

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Jan 20 2021

S.C. SUPREME COURT

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Karl A. Folkens, Special Referee
Fifteenth Judicial Circuit

Case Nos. 2015-CP-26-1084 / 2013-CP-26-5535 (combined)
Appellate Case No. 2017-001646

Supreme Court Case No. 2020-001478

Jericho State Capital Corp. of Florida Plaintiff

v.

Chicago Title Insurance Company, Defendant
AND

Lynx Jericho Partners, LLC Plaintiff

v.

Chicago Title Insurance Company Defendant
of whom Jericho State Capital Corp. of Florida and Lynx Jericho Partners, LLC
are the Respondents
and Chicago Title Insurance Company is the Petitioner.

AFFIDAVIT OF G. DAVID ZIEGLER, JR.

I, G. David Ziegler, Jr., hereby swear under penalty of perjury that the following are true and correct statements.

1. I am over the age of 18 and am competent to provide the statements set forth in this affidavit. I have personal knowledge concerning all statements made in this affidavit.

2. I am the current treasurer of the Palmetto Land Title Association (“PLTA”).
3. The PLTA is a trade association whose members are comprised of stakeholders in the real estate title industry, including title insurance companies, real estate closing attorneys, (whom are mostly title insurance agents), other title insurance agents, and title abstractors. The mission of the PLTA is to represent all of the title industry’s stakeholders in South Carolina regarding any issues that could affect the efficient transfer of real estate titles in South Carolina.
4. On November 10, 2020, the PLTA Board of Directors (“Board”) discussed the possibility of retaining counsel to prepare an Amicus Curiae brief (the “Brief”) in support of Chicago Title Insurance Company’s Petition for Writ of Certiorari to review the Court of Appeals’ decision in *Jericho State Capital Corp. of Florida v. Chicago Title Insurance Company*, 848 S.E.2d 572 (Ct. App. Oct. 7, 2020).
5. At the time, the Board was comprised of the following:
 1. President: Jordan Stallings, Esq., attorney, Blair Cato Pickren Casterline, LLC
 2. President Elect: M. Celeste Bowers, Esq., Attorney, Blair Cato Pickren Casterline, LLC
 3. Treasurer: G. David Ziegler, Jr., Esq., Underwriting Counsel, Old Republic Title National Title Insurance Company
 4. Secretary: John K. Langford, Esq., Attorney, Haynsworth Sinkler Boyd, P.A.
 5. Immediate Past President: Darcy S. Templeton, Esq., Attorney and Owner, The Templeton Law Firm, LLC; Underwriting Counsel, Security Title Insurance Company
 6. Directors:
 - (a) Kimberly T. Ziegler, Esq., Attorney, McAngus, Goudelock, and Courie, LLC
 - (b) Reggie Corley, Esq., Managing Attorney, Scott & Corley, P.A.
 - (c) Jesse Cavett, Esq., SC Underwriting Counsel, AmTrust Title Insurance Company

(d) Wendel E. Franklin, Esq., VP/Underwriting Counsel, Commonwealth Land Title Insurance Company & Fidelity National Title Insurance Company

(e) Matthew Rupert, Esq., Supervising Real Estate Attorney, Scott & Corley, P.A.

6. Effective January 4, 2021, Jordan Stallings changed employment and is not currently a PLTA member. M. Celeste Bowers is currently acting as President.

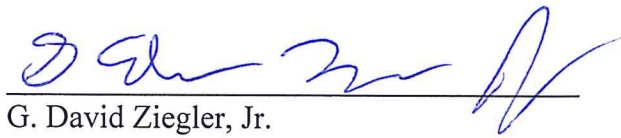
7. At a Board meeting held on November 10, 2020, the Board discussed the decision in *Jericho* and its potential impact on the title industry, including the imposition of new liability on title abstractors in conducting their title examinations, the attorneys who review those examinations, and the title insurance companies who are ultimately asked to insure titles in South Carolina. The Board emphasized in its discussions that the PLTA does not exist to promote the interest of any one member, but to represent all of its members and title industry stakeholders. Due to the statewide impact and broad reaching effects of the decision in *Jericho* to all of PLTA's members and the real estate community at large, the Board unanimously approved a motion to pursue hiring counsel for the purpose of preparing and filing prepare the Brief.

8. At the December 8, 2020, Board meeting, the Board unanimously approved a motion to retain Matthew Tillman of Womble Bond Dickinson (US) LLP to prepare the Brief.


9. Chicago Title Insurance Company is a member of the PLTA. While several of its employees are active on committees, none of its employees is currently on the Board nor had a vote in the decision to pursue this matter.

10. Callison Tighe Robinson is a member of the PLTA. None of its employees is currently on the Board. Jim Koutrakos was previously a member of the Board, but has not been on the Board since May 2017 and did not have a vote in the decision to pursue this matter.

Further affiant sayeth not.


G. David Ziegler, Jr.

Sworn to and subscribed before me
this 1st day of January, 2021

By: 
Print: W. Ivey Hart

Notary Public for South Carolina
My Commission Expires:

June 29, 2028