



## Robert C. Byrd

Partner

bobbybyrd@parkerpoe.com

t 843.727.2665



Bobby Byrd has more than three decades of litigation experience, primarily representing national and community banks, commercial finance companies, special servicers, and other lending institutions in connection with non-performing loans. His experience includes judicial foreclosures, actions to collect promissory notes, guaranty suits, bankruptcy proceedings, and claim and delivery (replevin) actions, in addition to defending entities against lender liability claims.

He also handles real estate-related litigation, including construction litigation, reformation and quiet title actions, boundary and easement disputes, landlord-tenant disputes, and tax sale litigation. In addition, Bobby represents parties to disputes arising out of commercial contracts and other business arrangements, including partnership disputes, business dissolutions, and other types of commercial litigation. He also has considerable experience handling first-party insurance litigation, including coverage disputes and bad faith actions. He is admitted to all state and federal courts in South Carolina, as well as the Fourth Circuit Court of Appeals and the United States Supreme Court.

When he is not practicing law, Bobby is very involved in church and community activities. He currently serves as immediate past president of the Charleston Stage Company's board of trustees. He has also served on the Charleston Habitat for Humanity's board of directors and can usually be found at a Habitat construction site on Saturday mornings.

## REPRESENTATIVE EXPERIENCE

- *In re Estate of Brown*, \_\_\_ S.C. \_\_\_, 846 S.E.2d 342 (2020), *reh'g den.*, reversing 424 S.C. 589, 818 S.E.2d 770 (Ct. App. 2018). Represented daughters of the late James Brown in a unanimous decision of the South Carolina Supreme Court holding that putative wife of the late James Brown was not his valid spouse due to bigamy.
- *In re Infinity Business Group, Inc.*, 612 B.R. 76 (2019). Represented defendants in a defense verdict following a three-week trial in bankruptcy court.
- *Brown-Thomas v. Hynie*, 412 F.Supp.3d 600 (D.S.C. 2019). Represented children of the late James Brown in a denial of defendants' motions to dismiss claim under federal Copyright Act.
- *Brown-Thomas v. Hynie*, 367 F.Supp.3d 452 (D.S.C. 2019). Represented children of the late James Brown in a denial in part of defendants' motions to dismiss.



### CHARLESTON OFFICE



### PRACTICE AREAS

Financial Restructuring & Insolvency  
 Commercial Foreclosure & Receivership  
 Construction Litigation  
 Real Estate Litigation



### EDUCATION

University of South Carolina  
 BA, *magna cum laude*, 1982  
 University of South Carolina  
 JD, *magna cum laude*, 1985



### ADMISSIONS

South Carolina, 1985



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- *Wachovia Bank v. Blackburn*, 407 S.C. 321, 755 S.E.2d 437 (2014). Represented national bank in a unanimous decision of South Carolina Supreme Court upholding validity and scope of jury trial waiver in bank's loan documents.
- *In re Stacy's Inc.*, 508 B.R. 370 (Bankr., D.S.C. 2014). Represented national bank in a denial of debtor's motion to surcharge bank's recovery of cash collateral.
- *Union Ins. Co. v. Soleil Group, Inc.*, 465 F.Supp.2d 567 and 585 F.Supp.2d 783 (D.S.C. 2006). Represented insured in obtaining dismissal of declaratory judgment action brought by insurer to determine coverage.

## PUBLICATIONS

- "Statutes of Limitations: South Carolina," March 2015
- "Commencing an Action: South Carolina," March 2015
- "Litigation Overview: South Carolina," March 2015
- "Responding to a Complaint: South Carolina," March 2015

## HONORS

- *The Best Lawyers in America* in Bankruptcy Litigation, 2012-2021
- *The Best Lawyers in America* "Lawyer of the Year" in Charleston for Bankruptcy Litigation, 2014
- *Benchmark Litigation*, Local Litigation Star in South Carolina, 2013-2021
- *Charleston Business Magazine's* "Legal Elite" in Bankruptcy & Creditors' Rights, 2018-2019, Business Litigation, 2017, 2020
- *South Carolina Super Lawyers*, 2008-2020
- *Super Lawyers Business Edition*, Creditors' and Debtors' Rights, 2015
- Francis I. Parker Pro Bono Award, 2008
- Martindale-Hubbell, AV Preeminent, Peer Review Rated
- Order of the Coif
- Order of the Wig and Robe



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- *South Carolina Law Review*, Editorial Staff 1983-1985
- Phi Beta Kappa

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### MEMBERSHIPS

- South Carolina Defense Trial Attorneys Association
- American Bankruptcy Institute
- South Carolina Bankruptcy Law Association
- Charleston Stage Company, Board of Trustees, 2016-2020, President, 2017-2020, Immediate Past President, 2020-2021
- Charleston Habitat for Humanity, Board of Directors, Former Member
- First (Scots) Presbyterian Church, Ordained Elder and Former Vice-Clerk of Session
- Charleston-Atlantic Presbytery, Coordinating Committee, Past Chair