



## Kerry K. Jardine

### PARTNER

Charleston

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### RELATED SERVICES

- Commercial Litigation
- Employment
- Construction
- Artificial Intelligence
- Class Action Defense
- Product Liability
- Professional Liability Defense

### OFFICES

- Charleston
- Livingston
- New York

### OVERVIEW

Kerry Jardine is a Partner in the firm's South Carolina and New York offices and a member of the Commercial Litigation, Class Action, Intellectual Property, Employment, Construction, Professional Liability, and Artificial Intelligence practice groups. Kerry represents major corporations, closely held businesses, partnerships, and individuals in many types of commercial and employment disputes. Kerry's diverse civil practice also includes litigation experience in shareholder, breach of contract, copyright, and business torts litigation. She also represents insurers in various policy lines.

Kerry focuses on complex litigation, including class actions, contract disputes, copyright claims, labor and employment issues, shareholder disputes, securities, construction and real estate disputes,

consumer protection issues, and business torts. Kerry's litigation experience includes all phases of litigation, and she has successfully represented clients in state and federal courts, including appellate courts, as well as in mediation and arbitration.

Kerry has extensive experience representing clients in all areas of labor and employment law, including wage and hour cases, discrimination, harassment, retaliation, wrongful discharge, and breach of contract. Kerry regularly advises clients on employment issues, such as development of employee handbooks, internal investigations, and compliance with federal and state statutes.

## REPRESENTATIVE EXPERIENCE

- Obtained summary judgment for a client invalidating a county ordinance based on state preemption grounds. The client owned property it wished to use as a mine and secured all necessary state approvals, but was denied a mine permit by the local County Council. The District Court for South Carolina found that South Carolina Department of Health and Environmental Control (DHEC) has exclusive authority over mine permitting and the local mine permit ordinance conflicted with that authority. The Court also found that the ordinance at issue provided the local County Council with an impermissible veto power over DHEC decisions. After securing summary judgment, and additional negotiations with the County, the client was able to begin utilizing his property as a mine.
- Negotiated settlement on behalf of a home owners' association (HOA) after five years of litigation regarding whether certain covenants restricted the use of the land applied to the abutting and closed golf course that was intertwined with the home owner's association's property. The HOA did not want the golf course to be developed. The golf course owner wanted to develop the golf course into a residential community. In a complicated settlement, the HOA agreed to purchase portions of the golf course property to preserve the HOA's neighborhood. The settlement allowed the golf course owner to develop other parcels of property. The resulting settlement should be a model for how home owners' associations generally should deal with the closure of abutting golf courses when the golf course owner wants to develop the property and the home owners' association wants to preserve its community.

## CREDENTIALS

### Admissions

- South Carolina
- New York
- New Jersey
- U.S. District Court, Eastern & Southern Districts of New York
- U.S. District Court, District of South Carolina
- U.S. District Court, District of New Jersey
- U.S. Court of Appeals for the Second Circuit

- U.S. Court of Appeals for the Fourth Circuit

**Community Involvement**

- Member of the Board of Directors of New Directions for Horry County (focuses on homelessness and poverty alleviation)

**Education**

- J.D., St John's University School of Law, 2006
- B.A., English, City University of New York – Hunter College, *cum laude*, 2002