

News Release
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Witnesses Allowed to Testify in Carolina Investors Case

Greenville, S.C. (May 5, 2008) – The S.C. Supreme Court recently reversed a lower court ruling in the Carolina Investors case, South Carolina v. John M. Sterling. The ruling overturned a decision that barred four witnesses from testifying against former HomeGold chairman Jack Sterling.

Sterling's defense team wanted to ban their testimony because of a potential conflict of interest from Bill Bannister, who briefly represented Sterling and the other company leaders. The Supreme Court found that Mr. Bannister did not have a conflict of interest and that there is no evidence of Mr. Bannister revealing confidential information to the witnesses.

Mr. Bannister said of the decision, "The Supreme Court's reversal recites the law that I have understood to be applicable in this situation for the last 30 years of my practice. The Supreme Court found that I did not have an actual conflict of interest and that I didn't receive any information from Mr. Sterling that was confidential. I would never intentionally reveal a client confidence or violate a client's rights. As a criminal defense lawyer, I know that you have to push things to their limit. The real issue at trial will be what Mr. Sterling knew about HomeGold's financial situation, when he knew it, and what he did about it. Unless you have been through it, it is hard to imagine how utterly defenseless you can feel when the Government is bearing down on you. Any issue to get the prosecution off track is worth a shot, so I don't blame Sterling's defense team for trying. As far as I'm concerned, Mr. Sterling is still presumed innocent and there are no hard feelings."

Sterling's trial has been on hold while the S.C. attorney general's office appealed the lower court ruling barring the witnesses' testimony. A new trial date has not been set.

About Bannister & Wyatt, LLC

Since 1976, Bannister & Wyatt has been dedicated to providing the highest quality legal counsel and advice to clients. Bannister & Wyatt's skilled, experienced and aggressive team of attorneys specializes in Criminal Defense, Commercial Real Estate and Family Law. Recognized and regarded as a top law firm throughout the Southeast, Bannister & Wyatt has the experience to solve complex legal problems.

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