

PERSONAL DATA QUESTIONNAIRE

1. State your full name: **Templeton Smith, Jr.**

Have you ever been known by any other name? If so, please list.

No.

2. Office address (include zip code):

**1010 Two Chatham Center
Pittsburgh, PA 15219-3499**

Office telephone (include area code): **(412) 316-8648**

Name of law firm, if associated: **Thomson, Rhodes & Cowie, P.C.**

3. Date and place of birth: **Pittsburgh, PA**

4. Are you a naturalized citizen? If so, give date and place of naturalization:

No.

5. Family status:

- a) Are you married? If so, state the date of marriage and your spouse's full name, including maiden name, if applicable:

Married August 2, 1980, Lea Elizabeth Anderson, Esquire

- b) Have you been divorced? If so, state the date, the number of the case and the court.

No.

6. Have you had any military service? If so,

- a) Give dates, branch of service, rank of rate, and present status:

No.

- b) Have you ever been rejected or released from any of the armed services for reasons other than honorable? If so, give details:

No.

7. List each college and law school you attended, including dates of attendance, and the degrees awarded and, if you left any institution without receiving a degree, the reason for leaving. List scholastic honors:

Washington & Lee University - B.A. English Literature 1974
University of Pittsburgh School of Law - J.D. 1977

8. List all jurisdictions in which you have applied to take a bar examination, have applied for admission or have been admitted to practice. Include dates of admissions and if not admitted, give application dates and explain the outcome.

Commonwealth of Pennsylvania – Admitted to practice (State and Fed. Ct.) 1977
United States Supreme Court – Admitted 1982
United States Tax Court – Admitted 1982
United States Court of Appeals for the Third Circuit – Admitted 1983

9. Describe chronologically your law practice and experience after your graduation from law school, including:

- a) Whether you served as clerk to a judge and, if so, the name of the judge, the court, and the dates of the period you were a clerk:

No.

- b) Whether you practiced alone and, if so, the addresses and the dates

No.

- c) The dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected and the nature of your connection with each:

1993- Present	Shareholder – Thomson, Rhodes & Cowie, P.C. 1010 Two Chatham Center Pittsburgh, PA 15219-3499
1991-1993	Special Counsel - Thomson, Rhodes & Cowie, P.C. 1010 Two Chatham Center Pittsburgh, PA 15219-3499
1983-1991	Partner – Rose, Schmidt, Hasley & DiSalle 900 Oliver Building Pittsburgh, PA 15222
1977-1983	Associate - Rose, Schmidt, Hasley & DiSalle 900 Oliver Building Pittsburgh, PA 15222

d) Any other relevant particulars:

No.

10. With respect to your practice:

a) What has been the general character of your practice, dividing it into periods with dates if its character has changed over the years?

The early years of my practice were spent assisting on "major case" commercial litigation, including several suits where the damages at issue exceeded one hundred million dollars. Thereafter, I became involved in zoning and land use litigation, commercial tax assessment appeals, school law and appellate litigation. I have briefed and argued nearly eighty (80) cases in the Pennsylvania, Superior, Commonwealth and Supreme Courts and the United States Court of Appeals for the Third Circuit. Since the mid-1980s, I have also counseled healthcare providers on Medicare/Medicaid anti-fraud statutes and regulation, drafted contracts for physicians and hospitals and represented an Approved Private School which teaches Emotionally Disturbed students.

b) Describe your typical clients and mention the areas, if any, in which you have concentrated your practice:

My appellate clients are typically physicians, hospitals, insurers and property owners. My other clients are more difficult to classify, and include a small hospital, a number of physicians, numerous individuals, several small businesses, an Approved Private School and a Library. I also perform both litigation and transactional services for a nursing home/life-care community and several large insurance companies, in the areas of both insurance defense and insurance coverage.

11. With respect to the last five years:

a) Did you appear in court regularly, occasionally, or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof:

During the past five years, I have appeared regularly in the Superior Court and occasionally in the Commonwealth Court, the Pennsylvania Supreme Court, the Courts of Common Pleas of Allegheny, Westmoreland, Fayette and Washington Counties as well as the United States District Court for the Western District of Pennsylvania.

b) What percentage of these appearances was in:

1. Federal courts: **20%**

2. State courts of record: **79%**

3. Other courts: **approx. 1 %**

c) What percentage of your litigation was:

1. Civil: **99%**
2. Criminal: **1% or less**

d) State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel or associate counsel:

Trial level: **5 or 6 as sole counsel**
Appellate Level: **Approximately 17 as sole counsel**

e) What percentage of these trials were:

1. Jury: **20% of trials**
2. Non-jury: **80% of trials**

12. Summarize your experience in court prior to the last five years, indicating as to that period:

a) Whether your appearances in court were more or less frequent:

My appearances in court prior to the last five years were not markedly different in character or number from my appearances in the preceding five years.

b) Any significant changes in the percentages stated in your answers to question 11(b), (c) and (e):

No.

c) Any significant changes in the number of cases per year in courts of record you tried to verdict or judgment (rather than settled), as sole counsel, chief counsel or associate counsel.

No.

13. Describe five of the most significant litigated matters which you personally handled and give the citations thereto, if the cases were reported. Give a capsule summary of the substance of each case and a succinct statement of what you believe to be the particular significance of the case. Identify the party or parties whom you represented and

describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case a) the dates of the trial periods; b) the name of the court and the judge before whom the case was tried; and c) the individual name, address and telephone numbers of co-counsel for each of the other parties;

Please see attached.

14. If a substantial period of your practice has been before administrative boards, commissions or agencies during the past five years, identify the boards, commissions or agencies before which you have practiced and estimate percentages of practice time devoted thereto:

Board of Property Assessment of Allegheny County 5-10%
Board of Viewers of Allegheny County 5%

15. If a substantial portion of your practice has been before Appellate courts during the past five years, identify the Appellate Courts before which you have practiced and estimate percentages of practice time devoted thereto:

Superior Court of Pennsylvania – 40%
Commonwealth Court of Pennsylvania - 4%
Supreme Court of Pennsylvania – 3-4%

16. a) Have you ever held judicial office? If so, give dates and details, including the courts involved, whether elected or appointed, periods of services, and a description of the jurisdiction of each of such courts with any limitations upon the jurisdiction of each court:

No.

- b) Have you ever held public office other than judicial office? If so, give details, including the office involved, whether elected or appointed, and the length of your service, giving details:

No.

17. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates:

No.

18. Have you ever been engaged in any occupation, business or profession other than the practice of law or the holding of judicial or other public office? If so, give details, including dates:

No.

19. Are you now an officer or director or otherwise engaged in the management of any business enterprise? No.

a) If so, give details, including the name of your enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service.

NA.

b) Is it your intention to resign such positions and withdraw from any participation in the management of any such enterprises if you are elected and confirmed? If not, give reasons:

NA.

19. Have you ever been arrested, charged with or convicted of violating any federal law or regulation, state law or regulation, or county or municipal law, regulation or ordinance? If so, give details. Do not include summary traffic offenses:

No.

20. Are you under any ongoing federal, state or local investigation or indictment for possible violation of a criminal statute? If so, give particulars:

No.

22. Has a tax lien or other collection procedure been instituted against you by federal, state or local authorities? If so, give particulars:

No.

23. Have you ever been sued by a client? If so, give particulars:

No.

24. Have you ever been a party or otherwise involved in any other legal proceedings? If so, give the particulars. Do not list proceedings in which you were merely a guardian ad litem or stakeholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as co-conspirator or a co-respondent and any grand jury investigation in which you figured as a subject or in which you appeared as a witness:

Approximately twelve years ago, my wife and I brought suit against Subaru of North America for property damage emanating from a defective ignition interlock device that allowed our car to remain in gear when the key was removed. The suit was brought in the Arbitration Division of the Court of Common Pleas of Allegheny County, and we recovered approximately sixteen hundred dollars.

Approximately eighteen years ago, I was one of about sixty defendants in a lawsuit in which the landlord of a Washington, D.C. law firm with which my former law firm had allegedly merged, sued all of the partners of my firm for back rent, which the D.C. firm had failed to pay and had concealed from the partners of my law firm. The lease in question contained a provision making it non-recourse only as to partners of the Washington D. C. firm or any firm of which those partners constituted a majority of the partners. The case was ultimately dismissed.

25. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, give the particulars:

No.

26. What is the present state of your health? (If any medical condition or issue exists, you may be requested to execute a medical record authorization form as part of the interview process.)

Excellent.

27. Do any circumstances exist that would affect your ability to perform the function of the position you seek or fulfill the term of office? If so, please explain.

No.

28. Furnish at least five examples of legal articles, law review articles, briefs, or other legal writings which reflect your personal work. If briefs are submitted, indicate the degree to which they represent your personal work:

The enclosed briefs in six appellate cases are entirely my personal work. In each of those cases, I handled the appeal from start to finish.

29. List all bar associations and professional societies of which you are a member and give the titles and dates of any offices which you have held in such groups. List chairmanships of any committees in bar associations and professional societies and memberships on any committees which you believe to be of particular significance (e.g., judicial selection committee, disciplinary committee, grievance committee).

**American Bar Association
Pennsylvania Bar Association
Allegheny County Bar Association**

**Committee Memberships:
Appellate Practice
Municipal and School Solicitors
Real Property**

29. List your experiences in teaching and lecturing, including law school, continuing legal education and to non-legal audiences.

**I have taught several continuing Legal Education Courses on:
Medicare Fraud
Zoning and Land Use
Risk Management (taught to EMS personnel)
Act 34 Compliance (taught to managers of education client)**

30. List all organizations other than bar associations, professional associations or societies of which you are or have been a member, including civic, charitable, religious, educational, social and fraternal organizations:

I am actively involved in local suburban politics, having worked and served as Treasurer of several successful campaigns for Township Commissioner and State Representative as well as on the election committees of numerous School Board Candidates.

I serve as solicitor for the Dormont Public Library on a *pro bono* basis.

I am also a former member of the Board of Directors of Outreach Teen and Family Services, which, among other things, counsels disturbed teenagers and conducts drug and alcohol education and a current board member of the Mt. Lebanon Nature Conservancy.

I am active in my church, having served twice as Clerk of Session, as a member of the Board of Trustees, as a Ruling Elder, as a member of numerous committees, including two pastor nominating committees, as a Sunday school teacher, choir member and *pro-bono* counsel in zoning and property tax matters.

31. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to the foregoing questions.

I have been consistently rated "A-V by the Martindale Hubbell Legal Directory and "highly recommended" for appellate court service by the Judiciary Committee of the Allegheny County Bar Association.

32. State any other information which may reflect positively or adversely on you or which you believe should be disclosed in connection with consideration of you for an election to an Appellate Court of Pennsylvania.

I am the father of two successful, well-adjusted and well-rounded children (a son, 22 and a daughter 20) both of whom have excelled in academics and sports and are assets to their respective communities. Devoting time to their various activities over the years has taken priority over other personal achievements for both their mother and me. My son is now in Medical School at the University of West Virginia and my daughter is a Sophomore at Denison University in Ohio.

34. Why do you wish to become a Justice or Judge? What special strengths do you feel you possess that would particularly well qualify you for the position of Justice or Judge?

I delight in solving problems and correcting mistakes, when necessary, and have enjoyed my more than thirty years of experience as an active appellate advocate. I believe that I would both enjoy and excel at engaging in these pursuits from the other side of the bench. In addition, I am known, both professionally and in outside activities, for my writing ability. I believe that thorough analysis, logical organization and concise expression are essential in all written communications, and especially crucial in those of a jurist.

35. Did you sign the PBA Judicial Campaign Advertising Guidelines? (Please return signed pledge with completed questionnaire.)

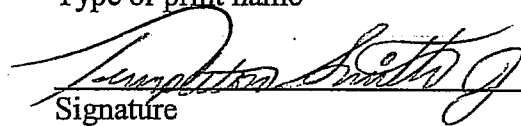
Yes.

CERTIFICATION STATEMENT

The undersigned certifies that all of the statements made in this questionnaire are true, complete and correct to the best of his/her knowledge and belief and are made in good faith.

Templeton Smith, Jr.

Type or print name


Signature

November 25, 2008

Date