VADA

2026 Annual Meeting

October 21 – 23
Hotel Roanoke

AGENDA

Approved for 9.0 CLE Hours (3.0 Ethics)
WiFi: Hilton Honors | Promotional Code: VADA

Wednesday, October 21

6:00 PM — **President's Welcome Reception,** *Ballroom Level Roanoke Foyer*
Sponsored by: Minnesota Lawyers Mutual Insurance Company — Protecting Your Practice is Our Policy.®

7:30 PM — **Dine Arounds,** *Various locations - leave with your group from the reception*

9:30-11:00 PM — **Late Night,** *1882 Lobby Bar*
Sponsored by: Beacon Forensic — forensic-engineers.com

Thursday, October 22

6:30 AM — **Wellness Committee 5K Walk/Run,** *Meet in the hotel lobby*
Sponsored by: S·E·A. Know.

8:00 AM — **Registration and Buffet Breakfast,** *Ballroom Level Roanoke Foyer*
Sponsored by: Beacon Hill Legal® Experts at Work™ | Kincaid Wolstein Vocational & Rehabilitation Services

8:00 AM — **Past Presidents' Breakfast,** *Roanoke Ballroom GH*
Please visit the buffet and join your fellow past presidents

8:55 AM — **Welcome and General Session,** *Roanoke Ballroom CD*

9:00-10:00 AM — **General Assembly Briefing, 1.0 HR** (Sarah Jessee)
This will be a dynamic conversation on recently passed legislation, expectations for upcoming General Assembly sessions, and key policy developments affecting the legal landscape. This briefing will explore how emerging legislative issues may impact Virginia's defense bar, providing timely insights, practical considerations, and opportunities for informed discussion and professional engagement.

Hon. Terry Kilgore, *Senate of Virginia*
Chrissy Noonan, *Seven Hills Strategy Group*
B. Patrick O'Grady, *Thomas, Thomas & Hafe*
Hon. Rip Sullivan, *Virginia House of Delegates*
Hon. Scott Surovel, *Senate of Virginia*

10:00-11:00 AM ***The New Rule 3:8: Eliminating the Slow Drip of Serial Pleadings-Stage Motions,* 1.0 HR** (Sophie Campos & Ben Woody)
Did you miss the recent amendment to Rule 3:8? Our panelists will examine the history of the rule and what precipitated the change in the context of "serial pleading." They will explore the practical implications of the change, including drilling down on what makes something "plea-able" for a plea-in-bar, when is something a demurrer, and what happens when there is lag time between a court's ruling and the submission of an order disposing of a case.

Patice Holland, *Woods Rogers*
Lori Jarvis, *McAngus Goudelock & Courie*

11:00-11:15 AM **Break**

11:15-12:15 PM **Frequent Flyers: Handling Recurring Expert Witnesses and Objections to IMEs, 1.0 HR** (Jacob Pierce & Ben Woody)
IMEs are a critical piece of evaluating damages. So, through the example of a neuropsychological examination, our panelists will discuss best practices in pursuing IMEs. The panel will discuss prevalent strategies advanced by the plaintiff's bar in negotiating IMEs, imposing conditions, and so forth. Specifically in the context of neuropsychology, the panel will discuss why requests to record is tantamount to denying the examination, and best practices in formulating protective orders concerning test data.

Danielle Giroux, *Harman Claytor Corrigan & Wellman*
Ben Woody, *McAngus Goudelock & Courie*

12:15-2:15 PM **Awards Luncheon,** *Roanoke Ballroom AB*
SPONSORED BY: THE MCCAMMON GROUP

2:30-4:30 PM **LITIGATION SECTION BREAKOUTS (2.0 HRS)**

APPELLATE ADVOCACY and CORPORATE & COMMERCIAL LITIGATION
Crystal Ballroom A

2:30-3:30 PM **Beating the Standard of Review, 1.0 HR**
On appeal, standards of review are just like standard of proof at trial – they determine how high the hurdle is for a litigant to clear and win. Unlike a standard of proof, however, appellate standards of review are more flexible and offer litigants an opportunity to strategically frame an issue to increase the likelihood of an affirmance or reversal. This CLE explains and analyzes the various standards of review and discusses strategies for navigating those standards on appeal.

Peter S. Askin, *ThompsonMcMullan*
Timothy A. Richard, *ThompsonMcMullan*

3:30-4:30 PM **Preserving Issues for Appeal at Trial, 1.0**
This presentation will provide Virginia attorneys with practical guidance on preserving issues for appellate review. The program will address common pitfalls that can result in waiver, including making timely objections, stating the specific grounds for objections, proffers, motions to strike, jury instructions, evidentiary issues, and post-trial motions. Attendees will learn practical strategies for creating a clear record, protecting their clients' positions, and ensuring that potentially reversible errors remain available for appeal.

Tracy Taylor Hague, *Woods Rogers*
Julie S. Palmer, *Harman Claytor Corrigan & Wellman*

AUTOMOBILE & TRANSPORTATION LIABILITY and LOCAL GOVERNMENT
Buck Mountain

2:30-4:30 PM **Defending the Government and Government Employee in the Inevitable Car Accident Case: All Issues Potpourri, 2.0 HRS**
With *Jeopardy!*-inspired trivia (and prizes!) sprinkled in, presenters will provide an overview of defending the municipality or county and its employee in the inevitable car accident case. The session will cover sovereign immunity issues and corresponding uninsured motorist implications, accident reconstruction and medical experts strategies, and general best practices for successful defense in such cases.

Darlene Bradberry, *City of Newport News*
Jonathan Hyslop, *Furniss Davis Rashkind*
Moderator: Melissa Hamann, *City of Chesapeake*

MEDICAL MALPRACTICE
Roanoke Ballroom CD

SPONSORED BY: In2Trial

2:30-3:30 PM **Jury Instruction Strategy, 1.0 HR**
Jury instructions are often an afterthought at trial, but they present a powerful appellate issue in medical malpractice cases. This presentation will cover recent appellate decisions, requesting and preserving instructions, avoiding reversible error, and using instructions strategically in closing argument and settlement negotiations.

Kristina Fattoum, *Mitchell, Simopoulos & Fattoum*

3:30-4:30 pm **Combating Plaintiff's Spoliation Playbook and Avoiding the Adverse Inference Instruction, 1.0 HR**
When critical evidence goes missing in medical malpractice litigation, the stakes are enormous. This session equips defense counsel with practical tools to recognize and counter plaintiff's spoliation tactics, challenge adverse inference motions, implement effective litigation hold protocols, and mitigate jury instruction damage when spoliation arguments survive to trial.

Ron Herbert, *Harman Claytor Corrigan & Wellman*

POLICY COVERAGE
Crystal Ballroom B

2:30-3:30 PM **The 5 W's of EUOs: Breaking Down Examinations Under Oath, 1.0 HR**
This session will provide a thorough overview of the Examination Under Oath condition of an insurance policy. We will answer the who, what, when, where, and why of EUOs as they are used by insurance companies, provide best practices for coverage counsel to avoid bad faith pitfalls, and explore how EUOs might be used in litigation down the road.

Abby Dreiling, *Hancock Daniel & Johnson*
Meghan Gosline – *Hancock Daniel & Johnson*

3:30-4:30 PM **Insurance Coverage Declaratory Judgment Actions, 1.0 HR**
A summary of how declaratory judgment actions can be used in insurance coverage disputes to clarify the parties' rights and obligations, including the legal standards for a declaratory judgment, who should be made parties to the action, circumstances in which a declaratory judgment can be useful, differences between state and federal court, and practical considerations for proceeding through the case.

Marc Peritz, *Flora Pettit*

PROFESSIONAL LIABILITY
Crystal Ballroom C

2:30-3:30 PM **Safeguard Your Law Firm: Examining Current Legal Malpractice Trends, 1.0 Hour Ethics**
This presentation examines current legal malpractice trends and what recent claims data reveals about the risks confronting todays lawyers and law firms. The program explores persistent sources of malpractice claims, including substantive errors, calendaring failures, conflicts of interest, documentation deficiencies, and mistakes involving routine legal tasks.

Attendees will learn practical strategies for reducing professional liability exposure through stronger internal processes, thoughtful decision-making, effective conflict resolution, and competent file documentation.

The presentation also addresses emerging risk-management concerns involving insurance defense practitioners and aging attorneys, while providing practical guidance for building safer, more resilient law practices.

Andrew S. Gerrish, *Frith Anderson + Peake*

3:30-4:30 PM **Devil in the Details: Engagement Letters & Fee Dispute Resolution, 1.0 HR Ethics**

This presentation examines two distinct ethics issues often faced by practicing attorneys:

A. *Documenting the Attorney-Client Engagement*
The first half of the presentation will examine the ethical and risk-management importance of clearly documenting the attorney-client relationship. This part of the program will address identifying the client, defining and limiting the scope of representation, establishing fees and costs, addressing conflicts and client responsibilities, and using effective engagement letters to prevent misunderstandings, ethical complaints, and malpractice claims.

B. *Ethical Billing, Collections, and Fee Disputes*
The second half of the presentation will explore ethical and risk-management considerations arising from attorney billing and collection practices. This part of the program will address written fee agreements, regular and detailed billing, retainers, delinquent accounts, client communications, withdrawal, and alternatives to fee litigation. There will be a special emphasis on avoiding fee disputes that may generate ethics complaints or malpractice counterclaims.

David, D. Hudgins, *Hudgins Law Firm*

4:30-6:00 PM **Break**

5:00-6:00 PM **Young Lawyers Meet-Up,** *1882 Lobby Bar*

6:00-7:30 PM **Bench-Bar Reception,** *Top of the Taubman*
Third Floor of Taubman Museum of Art, 110 Salem Ave., SE
(Five-minute walk across the railway bridge then left on Salem Ave.)

SPONSORED BY: MDD A Davies Company

7:30-9:30 PM **Dinner on Your Own**

7:30-9:30 PM **Women's Section Dinner,** *Shenandoah Room, Upper Level*
SPONSORED BY: MDD A Davies Company, Planet Depos

9:30-11:00 PM **Late Night,** *aka Speakeasy (use door off the 1882 Lobby Bar)*
SPONSORED BY: Planet Depos, VA

FRIDAY, OCTOBER 23

8:00-8:55 AM **Breakfast Buffet Available,** *Ballroom Level Roanoke Foyer*
SPONSORED BY: J SAWYER CONSULTING Your Partner in Case Strategy

8:55 AM **Sponsors Raffle & Community Service**, *Roanoke Ballroom CD*

To donate to the Bradley Free Clinic, visit www.bradleyfreeclinic.com

9:15-10:15 AM **Preparing for the Worst and Unexpected at Deposition and Trial, 1.0 HR** (Abby Dreiling & Ashley Fine)
Litigation rarely goes exactly as planned. This panel will explore strategies for handling unexpected challenges during depositions and trial, including difficult witnesses, aggressive opposing counsel, jury issues, preservation of the record, and other unforeseen obstacles. Experienced litigators will share practical guidance for staying prepared when surprises arise.

Rod Dillman, *Dillman Legal Group*
Julie Mayer, *Dillman Legal Group*
Daniel Sarrell, *Woods Rogers*

10:15-10:30 AM **Break**

10:30-11:30 AM **What's it Worth? Tips for Evaluating and Discussing Case Value, 1.0 HR** (Kathryn Bonorchis & Kelly MacCluen)
With fewer cases going to trial, effective analysis of settlement and overall case value is more important than ever. This session will address strategies for effectively valuing claims from case inception to conclusion. Panelists will offer a refresher on the basics of valuing claims and provide specific methods for gathering the relevant information and documentation needed to value claims, as well as tips and suggestions for attorneys on best practices. There will also be an interactive component with session attendees.

Kathryn Bonorchis, *Lewis Brisbois*
Tate Love, *TimberlakeSmith*

11:30-12:30 PM **Pitfalls in the Appellate Courts, 1.0 HR (**Elena Coole & Lindsey Brock)
Despite Dante's sharp pen, he needed Virgil to guide him through the 9 circles of Hell. No matter how seasoned a quick-witted lawyer is with trial work, he may be entrapped by the perils of litigating the Court of Appeals of Virginia and the Supreme Court of Virginia and the technical missteps that could harm or doom your appeal. Throughout this CLE, we will act as your Virgil and help you prepare for your journey through the spooky appellate underworld.

Sophie Arnold, *Woods Rogers*
Thomas Chappell, *Woods Rogers*

12:30-12:45 PM **Box Lunches Available,** *Ballroom Level Roanoke Foyer*
SPONSORED BY:

12:45-1:45 PM **Understanding the Attorney Disciplinary System, 1.0 HR Ethics** (Katherine Bonorchis, Sarah Knarzer, & Joe Morino)
This presentation will help practitioners understand the attorney disciplinary system through a discussion of the system of self-regulation in Virginia with the Deputy Bar Council of the Virginia State Bar, including its mission of public protection, the most common bar complaints and ethics implications, and the procedures by which bar complaints are evaluated and investigated.

Bob Yates, O'Hagan Meyer

1:45 PM **Adjourn**