

Franklin G. Shuler, Jr.

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Education

Georgia Institute of Technology, B.S.I.M. 1977

Cumberland School of Law, Samford University, Juris Doctorate 1983

Bar Admissions

Alabama (1983), Florida (1984) and South Carolina (1986); United States District Court, District of South Carolina; U. S. Court of Appeals, Fourth Circuit; U. S. Court of Appeals, Eleventh Circuit.

Certifications by South Carolina Supreme Court

Specialist in Employment and Labor Law (1992, 1997, 2002, 2007, 2012)

Mediation (1999 – present)

Dispute Resolution Experience/Qualifications

- Certified by South Carolina Supreme Court and federal court since 1999
- Over 400 mediations conducted
- Conducted mediations in South Carolina, Georgia, North Carolina and Louisiana
- Best Lawyers in America, Alternative Dispute Resolution/Mediation, 2008-2015
- Successfully conducted class/collective action employment disputes
- Successfully conducted mediations in which federal agency was a party including one alleging disparate impact on a class of applicants and employees
- Although primarily mediating employment disputes have successfully mediated disputes arising from automobile collisions, partnership disputes, homeowner association disputes and other more traditional tort law claims
- Selected by parties as arbitrator in eight disputes
- Approximately 40 disputes arbitrated as counsel for a party

General Legal Experience

- Traditional insurance defense litigation (automobile collisions, slip and fall, property loss/arson) as a young associate
- Employment and labor law as attorney for unions (1984-1992), attorney for employee(s) (1984-2004), and employers (1993-2015) including handling matters arising under either federal or state employment laws including the ADA, ADEA, Title VII, FLSA, NLRA and actions based on state law claims of retaliatory discharge, breach of a handbook and breach of a covenant not to compete.
- Life health and disability, insurance contract issues including approximately 200 ERISA cases
- Outside counsel for institution of higher learning for over 15 years

- Outside counsel for religious institutions
- Commercial disputes and bankruptcy
- Breach of contract
- Directors and Officers liability

Honors and Recognition

- Distinguished Lawyer Award, South Carolina Bar, Employment and Labor Law Section, 2014
- Best Lawyers in America, Employment Law (Employee Benefits (ERISA) Law, Employment Law – Management, Litigation – ERISA, Litigation – Labor and Employment) 2004-2016
- Best Lawyers in America, Alternative Dispute Resolution/Mediation, 2008-2016
- South Carolina Super Lawyers, Employment Law, 2008-2015
- Chambers USA: America’s Leading Lawyers for Business, Employment Law, 2007, 2012-2015
- Legal Elite of the Midlands, 2014-2015
- Martindale Hubbell AV Preeminent® Review Rating

Professional Activities

DRI, Labor and Employment Law Section (Section Chair, 2004-2006); South Carolina Bar, Labor and Employment Law Section (Chair 2003); South Carolina Bar, Employment and Labor Specialization Advisory Board (Chair, 2000-2002, 2012-2014); Alabama State Bar, Labor and Employment Law Section (Officer, 1991); Richland County Bar Association; South Carolina Defense Trial Attorney’s Association

Community Service

Eastminster Presbyterian Church (Member of Diaconate; Chair, Property Committee) (Member of Session (twice); Chair, Personnel Committee); President, Susan McGahee Sunday School Class; Cub Scout Den Leader; Boy Scout Assistant Scoutmaster; Troop Committee Chairperson; Trinity Presbytery (Moderator, Personnel Committee); Homeowners Association of Lake Katharine, Inc. (Board of Directors, President); CV 10 Yorktown Association (Board of Directors); South Carolina Lacrosse Officials Association, Inc. (Official, Recording Secretary, Treasurer)

Other

United States Marine Corps: Active Duty (5/77 – 10/80); Individual Ready Reservist (10/80 – 12/86); billets included: Student Naval Aviator (24 Months); Infantry Officer (9 months); law clerk; and Naval Justice School (Reservist course, graduated with Honors).

Mediation Related Presentations

- Ethics of Mediation, Arbitration & Negotiation (2001, SC Bar presentation)
- Winning at Mediation for Insurance Professionals – client presentation, 2005 (developed 6 hour program, spoke 2 hours, led role plays)
- Dealing with Impasse: Strategies for Mediators (Panel presentation, 2013 South Carolina Bar Convention)
- Winning at Mediation – 2015 SCDTAA Summer meeting