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LAWYERS GET COUNSEL TOO

BILL MCDONALD, Staff Writer

Before each of his major trials, the Columbia attorney and his best friend -- a grade-school dropout -- meet in the back booth of a restaurant to discuss the case's finer points.

The seemingly improbable collaboration has borne bounteous fruit for more than 30 years now. The duo: Dave Fedor, veteran personal injury attorney with a string of million-dollar verdicts; and John Forrester, the blunt-spoken owner of Capitol Restaurant on Main Street.

"John is like a psychic," Fedor says. "He knows what will sell to a jury, what is hogwash and how much a jury will award.

"I can't tell you how much my success has depended on John's street wisdom."

Nightclub bouncer. The two men cultivated their friendship when Fedor, a stocky, muscular weightlifter, worked his way through USC as a nightclub bouncer in the late '50s.

The Capitol was Fedor's favorite after-hours hangout.

"John is not a scholarly man," Fedor notes. "But he's a man with great common sense and the outlook of a regular juror."

Forrester has an "incredible knack," Fedor says, for getting to the nub of an issue, stripping it bare and predicting, with uncanny accuracy, a jury's thinking.

Trust me. Once, Fedor recalls, he anxiously telephoned Forrester from an Edgefield courthouse to ask his opinion about accepting a \$2 million settlement.

Fedor's client, a doctor, had been left a paraplegic after an ambulance wreck. A construction company had been cited for negligent road maintenance.

"What do you think?" Fedor asked his "co-counselor."

"Tell `em to shove the two million," Forrester barked.

"Are you sure?"

“Trust me!”

As Forrester predicted, the jury was inclined to dig deeper. It awarded the doctor \$10 million.

“But I was nervous in my closing argument,” Fedor recalls with a chuckle.

Forrester, for his part, says: “I sense people pretty good, but we've been damn lucky.”

Horrendous psychologists. One reason litigation pundits like Forrester are so “hot” today, says Amy Singer, a trial consultant, is that lawyers are “horrendous psychologists.”

Writing in “Psychology Today,” Singer notes that a series of hypothetical defense cases revealed that college sophomores were better at reading juries than lawyers. The reason is that lawyers form their opinions on too many “stereotypes and old wives' tales.”

Another celebrated Columbia trial attorney, **Jack Swerling**, also has “confidantes” he consults. But for the most part, they're attorney friends Dick Harpootlian, Joe McCullough, Pete Strom and Gregory Harris, who share the same building at 1720 Main St.

If truth be known, **Swerling** says, his sharpest critic is his wife. “But when all else fails, I consult my Ouija board.”

Bill McDonald's column appears every Thursday and Sunday in The State. Call him at 771-8386 to tell him about interesting local people.



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