



## **“CHARTING A COURSE FOR SUCCESSFUL LITIGATION”**

11.0 Hours (2.0 Ethics) Approved (#VDGG004)

### **AGENDA**

#### **WEDNESDAY, OCTOBER 2**

*Please confirm meeting rooms on-site*

- 5:30 PM      **President’s Welcome Reception** (*Main Ballroom Foyer, 4<sup>th</sup> Floor*)  
*Sponsored by Philip Blackburn*
- 7:00 PM      **Dine Around Norfolk** (*Meet your group at 6:45 pm at the top of the 4<sup>th</sup> floor escalator*)  
*The Annual Meeting Committee has selected several restaurants within walking distance of Hilton Norfolk The Main. Sign up for this fun “Dutch treat” event and enjoy networking with colleagues over dinner at your restaurant of choice.*
- *Byrd & Baldwin Bros Steakhouse, 116 Brooke Avenue*
  - *Chartreuse Bistro, 205 E. City Hall Avenue*
  - *Norfolk Seafood Company & Big Easy Oyster Bar, 111 W. Tazewell Street*
  - *Saltine, 100 East Main Street, Norfolk (The Main)*
  - *Saint Germain, 255 Granby Street*
  - *Texas de Brazil, 300 Monticello Ave #147*
  - *Todd Jurich’s Bistro, 150 W. Main Street*
  - *Varia, 2<sup>nd</sup> floor of The Main*
- 9:30 PM      **VADA “Late Night”** (*Blue Moon Tap House Tavern Room at Waterside, 333 Waterside Dr.*)  
*Sponsored by RTI*

#### **THURSDAY, OCTOBER 3**

*Please confirm meeting rooms on-site*

- 6:00 AM      **DRI for Life Group Run** (*Meet in the 1<sup>st</sup> Floor Lobby*)
- 8:00 AM      **Registration & Buffet Breakfast** (*Main Ballroom Foyer, 4<sup>th</sup> Floor*)  
*Sponsored by BIOCORE*
- 8:00 AM      **Past Presidents’ Breakfast** (*Salon H, 4<sup>th</sup> Floor*)

8:55 AM **Welcome & Announcements** (*Salon DE, 4<sup>th</sup> Floor*)  
John B. Mumford, Jr., Hancock Daniel, *President, VADA*

9:00 AM – 10:00 AM

**A Look Behind the Curtain: Insights from Plaintiff's Counsel on Injury Litigation** (1.00 HR)  
Moderator, John B. Mumford, *Hancock Daniel*  
Elliott M. Buckner, *Breit Cantor Grana Buckner*  
Stephanie E. Grana, *Breit Cantor Grana Buckner*  
Malcolm P. McConnell, III, *Allen Allen Allen & Allen*

10:00 AM - 11:00 AM

**Lawyer Well-Being: A Profession in Crisis?** (1.00 HR Ethics)  
James M. McCauley, *Virginia State Bar*

11:00 AM **Networking Break/Sponsor Visits**

11:15 AM – 12:30 AM

**Avoiding the "Reptile" in Written Discovery and Depositions** (1.25 HRS)  
Matthew G. Moffett, *Gray Rust St. Amand Moffett & Brieske, Atlanta (DRI)*  
Taylor Denslow Brewer, *Moran Reeves Conn*  
Hon. F. Bradford "Brad" Stillman (Ret.), *The McCammon Group, Norfolk*  
Hon. Randall D. Smith, *1<sup>st</sup> Judicial Circuit of Virginia*

12:30 PM **Awards Luncheon** (*Salon ABC 4<sup>th</sup> Floor*)  
*Sponsored by The McCammon Group*

2:30–5:30 PM **SECTIONS BREAKOUTS** (*Choose one*)

**APPELLATE ADVOCACY** (2.00 HRS) (*Energy 1, 3<sup>rd</sup> Floor*)

2:30 PM – 4:30 PM

**#Metoo—The Impact of a Social Movement on Title VII Law in The Fourth Circuit**  
Melissa York, *Harman Claytor Corrigan & Wellman*

**AUTO & TRANSPORTATION LIAB./CORPORATE & COMMERCIAL LIT.** (3.00 HRS)  
(*Salon F, 4th Floor*)  
*Sponsored by Accident Technology*

2:30 PM – 3:25 PM

**Vehicle System Evidence, Who Owns All That Data?**  
Matt Dwyer, *Accident Technology*  
David Drash, *Teumer Kimbrell & Drash*

3:30 PM– 4:25 PM

**Navigating Indemnity Agreements and Related Litigation**  
James Jennings, *Woods Rogers*  
Tom Garrett, *Harman Claytor Corrigan & Wellman*

4:30 PM – 5:30 PM

**Pitfalls in Determining Whether a Person is an Employee or Independent Contractor**

Matthew Roberson, *Bancroft McGavin Horvath & Judkins*

Dan Robey, *Midkiff Muncie & Ross*

**LOCAL GOVERNMENT (2.00 HRS) (Momentum 2/3, 3<sup>rd</sup> Floor)**

2:30 PM – 4:30 PM

**Litigation of Police Cases**

Mike Beverly, *Norfolk City Attorney's Office*

Darlene P. Bradberry, *Newport News City Attorney's Office*

John D. Gilbody, *Henrico County Attorney's Office*

*Moderator: James A. Cales III, Furniss Davis Rashkind & Saunders*

**MEDICAL MALPRACTICE (3.00 HRS), (Paul D. Fraim Center, 4<sup>th</sup> Floor)**

*Sponsored by Juridical Solutions*

2:30 PM – 3:25 PM

**Patient Safety and Quality Improvement Act 101**

Page Gravely, *Hancock Daniel*

Annie E. Howard, *Hancock Daniel*

3:30 PM – 4:25 PM

**Liability for Mandatory Reporting: A Case Study**

Buckley Warden, *ThompsonMcMullan*

Michael Matheson, *ThompsonMcMullan*

4:30 PM – 5:30 PM

**Updates on Informed Consent**

Madelaine Kramer, *Sands Anderson*

**POLICY COVERAGE (2.00 HRS) (Energy 2, 3<sup>rd</sup> Floor)**

*Sponsored by Robson Forensic*

2:30 PM – 3:25 PM

**The Manu Decision and Its Aftermath**

Alan Rashkind, *Furniss Davis Rashkind and Saunders*

3:30 PM – 4:30 PM

**Enforcement, Interpretation and Application Of “Other Insurance” and Escape Clauses in Insurance Contracts**

Dawn E. Boyce, *Bancroft, McGavin, Horvath & Judkins*

**PRODUCT & TOXIC TORTS (3.00 HRS)** (*Salon G, 4<sup>th</sup> Floor*)

*Sponsored by Forcon*

2:30 PM – 3:25 PM

**Navigating Other Incidents Evidence in Virginia**

Matthew Hundley, *Moran Reeves Conn*

Laura May Hooe, *Moran Reeves Conn*

3:30 PM – 4:25 PM

**Virginia Asbestos 2019: An Update on Damages, Defenses, and Litigating These Cases in The Commonwealth**

Brian Schneider, *Moran Reeves Conn*

Carl Schwertz, *Miles & Stockbridge*

Patricia Bugg Turner, *Spotts Fain*

4:30 PM – 5:30 PM

**Recent Developments on Damages Evidence in Product and Personal Injury Claims**

Justin Feinman, *Williams Mullen*

Ryan Starks, *O'Hagan Meyer*

**PROFESSIONAL LIABILITY (1.00 HR)** (*Momentum 1, 3<sup>rd</sup> Floor*)

2:30 PM – 3:25 PM

**The Challenges of Representing Attorneys in Malpractice Cases**

Jeffrey Geiger, *Sands Anderson*

Timothy J. Gephart, *Minnesota Lawyers Mutual Insurance*

**WORKERS' COMPENSATION (3.00 HRS)** (*Fusion, 3<sup>rd</sup> Floor*)

2:30 PM – 3:25 PM

**The "Arising Out Of" Prong of Compensability: How the Commission and Court of Appeals of Virginia Have Recently Defined This Term**

The Honorable Robert Rapaport, *Virginia Workers' Compensation Commission*

3:30 PM – 4:25 PM

**An Overview of the Statutory Doctrine and Best Practices in the Litigation of Claims against General Contractors, Subcontractors, Independent Contractors and Sole Proprietors.**

The Honorable William Kennard, *Virginia Workers' Compensation Commission*

Esther King, *McCandlish Holton*

4:30 PM – 5:30 PM

**Effective Use of the Medical Fee Schedule in Workers' Compensation Settlements**

Thomas Miller, *Frankl Miller Webb & Moyers*

Johanna Schmersal, Paralegal, *Frankl Miller Webb & Moyers*

3:15 PM – 4:30 PM

**AFTERNOON ICE CREAM BREAK, 3<sup>RD</sup> AND 4<sup>TH</sup> FLOOR LOBBIES**

*During a break in your afternoon Breakout Session, treat yourself to some ice cream!*

6:00 PM

**NETWORKING RECEPTION** (*The Harbor Club, 2<sup>nd</sup> Floor at Waterside, 333 Waterside Dr.*)  
*Sponsored by Matson, Driscoll & Damico*

7:30 PM

**Dinner** (*On your own*)

9:30 PM

**VADA “Late Night”** (*Grain, Hilton Norfolk The Main*)  
*Sponsored by Planet Depos & S-E-A*

**FRIDAY, OCTOBER 4**

*Please confirm meeting rooms on-site*

6:00 AM

**DRI for Life Group Walk** (Meet in the first-floor lobby)

7:30 AM

**Breakfast Buffet Opens** (*Main Ballroom Foyer, 4<sup>th</sup> Floor*)

8:00 AM – 9:15 AM

**Breakfast Honoring the Virginia Judiciary** (*Salon DE, 4<sup>th</sup> Floor*)  
*Sponsored by MLM Insurance*

**Through the Eyes of the Jury: Jurors’ Insights on the Trial of Cases (1.0 HR)**

Hon. David B. Carson, *23rd Judicial Circuit of Virginia*

Confirmed Attendees

Hon. Mary Jane Hall, *4<sup>th</sup> Judicial Circuit of Virginia*

Hon. Glen A. Huff, *Court of Appeals of Virginia*

Hon. Jerrauld C. Jones, *4<sup>th</sup> Judicial Circuit Court*

Hon. Douglas E. Miller, *U.S. District Court for the Eastern District of Virginia*

Hon. Gary A. Mills, *7<sup>th</sup> Judicial Circuit of Virginia*

Hon. William T. Newman, Jr., *17<sup>th</sup> Judicial Circuit of Virginia*

Hon. Daniel E. Ortiz, *19<sup>th</sup> Judicial Circuit of Virginia*

Hon. Bruce D. White, *19<sup>th</sup> Judicial Circuit of Virginia*

Hon. James A. Willett, *31<sup>st</sup> Judicial Circuit of Virginia*

9:15 AM

**Sponsor Raffle Drawing & Fitness Challenge Winners Announced** (*Salon DE, 4<sup>th</sup> Floor*)

9:20 AM – 10:20 AM

**Through the Eyes of the Insured: The Defense of a Civil Lawsuit (1.00 HR)**

Jason Guy Moyers, *Frankl Miller Webb & Moyers*

10:20 AM – 11:20 AM

**The First Line of Defense: Key Responsive Pleadings and How and When to Use Them** (1.0 HR)

A. William Charters, *Goodman Allen Donnelly*

U.S. Magistrate Judge Lawrence R. Leonard, *United States District Court for the Eastern District of Virginia*

Hon. Gary A. Mills, *7<sup>th</sup> Judicial Circuit of Virginia*

11:20 AM      **Networking Break/Sponsor Visits**

11:30 AM – 12:30 PM

**Spoliation in the Wake of *Emerald Point, LLC v. Hawkins*** (1.0 HR)

Brian N. Casey, *Taylor Walker*

Audra M. Dickens, *McCandlish Holton*

Nathan H. Schnetzler, *Frith Anderson & Peake*

12:30 PM – 1:30 PM

**Ethics in the Use of Social Media and Other Technology during Trial** (1.0 HR Ethics)

Danielle D. Giroux, *Harman Claytor Corrigan & Wellman*

U.S. Magistrate Judge Douglas E. Miller, *United States District Court for the Eastern District of Virginia*

Hon. Tasha D. Scott, *4<sup>th</sup> Judicial District of Virginia*

1:30 PM

**CLE Adjourn**

“Grab & Go or Sit & Chat” Lunch (*Main Ballroom Foyer, 4<sup>th</sup> Floor*)