

NEXSEN PRUET, LLC PRO BONO
MISSION STATEMENT

Nexsen Pruet recognizes that those of limited means face an insurmountable obstacle every day as they seek access to justice. Therefore, the firm strongly encourages each of its attorneys to provide pro bono publico services to citizens in their communities and to organizations dedicated to providing legal services to those in need. The attorneys and professionals of Nexsen Pruet possess special skills and abilities that enable us to impact the lives of those less fortunate in a meaningful, powerful and enduring way.

Nexsen Pruet adopts the definition of pro bono found in the American Bar Association Model Rules of Professional Conduct and therefore considers pro bono work to consist of the provision of legal services without fee or expectation of fee to: (1) persons of limited means; (2) charitable, religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means; or (3) individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources.

Because of the importance of pro bono work in our communities, Nexsen Pruet gives billable hour credit to working attorneys and professionals on firm-approved pro bono matters. The firm's Pro Bono Committee reviews and approves all new pro bono cases and matters, to ensure that they are consistent with the firm's policies and goals and represent meaningful opportunities for service. In addition to such pro bono work, the firm supports and encourages its attorneys as they perform community service work of all kinds, including volunteer work for non-profit and other charitable organizations.

Nexsen Pruet remains proud of its history of commitment to pro bono legal services. Julian Nexsen, a founding partner of the firm, provided legal services free of charge to the Sisters of Charity Health System which operates non-profit hospitals in Columbia, South Carolina. Drawing upon this heritage, Nexsen Pruet encourages its lawyers to seek pro bono opportunities not only in litigation, but in transactional matters as well.

Nexsen Pruet Pro Bono Policy

It is the policy of Nexsen Pruet, LLC to actively encourage the provision of pro bono publico legal services by all of our attorneys. The firm sets an aspirational goal of fifty (50) hours of pro bono work per attorney on an annual basis. This goal is consistent with the expectations and guidance of the South Carolina Bar, the North Carolina Bar, and the American Bar Association.

Pro Bono Committee

To further the firm's pro bono policy, Nexsen Pruet has established a Pro Bono Committee, which shall consist of the following members: (1) one South Carolina Co-Chair, who shall be an Equity or Alternative Equity Member; (2) one North Carolina Co-Chair, who shall be an Equity or Alternative Equity Member; (3) the firm's Business Litigation Practice Group Leader or his/her designee; (4) the firm's General Counsel; (5) an Associate or Special Counsel in North Carolina selected by the North Carolina Co-Chair; (6) an Associate or Special Counsel in South Carolina selected by the South Carolina Co-Chair; and (7) a Pro Bono Coordinator who may be a paralegal or a member of the firm's marketing staff. The latter three shall be non-voting members.

The Pro Bono Committee will be generally responsible for executing the firm's pro bono goals and initiatives as approved by the firm's Board of Directors and Chair. Specifically, the Pro Bono Committee will have the following duties: (1) supervising pro bono case intake procedures, including approval of all new pro bono matters to be handled by attorneys within the firm; (2) maintaining records and reports regarding the firm's pro bono matters; (3) monitoring potential pro bono opportunities for the firm's lawyers and recommending and implementing specific pro bono projects from time to time; (4) making recommendations concerning extraordinary pro bono contributions that may warrant consideration as a factor in compensation or advancement determinations; (5) generating ideas for new pro bono projects and initiatives for the firm; (6) planning and supervising marketing and public relations efforts for the firm's pro bono work; and (7) maintaining website content relating to the firm's pro bono activities.

Credit for Pro Bono Activities

Nexsen Pruet will provide billable hour credit of up to fifty (50) hours per attorney on firm-approved pro bono projects. The amount of billable hour credit per attorney may be increased to greater than fifty (50) hours in extraordinary cases, after recommendation by the Pro Bono Committee and approval by firm management. Attorneys will not receive collection credits or compensation points for pro bono matters unless specifically awarded by firm management on a case-by-case basis. This policy is meant to encourage active participation in pro bono matters by the firm's attorneys.

Pro Bono Defined

Nexsen Pruet adopts the definition of pro bono found in the American Bar Association Model Rules of Professional Conduct and therefore considers pro bono work to consist of the provision of legal services without fee or expectation of fee to: (1) persons of limited means; (2) charitable,

religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means; or (3) individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources.

The firm of course supports and encourages community service of all kinds, including volunteer work for non-profit and other charitable organizations. However, such activities will generally not be considered to be pro bono work, unless the work or the organization directly advances or secures the provision of legal services to persons of limited means.

Pro Bono Intake Procedures

All new pro bono matters will be submitted to the Pro Bono Committee for evaluation and approval before a commitment to representation is made. The Pro Bono Committee will ensure that any new pro bono matter does not create a conflict of interest in a manner consistent with the applicable rules of professional conduct. The Pro Bono Committee will also assess whether the proposed matter will create an issue or positional conflict with the business of any existing client. The Pro Bono Committee will also consider the suitability of the requesting attorney to handle the proposed matter and may designate a supervising attorney where appropriate. All case intake decisions of the Pro Bono Committee shall be approved by a 75% supermajority.

Handling of Pro Bono Matters

File Opening Procedures. All new pro bono matters will require the execution of an engagement letter by the prospective client in a form to be provided by the Pro Bono Committee. Once conflicts have cleared, the Pro Bono Committee has approved the matter, and the engagement letter has been signed, a new file will be opened under the firm's Pro Bono master client number. Normal file opening procedures will be required. Any attorney or paraprofessional working on the matter must record his or her time as in any normal billable matter. All pro bono work will be conducted with the same level of professional care and high quality work standards as any billable matter.

Expenses/Disbursements. Attorneys requesting a new file opening for a pro bono matter should determine whether the putative client has the ability to pay expected costs associated with the matter, and/or whether the referral source, such as organized pro bono programs, will cover such costs. Attorneys should endeavor to limit costs wherever possible without prejudice to the client, by making in forma pauperis applications and by consulting legal services programs regarding existing arrangements for free services from court reporters, process servers and other expenses.

Reporting. At the end of each calendar quarter, the firm accounting department will provide the Pro Bono Committee with a report on each open pro bono matter showing the amount of hours recorded on each open pro bono file and any expense disbursements.

Publicity and Public Relations. No attorney or paraprofessional working on a pro bono matter shall make any public statement to the media without prior approval of the Pro Bono Committee. Absent specific approval by firm management, Nexsen Pruet, LLC does not take positions on political, social, economic, or legal issues which may arise in the representation of any client.

Closing Files. Upon conclusion of the matter, pro bono files should be promptly closed just as for any billable matter.