

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 A. Massalon

Firm or Office Name: Wills Massalon & Allen LLC

Office Address: 97 Broad Street, Charleston SC 29401

Office Phone: 843-727-1144 Office Fax: 843-727-7696

E-mail Address: jmassalon@wmalawfirm.net

ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 1990 I.D. No.: 5227

Date admitted to the South Carolina Bar: 1987 Bar No.: 10279

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.):
U.S. Court of Appeals 4th Circuit, 1991 I.D. No.: 5227

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

American Bar Association

American Board of Trial Advocates

South Carolina Bar Association; South Carolina Bar: Past Chair of the Dispute Resolution Section Council

Charleston County Bar Association, Past-President 2011-2012; Executive Committee 2004-2012

South Carolina Defense Trial Attorneys Association, Board of Directors, 1998 to 2004, Editor, Defense Line, 1999-2004

International Association of Defense Counsel

Fourth Circuit Judicial Conference

Charleston School of Law, former Adjunct Professor

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 1987 Law School University of South Carolina, School of Law

Other professional degrees received (including year and school):

Bachelor of Arts, College of Charleston, 1984

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:

WILLS MASSALON & ALLEN, LLC, 97 Broad Street, Charleston, South Carolina 29401, Member, 1999 to 2019
HOLMES & THOMSON, LLP, 200 Meeting Street, Suite 202, Charleston, South Carolina 29401, Associate (1990);
Partner (1996), 1990 to 1998

United States District Judge Falcon B. Hawkins, Post Office Box 853, Charleston, South Carolina, Law Clerk, 1988
to 1990

United States Magistrate Judge Robert S. Carr, Post Office Box 853, Charleston, South Carolina, Law Clerk, 1987
to 1988

Classes/Seminars:

Adjunct Professor, Charleston School of Law, 2012 – 2013

“South Carolina Arbitration Certification Training”, sponsored by the South Carolina Bar Association, February 12,
2019 and March 31, 2017

“Ethical Issues Under the SC ADR Rules”, sponsored by the Dispute Resolution Section of the South Carolina Bar,
January 17, 2019

“Mediation Week 2018 CLE”, sponsored by the Mediation and Meeting Center of Charleston, October 12, 2018

“Ethics of Mediation Practice”, Effective Mediation Practice for Advocates and Mediators sponsored by the South
Carolina Bar Association, November 17, 2017

“The Benefits of Early ADR”, sponsored by the Mediation and Meeting Center of Charleston, June 9, 2017

“ADR Ethics Panel Discussion”, sponsored by the Mediation and Meeting Center of Charleston, October 19, 2016

“How to Ethically Terminate Representation”, Sponsored by the Federal Bar Association, South Carolina Chapter,
September 9, 2010

Percentage of practice in last 5 years representing plaintiff 33% or defense 66%

Percentage of Federal or State court practice in last 5 years: Federal 10% State 90%

Number of years engaged in active litigation: 30

SUBSTANTIVE EXPERIENCE

Indicate all substantive areas in which you have experience. Place a "1" by your strongest area(s) and a "2" by all
other areas in which you have experience. (Do not rank beyond "1" and "2.") After any category you have marked,
please identify any sub-areas of experience 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"/> 1 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 checked="" type="checkbox"/> 1 Insurance | <input type="checkbox"/> Other Civil Rights |
| <input type="checkbox"/> Miller Act | <input type="checkbox"/> Copyrights |
| <input checked="" type="checkbox"/> 2 Personal Injury | <input type="checkbox"/> Patent |
| <input checked="" type="checkbox"/> 2 Product Liability | <input type="checkbox"/> Trademark |

____ Other (specify)

Publications:

- See resume attached

MEDIATION EXPERIENCE

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

Serving as a neutral in mediations has been a regular part of my practice for approximately 15 years. Initially, I mediated cases sporadically, but that portion of my practice has expanded to the point that I now mediate approximately 50 to 75 cases per year. Typically, I am asked to mediate commercial law cases involving statutory and common law business torts, contracts, and insurance coverage issues; however, I also regularly mediate personal injury, property damage and professional negligence cases.

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

Certified Mediator and Arbitrator, South Carolina Supreme Court Board of Arbitrator and Mediator Certification
Circuit Court Mediation – Certified 8/31/2012
Circuit Court Arbitration – Certified 7/11/2017

Number of mediations conducted: 250+

Number of other ADR sessions conducted: 10

MEDIATION AND OTHER ADR TRAINING

<u>Course Provider</u>	<u>Course Content</u>	<u>Date</u>	<u>Place</u>	<u>No. of Hours</u>
South Carolina Bar	Civil Court Mediation	8/23/2012	Columbia, SC	40
South Carolina Bar	SC Arbitration Certification Training	3/31/2017	Columbia, SC	6
Chas. Sch of Law	The Benefits of Early ADR	6/9/2017	Charleston, SC	2
South Carolina Bar	Effective Mediation Practice for Advocacy	11/17/2017	Columbia, SC	1
South Carolina Bar	Advanced ADR Issues	1/17/2019	Myrtle Bea, SC	3
South Carolina Bar	Arbitration Certification Training	2/12/2019	Columbia, SC	6

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:

Mediation and Meeting Center of Charleston: Board of Directors, 2016 – Present

Preservation Society of Charleston: Board of Directors, 2015 – Present; Vice-Chair, 2016 – Present

AV rated by Martindale

South Carolina Super Lawyers: Civil Litigation

Super Lawyers, 2008 - Present

Cities in which you are available to conduct mediation:

Columbia

Charleston

Greenville

Florence

Other: Beaufort and Myrtle Beach

Fees charged:

Hourly Rate: \$ 375 Minimum charge each mediation: \$ None

How do you bill for travel? (explain): Hourly

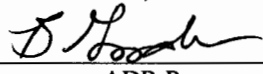
I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; the Rules for Lawyer Disciplinary Enforcement, Rule 413, South Carolina Appellate Court Rules; and the Local Rules of the District Court; (2) Provide mediation to indigents without pay if 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: 
Applicant

Date: 7/14/2020

Return completed application to:
Billie Goodman, Coordinator
Alternative Dispute Resolution Program
United States District Court
901 Richland Street
Columbia, SC 29201

Reviewed: 
ADR Program

Date: 7/20/20

Approved: s/ David C. Norton
U.S. District Judge

Date: 7/20/20

CURRICULUM VITAE

JOHN A. MASSALON

jmassalon@wmalawfirm.net

(843) 727-1144 (telephone)

(843) 727-7696 (facsimile)

Professional Experience

- 1999 - Present:** Member, WILLS MASSALON & ALLEN, LLC, 97 Broad Street, Charleston, South Carolina 29401
- 1990 - 1998:** Associate (1990); Partner (1996), HOLMES & THOMSON, LLP, 200 Meeting Street, Suite 202, Charleston, South Carolina 29401
- 1988 - 1990:** Law Clerk, United States District Judge Falcon B. Hawkins, Post Office Box 853, Charleston, South Carolina
- 1987 - 1988:** Law Clerk, United States Magistrate Judge Robert S. Carr, Post Office Box 853, Charleston, South Carolina

Education

University of South Carolina School of Law
Juris Doctor Degree, 1987

College of Charleston
Bachelor of Arts Degree, 1984

Professional Memberships & Designations

Admitted to Practice: South Carolina; United States District Court for the District of South Carolina; United States Court of Appeals for the Fourth Circuit

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

American Bar Association
American Board of Trial Advocates
South Carolina Bar Association
Charleston County Bar Association
South Carolina Defense Trial Attorneys Association

AV rated (Martindale-Hubbell)

Super Lawyers 2008 - present

Bar Activities

Charleston County Bar Association: President 2011 -2012; Secretary 2008-2011; Board of Directors 2005-2013

South Carolina Bar: Chair of the Alternative Dispute Resolution Section Council 2019-2020

South Carolina Defense Trial Attorneys Association: Board of Directors (1998-2004); Editor: *Defense Line* (1999-2004)

Community Service

Mediation and Meeting Center of Charleston: Board of Directors 2016 – present

Preservation Society of Charleston: Board of Directors 2015 – present; Vice-Chair 2016 – 2019

Adjunct Professor, Charleston School of Law, 2012 - 2013

Publications

South Carolina Lawyer, "Right Without a Remedy: Setoff Under the South Carolina Workers' Compensation Act" (July/August, 1995)

Defense Line, Third Party Modification of Confidentiality Orders

Seminars

"South Carolina Arbitration Certification Training", sponsored by the South Carolina Bar Association, February 12, 2019 and March 31, 2017

"Ethical Issues Under the SC ADR Rules", sponsored by the Dispute Resolution Section of the South Carolina Bar, January 17, 2019

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