



Kevin E. Pethick
Licensed in
SC, NC & IN



AUSTIN AND PETHICK
LAW FIRM

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Aiken, SC 29803
AustinPethick.com

Austin & Pethick Law Firm, PC
Current

Pethick Law Firm, LLC
Jan 17 – Mar 18

WW-TW Enterprises, LLC
Mar 12 – Jan 16
Graniteville, SC
Executive Vice President
and General Counsel

E2 Consulting Engineers, Inc.
Mar 12 – Jan 16
Aiken, SC
Vice President of Business
Development &
General Counsel

PROFESSIONAL EXPERIENCE

In April of 2018, I combined practices with Christopher Austin of Austin Attorney at Law, PC. I continue to practice in the areas of Real Estate, Government Contracts, Small Business, & Employment law. Christopher continues to practice in the Areas of Real Estate, Estate Planning, Probate, Business Law, and Municipal Law.

Upon completing a sale of a majority of the company's real estate assets, I negotiated a severance from WW-TW Enterprises in order to take the State Bar and obtained my South Carolina license to practice September 2016. In 2017, I formed Pethick Law Firm, LLC and began a solo practice.

A family owned business with real estate holdings in Graniteville, SC, including: Sage Valley Golf Club and several other golf course properties; several textile mill properties formerly owned by the Graniteville Mill Company; an Industrial Park; several thousand acres of residential, commercial, and timber property; and other business investments. Key responsibilities included: Asset Sales, Purchase & Disposition, Represented employer in the disposition of a variety of properties, including mill properties, golf courses, commercial tracts, raw land, conservation easements, and the purchase and sale of membership interests in active businesses and other business ventures.

Certified Small Business with approximately 350 employees providing a broad range of professional, technical, engineering, and staff augmentation services to clients in local, state, and federal agencies, with a focus on Savannah River Site customers. Key responsibilities:

Contracts: staff augmentation and scope contracts, FAR-based prime contracts and subcontracts, teaming agreements, consulting agreements, service agreements, mentor-protégé agreements, LOI's, non-compete agreements, & flow-down arrangements.

Litigation Management: Supervised outside counsel and managed our response on legal issues.

Small Business Rules: Established expertise in the areas of Small Business Rules and Guidelines in order to develop competitive advantages in small business teaming strategies

Teaming Agreements: Negotiated & prepared teaming arrangements that provided E2 maximum opportunities and competitive advantages when competing for small business contracts.

Planning, Marketing & Client Development: Developed business strategic growth plan focused on small business teaming; created marketing plans and marketing materials; and networked with potential clients and partners to develop new business opportunities consistent with our strategic growth plan.

Government Proposal: Developed bid strategies for E2 proposals; acted as a Capture Manager on several proposals; and served as a contributing author and editor on most E2 proposals.

Other Responsibilities: Provided guidance on corporate policies, personnel issues and other matters.

WRS Inc
Real Estate Investments

Aiken & Mt. Pleasant, SC
Vice President of Operations &
Development; General Counsel

May 04 – May 09

Retail Developer that develops and builds Wal-Mart-anchored shopping centers, including over 6,000,000 s.f. of retail space from 2001-2009. WRS handles site analysis, acquisition, leasing, development, construction, and property management services for its centers with in-house staff. As V.P. of Operations & Development, I managed these functions. Project oversight responsibilities included: oversight of development activities and closings; due diligence coordination (title, zoning, permits, entitlements, etc.); land acquisition; review and negotiation of all leases and contracts; hiring and oversight of staff; workforce training and development; and management of outside counsel. Specific highlights of responsibilities are listed below:

Development Oversight: Managed and directed a wide range of development activities on simultaneous retail projects, with responsibilities including: working with applicable officials in charge of zoning, planning, DOT, DHEC, utilities, and other authorities to determine the feasibility of development; creation of subdivisions; negotiation of construction contracts for site work and improvements; formation of entities and property owner associations; and negotiation of easements and covenants.

Due Diligence: Managed due diligence efforts, including zoning and conceptual site plan approvals; title and survey review; environmental investigations; entitlements and permits; evaluation of required off-site infrastructure improvements; and confirmation of availability and delivery of utilities.

Site Acquisition: Personally handled the site acquisition of 5 Wal-Mart anchored projects over a two year period from 2005 - 2007, including: identification and selection of sites; assembly of data required for Wal-Mart real estate trips; presentation of the candidate sites to Wal-Mart executives on real estate trips; and acquisition of land by negotiation of purchase contracts with owners. Once sites were approved by Wal-Mart, my role changed to the oversight of project development aspects.

Contract & Lease Review: Reviewed leases for shop spaces, as well as ground leases and purchase contracts for outlots; negotiated acceptable lease and contract terms that satisfied the competing concerns of owners, tenants, and lenders; worked with sales agents to find the right mix of tenants in light of the restrictive covenants and non-compete demands of Wal-Mart and other tenants.

Closings: Coordinated closings with sellers, lenders, anchor tenants, and outside counsel and reviewed all documents in connection with the purchase and development of each project.

Management: As Operations Manager, ensured good communication between development, leasing, construction, & property management functions; trained new staff to ensure big picture understanding.

Outside Counsel: Managed work flow to outside counsel and reviewed work product.

Raleigh-based law firm with 125 attorneys. Hired as an associate with a primary practice area of Commercial Real Estate. Highlights of practice areas included:

Real Estate Transactions: Represented buyers, sellers, tenants, landlords, lenders, borrowers and developers in commercial real estate transactions and loan closings.

Land Use: Represented clients with land use issues, including zoning and permitting.

Commercial Leasing: Represented landlords and tenants.

Construction Law: Co-authored manual *Construction Industry Form Contracts* published in the NC Bar Association's *Construction Law Deskbook*; Negotiated AIA construction contracts.

Utility Law: Represented Progress Energy and North Carolina Natural Gas; served as project attorney for the extension of a gas pipeline across eastern NC, including the acquisition of needed right-of-way.

Contracts: Represented clients on a myriad of business contracts, including purchase agreements, non-compete agreements, leases, LOI's, government contracts, and environmental agreements.

Litigation Support: Provided litigation support and legal research on real estate matters.

Smith Anderson Law Firm

Raleigh, NC
Attorney

Aug 99 – May 04

Barnes & Thornburg

Indianapolis, IN
Attorney

Dec 96 – Aug 99

Indianapolis-based law firm with 600 lawyers in Indiana, Chicago, Atlanta, Dallas, Los Angeles & Washington, D.C. Hired as an associate in the Commercial Real Estate Department, concentrating on Sales and Acquisitions, Land Use, Leasing & Contracts, and Commercial Lending. Specific responsibilities included:

Sales and Acquisitions: Represented clients in all aspects of the sale and purchase of commercial properties, including the review of title, surveys, environmental reports, and other engineering reports.

Land Use: Handled zoning, variances and other land use matters;

Leasing & Contracts: Represented clients in commercial leases and business contracts.

Commercial Lending: Represented banks and borrowers in numerous commercial loan closings, primarily in support of real estate transactions, but also equipment/capital loans.

EDUCATION/TRAINING

JURIS DOCTORATE

Dec 1996

Indiana University School of Law - Indianapolis, IN, Graduated Cum Laude

BACHELOR OF SCIENCE

May 1993

Purdue University - West Lafayette, IN

Industrial Management / Minor in Manufacturing Management

PROFESSIONAL AFFILIATION

South Carolina State Bar (Active)

North Carolina State Bar (Active)

Indiana State Bar (Inactive)

VOLUNTEER EXPERIENCE

CHURCH

Nov 2009 – 2015

Served as a two term Elder at South Aiken Presbyterian Church (SAPC)

COMMUNITY

2012 – PRESENT

Organized a partnership between SAPC & Friendship Baptist Church to establish a joint mentoring ministry at Schofield Middle School, providing mentors to 25 at-risk kids. I administer the program and mentor two boys. In 2016, I arranged a similar program with the USCA Men's basketball team and students at CIL Alternative School. In 2019, I formed a partnership between my church and a local AAU basketball team that offers coaching, tutoring and a safe after-school outlet to 50 kids.

GOODWILL OF MIDDLE GEORGIA

Member of the Executive Committee and the Board of Directors

MEGIDDO DREAM STATION

Serve as a member of the Board of Directors, which provides Christ-centered education & job training designed to help create self-sustaining families.

COACHING & SCOUTING

I have coached my son's recreational and travel baseball teams and his church league basketball teams every year since 2010; served as a Cub Scout leader for 3 years.