researchers say that companies selling a product or service should go on the offensive during an economic downturn and promote. By doing this, you stand a better chance of your message being heard.

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For firms and businesses, your name is in front of over 1,000 workers' compensation professionals each and every time we communicate with them via snail mail and eAlerts and on the website 24/7—not to mention that you also receive complimentary registrations to our many programs as well as early access to conference hotel rooms.

Don't delay, become a SCWCEA PARTNER today! The deadline for participating is January 29, 2010.

NOTE: The title of this article was taken from a piece that was sent to me electronically a few months ago and caught my attention immediately. The article was written by Jim Walton, President and CEO of Brand Acceleration, Inc., a full service advertising, brand management and public relations firm. — Donna Croom

Coming Soon...

Workers' Compensation Significant Opinions of 2009 by John S. Nichols, Esq., Bluestein, Nichols, Thompson and Delgado, LLC.

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Kids' Chance Scholarship Named To Honor President



One of the Kids' Chance of South Carolina, Inc.'s scholarships is now the J. Russell Goudelock, II Scholarship.

The SCWCEA Board unanimously voted to name this award in his honor during the 33rd Annual Educational Conference on Workers' Compensation at their October meeting in Myrtle Beach where over 600 were in attendance.

Mr. Goudelock has served on the Board for both the SCW-CEA and Kids' Chance of SC and is credited with making significant contributions toward advancing each organization.

"Kids' Chance and the SCWCEA are better organizations because of Rusty's devotion, support and presence. It is fitting and appropriate that this scholarship bear his name," said Chris Daniel, President Elect.

LaCrappo Wants YOU!

Ever wanted to be part of the Lacrappo Production at the Educational Conference? Did you ever want to see yourself on the big screen? Work behind the camera? Write hilarious scripts? Be part of a really fun group?

Now's Your Chance! We Want You!

Email your name, address, phone number, and email address to Stan Lacy, at slacy@collinsandlacy.com. He will add you to the email mailing list so that you will know when and where Lacrappo is meeting to plan next year's production. Bring your ideas, you experiences, and your talents. We especially want to get a broad representation of attorneys from all firms, adjusters and supervisors from all carriers, nurses from every industry involved with workers' comp, and anyone else who wants to be part of the fun. Let us hear from you!

2010 SCWCEA One Day Seminar...

Information available soon.



Thank You
for Your
Continued
Support and
Best Wishes
for the
Holiday Season
and the
New Year!

Thank you 2009 PARTNERS!

The SCWCEA is pleased to recognize the following organizations who have been our PARTNERS this year. Our PARTNERS share our commitment to providing exceptional programs and essential tools for the association's success and membership. Their dedication and financial support benefit all members of the SCWCEA.

Join us in thanking them for their commitment to us this year!

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