

NORFOLK & PORTSMOUTH BAR ASSOCIATION

BAR BULLETIN

**Volume XXXIV
Number 6**

**November -
December 2009**

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See Flyers Inside for
Event Details and
Registration Information

Preregistration required
for all NPBA Events.
Call 622-3152.

PRESIDENT'S MESSAGE

FIGHTING STEREOTYPES

Although I do not profess to be a country music fanatic, I must admit to getting a lump in my throat whenever I hear Lee Greenwood belt out that he is "proud to be an American." Perhaps it is because I am a military veteran, or because I know so many who served or still serve our country on active duty, or because the indelible memories of 9/11 still seem fresh, or simply because as a United States citizen I too am proud. Ironically, the British first used the term "American" as a derogatory epithet when referring to our revolutionary forefathers, equating the colonists with what the Brits viewed as the primitive and uncouth native inhabitants of the New World. Our founders opted to fight the stereotype and fully embrace the terms "America" and "American," referring in the Declaration of Independence to "[the] unanimous Declaration of the thirteen united States of America" adopted by the "Representatives of the united States of America." Our country's official name subsequently was established on November 15, 1777, when the Second Continental Congress adopted the Articles of Confederation, the first of which proclaims, "The Stile of this Confederacy shall be 'The United States of America.'" Two decades later, in his famous farewell address announcing his retirement from public service, George Washington wrote: "The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation."

The connotation of some words changes over time (*e.g.*, "awful" used to mean "full of awe"). Stereotypes associated with certain professions also may evolve and morph. For example, societal respect for military veterans has traversed the full pendular cycle—from "America's Greatest Generation" of World War II veterans, to the unjustly reviled Vietnam War returnees, to the current crop of "America's Heroes." What changed society's perception of those who volunteered, or were conscripted, to go into harm's way? Perhaps it was due to externalities—a national confluence of efforts to eradicate Adolf Hitler and Nazism, a uniquely divisive undeclared war in the midst of a peacenik generation, the rallying cry of national unity emanating from the rubble of the World Trade Center. Or perhaps society was the pawn of the media's propagandist approach to reporting—from overt cooperation with Uncle Sam to create the official version of World War II (*e.g.*, all movie scripts had to be pre-approved by the federal government), to its omnipresent cameras at anti-war demonstrations and nightly "baby-killer" body count, to more recent empathetic embedded press corps reporting. Regardless, the resurgence of popularity undoubtedly was due at least in part to substantial efforts by both the military establishment and the service members themselves to prove the negative stereotype wrong.

What about our own profession? Lawyers once were universally well respected. The law was referred to as an important profession, and even a noble calling. Thirty-one of the fifty-five Consti-



David W. Lannetti

(continued on page 2)

UPCOMING EVENTS

NPBA Luncheon
Thursday, November 19, 2009 • 11:45 AM
Hits at the Park, Harbor Park
The Honorable Mark Davis
United States District Court, E.D. Va.

NPBA Holiday Party
Tuesday, December 8, 2009 • 5:30 PM
Vandeventer Black LLP
500 World Trade Center, Norfolk

NPBA Luncheon
Thursday, January 21, 2010 • 11:45 AM
Hits at the Park, Harbor Park
Jon Huddleston
President, Virginia State Bar

NPBA Luncheon
Thursday, February 18, 2010 • 11:45 AM
Hits at the Park, Harbor Park
Bobby Wilder, ODU Football Coach

NORFOLK & PORTSMOUTH BAR ASSOCIATION

999 Waterside Drive, Suite 1330
Norfolk, Virginia 23510

TEL (757) 622-3152
FAX (757) 622-4406

E-MAIL npba@visi.net
- WEBSITE -

www.norfolkandportsmouthbar.org

OFFICERS

David W. Lannetti
President
446-8652
dlannetti@vanblck.com

Jeffrey L. Stredler
President-Elect
769-7832
jstredl@amerigroupcorp.com

John L. Deal
Past President
321-5659
jdeal@dollartree.com

Gary A. Bryant
Secretary
628-5520
gbryant@wilsav.com

Nathaniel Beaman, IV
Treasurer
664-4205
chip.beaman@norfolk.gov

Charles V. McPhillips
624-3000
cvmcphillips@kaufcan.com

Robert V. Timms
622-1800
btimms@stbv.com

Virginia Van Valkenburg
441-6331
virginia.vanvalkenburg@usdoj.gov

T. Wayne Williams
547-5555
twwilliams@wd-law.com

Alan D. Albert
President, Library Board
441-8914
aalbert@leclairryan.com

Kevin P. Greene
Chair
Young Lawyers Section
628-5686
kgreene@wilsav.com

STAFF

Donna Bausch
Executive Director
622-2910
dbauch@norfolkclawlibrary.org

Michelle Gibson
Administrative Assistant
622-3152
npba@visi.net

PUBLISHER

Advertising Service Agency, Inc.
Layout and Printing

(PRESIDENT'S MESSAGE CONTINUED)

tutional Convention delegates were attorneys, as were twenty-six of our forty-four United States Presidents. After his visit to America in the 1830s, Alexis de Tocqueville opined in *Democracy in America* that lawyers create "[a] form of public responsibility and accountability that ... help[s] preserve the blessings of democracy without allowing its untrammelled vices." According to Kathleen Sullivan, former Dean of Stanford Law School, it is a lawyer's job to create, find, interpret, adapt, apply, and enforce rules and principles that structure human relationships and enable people to work together—what Dean Robert Clark of Harvard Law School called "normative ordering." Large-scale societal progress relies upon, or at least is facilitated by, lawyers. Among other things, lawyers have defined first amendment rights, desegregated public schools, protected the rights of the criminally accused, discovered the penumbral rights of privacy, and determined the limits of executive privilege. On a day-to-day basis, lawyers resolve contractual disputes, enable real estate transactions, protect intellectual property rights, counsel clients on everything from business formation issues to estate planning, ensure compensation for the injured, assist in virtually all aspects of domestic relations, and provide individuals a fresh start through bankruptcy proceedings. In short, lawyers advocate on behalf of others. A popular Virginia State Bar ad campaign, which sought to raise awareness of the legal profession's value to Virginia's citizens by illustrating how lawyers help ordinary people, adopted the slogan, "You have rights. Lawyers protect them."

University of Wisconsin law professor Ann Althouse has observed, however, that today's lawyers are the only people about whom it is considered socially acceptable to joke, "People like you should all be dead." You've heard the jokes. You can predict the punch lines. Rarely are they insightful or funny, drawing at best a groan from listeners. But the point is that the jokes—and the negative stereotypes—exist ... and are tolerated. Polite society has abandoned racial jokes, ethnic jokes, and gender-based jokes, but lawyer jokes persist. Attorney Krista Riddick Rogers aptly summed up the situation in a 2006 law review article. "The legal profession is in crisis. Public perception of the profession has plummeted from once being considered a highly respected vocation to one often characterized by an increasing lack of credibility, declining ethics, and outright greed." How did we and our profession fall so far?

Some claim the advent of lawyer advertising, combined with a glut of attorneys, led to an ultra-competitive race to the bottom. The unwritten lawyer ethical code that long had existed was discarded and, according to Mary Ann Glendon in her book *A Nation Under Lawyers*, the lawyer's role shifted from being a counselor and an officer of the court to being an uncritical advocate. This resulted in, among other things, improper solicitation of legal services, an explosion of litigation, discovery abuse, overzealous advocacy, improper tactics, and general incivility. The introduction of contingent fee arrangements, while offering access to the justice system to many who otherwise would be disenfranchised, also enabled arguably frivolous claims by plaintiffs seeking to "hit the jackpot." Although most attorneys act professionally, like all negative news the unprofessional minority makes headlines, fueled by a cynical society and press. In light of shocking headlines (e.g., "Judge Sues Dry Cleaners for \$67 Million Over Lost Trousers," "Jury Awards \$2.86 Million to Woman Who Spilled McDonald's Coffee on Herself"), tort reform advocates scream and the public—often ill-informed about the legal system—doesn't know what to believe (see, e.g., the "Stella Awards" – google it). Society assumes the worst, and the jokes and the negative stereotypes proliferate.

Most judges want attorneys to return to their role as officers of the court, and few tolerate overzealous representation or Rambo tactics. Law schools are addressing with some success a revival of legal professionalism and civility. And most attorneys have a sincere desire to change the current reputation of lawyers. Perhaps the tide is turning. Stereotypes can be proven wrong, and even evolve over time. But such change inevitably depends upon the active involvement of those being maligned. Together, we need to continually demonstrate professionalism and civility, and to respond to lawyer jokes as we would to other inappropriate humor.

Calls for reform or change are a fundamental part of American life. Thomas Paine included one of the first at the end of *Common Sense*, which galvanized our forefathers into action. "Wherefore, instead of gazing at each other with suspicious or doubtful curiosity, let each of us hold out to his neighbor the hearty hand of friendship, and unite in drawing a line, which, like an act of oblivion, shall bury in forgetfulness every former dissension. Let the names of Whig and Tory be extinct; and let none other be heard among us, than those of a good citizen, an open and resolute friend, and a virtuous supporter of the rights of mankind, and of the free and independent states of America." With that, a revolutionary chain of events began, ultimately producing independent, proud Americans.

May we similarly unite in the quest to alter how others perceive our profession. And in the words of Mr. Greenwood, "God Bless the U.S.A."

THE NPBA BENCH-BAR COMMITTEE

by Mary T. Morgan, Chair, Bench-Bar Committee

MARK YOUR CALENDAR FOR APRIL 7, 2010

The NPBA Bench-Bar Committee is tasked with planning and coordinating the Annual Bench-Bar Conference. The conference provides attorneys with an opportunity to earn CLE credits while getting a chance to network and socialize with colleagues and members of the judiciary. Committee members are responsible for selecting and arranging for the keynote speaker, generating ideas for the CLE programs, coordinating with judges and practitioners to serve as faculty for the Conference and obtaining approval for CLE credit with the Virginia State Bar.

The Annual Bench-Bar Conference will be held on Wednesday, April 7, 2010 at the Norfolk Marriott. Please mark your calendars accordingly! The keynote speaker will be former Dean of the University of Virginia School of Law, John C. Jeffries, Jr., a civil rights and federal courts scholar. Jeffries joined the University of Virginia School of Law in 1975 and became Dean in 2001. In June, 2008, Jeffries stepped



Mary Morgan

down as Dean and returned to teaching full time. He has co-written casebooks on civil rights, federal courts, and criminal law, and has published a variety of articles in those fields. Jeffries also wrote a biography of Justice Lewis F. Powell Jr., having served as his law clerk immediately after graduating from law school.

A notable change from past years conferences includes a time change to an afternoon conference. The Annual Bench-Bar Conference will kick-off with the Keynote Luncheon from 12:00-1:15 p.m., followed by a General Session from 1:30-2:30,

Breakout Sessions from 2:45-3:45 p.m., and a second General Session from 4:00-5:00 p.m. This year's Conference will also include a Cocktail Reception starting at 5:00 p.m. The luncheon start time will provide attorneys an opportunity to make court and office appearances during the morning hours prior to attending the Conference. The Norfolk Circuit Court, which has traditionally closed for the Conference, will maintain a small docket of cases during the morning and close for the afternoon to allow members of the judiciary to attend the Conference.

The topics for the General and Breakout Sessions will be publicized as the sessions are coordinated during the next few months.

If you are interested in being a Bench-Bar Conference or Reception sponsor, please contact me, Mary T. Morgan, Bench-Bar Committee Chair at (757) 397-3481 or mmorgan@portslaw.com.



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MESSAGE FROM THE YOUNG LAWYERS SECTION

By Kevin P. Greene, Chair

YOUNG LAWYERS SECTION FALL RECEPTION

Young lawyers, law students, and many members of the local judiciary enjoyed a splendid afternoon at the home of Judge and Mrs. Charles Poston on October 4, 2009. The YLS was honored that so many judges from our local courts took the time to attend the event. We especially thank Judge and Mrs. Poston for opening their home and hosting the event again this year. The venue was perfect and the weather outstanding (allegedly pursuant to a federal order by Judge Tommy Miller!).

The YLS wishes to recognize the reception sponsor, **Gary Baum**, a valuation analyst at **Wall, Einhorn & Chernitzer, P.C.**

DONATION TO THE NORFOLK LAW LIBRARY

At the Fall Reception, the YLS announced that it made a \$1,500 donation to the Norfolk Law Library. The donation continues a tradition for the YLS.

The proceeds from the annual YLS golf event are donated to the Law Library. This year, the golf event was sponsored by **Clark, Dolph, Rapaport, Hull, Brunick & Garriott, PLC; Vandeventer Black LLP; and Willcox & Savage, P.C.** We also thank all of the NPBA members and guests who participated in the golf event and helped make the donation to the Norfolk Law Library possible.

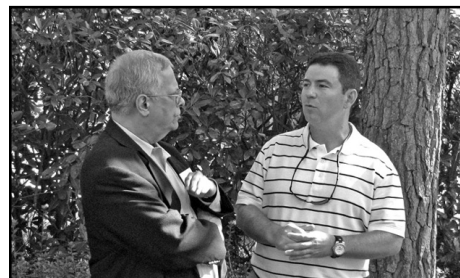
NPBA HAPPY HOUR THURSDAY, NOVEMBER 19 AT 5:30 AT BIG EASY

The YLS is excited to announce that it is hosting a happy hour **open to the entire NPBA**. Please join us! E-mail npba@visi.net or call 622-3152 to RSVP.

As always, if you are interested in learning more about the YLS or have ideas about

programs or events, please feel free to contact me at kgreene@wilsav.com.

FALL RECEPTION PHOTOS



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WELCOME NEW NPBA MEMBERS

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Norfolk Public Defender's Office

Thomas C. Bunting

McKenry, Dancigers, Dawson & Lake, P.C.

Megan B. Caramore

Vandeventer Black, LLP

R. Ellen Coley

Kaufman & Canoles, P.C.

Karen Daily

Samuel White, P.C.

Lindsay Flaherty

Protopyrou & Rigney, P.C.

Anthony M. Gantous

Pierce & Thornton, PLC

Robert W. Gillikin, II

Rutter Mills, L.L.P.

Sherri L. Nelson

Midgett & Preti

Charles Oates

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Radin & Radin, P.C.

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Jamie Barton

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Diana Bryant

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Regent University Law Student

Jamie Freeze

Regent University Law Student

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Megan Herwald

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Kelly M. Kennedy

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Amy Labzentis

Regent University Law Student

Alana Martinez

Regent University Law Student

William F. Powers, Jr.

Regent University Law Student

Tiffany Roach

Regent University Law Student

Emily Snyder

Regent University Law Student

Bart Stinson

Regent University Law Student

Alexandra Wolfe

Regent University Law Student

NOVEMBER LUNCHEON MEETING

Thursday, November 19, 2009

Hits at The Park, Harbor Park

11:45 AM



The Honorable Mark Davis

United States District Court, E.D. Va.

Judge Mark S. Davis was born in the City of Portsmouth, Virginia. A lifelong resident of Portsmouth, he graduated from Woodrow Wilson High School.

Judge Davis received a Bachelor of Arts degree in Government from the University of Virginia in 1984 and subsequently spent time working in Senator John Warner's Washington D.C. office. He received a law degree from the Washington and Lee University School of Law in 1988.

After graduating from law school, Judge

Davis began his legal career as a law clerk to Judge John A. MacKenzie. In 1989, Judge Davis joined the law firm of McGuire Woods, LLP, where he worked as a partner from 1996-1998. Judge Davis also worked as a partner at Carr & Porter LLC from 1998 until 2003. During his time in private practice, Judge Davis worked as an attorney for the salvage company that discovered the wreckage of the RMS Titanic. He also served as a director of the Virginia International Terminals and as a member of the Chesapeake Bay Bridge and Tunnel Commission.

Judge Davis left private practice in 2003 after being selected to serve on the Circuit Court for the City of Portsmouth. In 2008, he was nominated by President George W. Bush with the support of Senator John Warner and Senator Jim Webb to serve as a federal judge on the United States District Court for the Eastern District of Virginia. The United States Senate voted unanimously to confirm his appointment to the federal bench on June 10, 2008.

Judge Davis plans to speak about the bicentennial commemoration of Abraham Lincoln.

RECORD ATTENDANCE AT SEPTEMBER LUNCHEON

A record number of association members attended the NPBA luncheon on September 15th, which featured a joint appearance by Virginia gubernatorial candidates Creigh Deeds and Bob McDonnell. The candidates



used the opportunity to highlight their different perspectives and provide insight as to how they would lead the Commonwealth if elected. They also answered questions provided by NPBA members.

At the end of the event, it was clear that those who attended went away with a better appreciation for each candidate's views. A special thanks to Hits At the Park restaurant for accommodating the large crowd and the last-minute press coverage, which included four television stations plus reporters and photographers from two different newspapers. Feedback from members who attended, as well as the press, was universally positive.



FIRM ANNOUNCEMENTS

Christie, Kantor, Griffin, Smith & Shepherd, P.C. is pleased to announce the change of the firm name, adding **Kimberly D. Shepherd** as our newest named partner. The firm is also proud to announce that **George Christie** and **Barry Kantor** have been recognized this year to be included in the Best Lawyers in America and Super Lawyers Elite.

Gilbert, Albiston & Keller is pleased to announce the continued inclusion of **O. L. "Buz" Gilbert** in the 2009 edition of Virginia Super Lawyers and the 2010 edition of The Best Lawyers in America for personal injury lawyers.

The following attorneys at **Huff, Poole & Mahoney, PC** were selected for inclusion in Virginia Super Lawyers 2009 in the following categories: **Glen A. Huff**, class action/mass torts; **Alan H. Poole**, business/corporate; and **Reeves W. Mahoney**, family, business/corporate. **Shantell S. Nashatka** was named a 2009 Virginia Rising Star.

Kaufman & Canoles, P.C. is pleased to announce that **Marina Liacouras Phillips** was appointed by Governor Kaine to the State Air Pollution Control Board. Her term commenced July 23, 2009 and concludes June 30, 2012. The State Air Pollution Control Board is responsible for adopting, amending, or repealing Virginia's environmental regulations. Ms. Phillips is a partner in the Norfolk office, practicing in environmental law, real estate, and mergers and acquisitions.

Matt Kraft is pleased to announce the formation of **Matthew H. Kraft, P.L.C.** at One Columbus Center, Suite 600, Virginia Beach, VA 23462. Matt will handle workers' compensation claims, as well as Social Security disability claims, traffic, personal injury and general civil litigation (including drafting contracts, handling contract based and employment based claims). He was previously with Rutter Mills, L.L.P. from 2002-2009; Inman & Strickler, P.L.C. from 1998-2002; and Rutter & Montagna, L.L.P. from 1995-1998. Matt graduated *cum laude* Dickinson College in 1992 and received his J.D. from George Mason University School of Law in 1995, where he served as Manuscripts Editor for the *George Mason Independent Law Review*.

The Best Lawyers in America recognized the following partners at **McGuire Woods** in Norfolk in its 2010 edition: **Richard J. Cromwell**,

personal injury litigation; **Robert W. McFarland**, commercial litigation; and **Mark D. Williamson**, real estate.

Thomas C. Bunting joined **McKenry, Dancigers, Dawson & Lake, P.C.** His practice is in insurance defense. Bunting was previously associate claims counsel at LandAmerica Financial Group, Inc., handling land title insurance claims in Georgia, Arkansas, Tennessee, Mississippi and Louisiana. Prior to that he was in private practice. He graduated from the College of William and Mary and the T.C. Williams School of Law at the University of Richmond.

John T. Midgett, founder of **Midgett & Preti PC** in Virginia Beach, has been listed in the 2010 edition of The Best Lawyers in America. Midgett limits his practice to estate planning and taxation, estate administration, estate litigation, and small business planning. Midgett received his Bachelor of Arts with distinction from the University of Virginia and is a graduate of the T.C. Williams Law School at the University of Richmond, where he was a member of the Law Review.

Shapiro, Cooper, Lewis & Appleton are pleased to announce that both **James C. Lewis** and **Richard N. Shapiro** were honored to be selected to the 2010 Edition of the "Best Lawyers in America" (Lewis for injury law, Shapiro for railroad injury law). James C. Lewis and Richard N. Shapiro were also selected as 2009 "Virginia Super Lawyers" in injury law, and notably Jim Lewis has been selected continuously since 2006.

The **South Hampton Roads Bar Association** elected the following officers for 2009-2010. President: Clarence H. Brooks; President-Elect: Jennifer M. Williams; Secretary: Shalanda Franklin-Verdell, Vandeventer Black LLP; Treasurer: William T. Mason, Jr., Robinson Law Group; At Large Executive Committee: Lamont Maddox, Williams Mullen, Jon P. Perdue, Boleman Law Firm, Natalie Wilson, Huff, Poole & Mahoney, P.C.; Immediate Past President: William T. Mason, Jr., Robinson Law Group.

James E. Brydges, Jr. and **John Franklin, III**, attorneys at **Taylor & Walker, PC** in Norfolk have been selected as 2009 Virginia Super Lawyers. Brydges was named in the Personal Injury Defense and Litigation sections, while Franklin was honored in Civil Litigation Defense and Professional Liability Defense.

Taylor & Walker, PC attorney **Todd M. Gaynor**, has been named a 2009 Virginia Rising Star by Virginia Super Lawyers Magazine. Gaynor, an Associate in the Norfolk Office, was named in the Employment and Labor Law.

Vandeventer Black LLP is pleased to announce the following attorneys have been selected for inclusion in the 2009 edition of Virginia's Super Lawyers: **F. Nash Bilisoly, Dean T. Buckius, Mark T. Coberly, William E. Franczek, Patrick A. Genzler, James R. Harvey, David W. Lannetti, Neil S. Lowenstein, Anita O. Poston, John M. Ryan, and Michael L. Sterling.**

The following **Vandeventer Black** lawyers have been selected for inclusion in Super Lawyers - Rising Stars Edition 2009: **Christopher Ambrosio, Richard J. Crouch, Richard H. Ottinger and Adam S. Rafal.**

Willcox & Savage is proud to announce that **Stephen R. Jackson** has been elected to a three-year term on the Federal Bar Association National Board of Directors. Steve has been active in the Federal Bar Association for many years. He is the Past President and Board member of the Tidewater Virginia Chapter of the Federal Bar Association and past Chairman of the Circuit Vice Presidents. Steve presently serves as a Vice President for the Fourth Circuit and he is also a Fellow of the Foundation of the Federal Bar Association.

Bruce T. Bishop, an attorney with **Willcox & Savage**, has been recognized as a leading practitioner in litigation law in the 2009 edition of Chambers USA. Bishop is regularly called on to address the complex medical issues associated with toxic tort litigation in courts throughout the United States. He is also a regular presenter before the Defense Research Institute on issues pertaining to toxic tort defense.

James R. Warner, Jr. of **Willcox & Savage** was selected for inclusion in the Best Lawyers in America 2010 in the area of employee benefits law: Warner has been recognized by Best Lawyers in America for the past 15 years.

Kevin P. Greene, a litigator at **Willcox & Savage**, has been recognized as one of the area's "Top 40 Under 40" by Inside Business magazine for his service to the community.

OCTOBER LUNCHEON FOLLOW-UP

MAYOR SESSOMS TALKS TO NPBA ABOUT REGIONALISM

The guest speaker for the October 2009 NPBA Luncheon was Mayor William D. “Will” Sessoms, Mayor of the City of Virginia Beach. Among other things, Mayor Sessoms spoke about the importance of public-private partnerships, the value of the U.S. military presence to Hampton Roads, options for higher-speed rail connections to the region, and the possible extension of “The Tide” light-rail system from Norfolk to Virginia Beach. His message—that we must view ourselves as regional citizens as opposed to individual city or county participants to ensure a prosperous future—came through loud and clear.

The presence of Mayor Paul D. Fraim, Mayor of the City of Norfolk, at the luncheon evidenced Norfolk’s support for Mayor Sessom’s regionalism message. With these two mayors leading the charge, we all are sure to benefit.



Mayor Sessoms, Dave Lannetti, Mayor Fraim



Lamont Maddox, Scott Miller, Carl Peterson



Charles Lollar, Kathryn Byler, Robert Brown



Alyssa Embree, Guil Ware, Bob Nusbaum and Allan Reynolds, Jr.

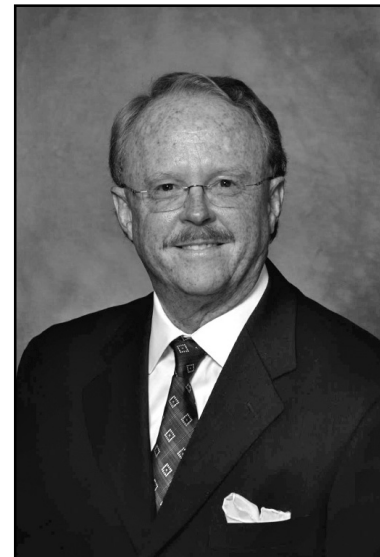
JIM LEWIS

and his firm welcome forming a
co-counsel relationship with you
for serious injury, wrongful
death and malpractice cases.

460-7776

**Shapiro, Cooper, Lewis
& Appleton, P.C.**

“All We Do Is Injury Law”



NPBA FOUNDATION NEWS

By James R. Harvey • President, NPBA Foundation

Dear NPBA Member,

What value do attorneys committed to public service bring to our community? Does occasional public criticism of lawyers properly reflect the positive impact attorneys have on the lives of others? In what way does a society committed to the respect for the rule of law benefit individuals, businesses and the communities in Hampton Roads? As members of the NPBA, we quickly know the answers to each of these questions, but we equally know that many people we come in contact with every day are not so informed.

The NPBA Foundation needs YOUR commitment today so it can support the activities of our bar that make a difference in our community, and shine a light on the positive, daily impact of the legal profession that is all around us. It is the commitment of each individual that makes possible the Foundation's award of scholarships to the brightest youth in our community who may one day shape the future of the legal profession. It is this same commitment from members that allowed us to host this year the hugely successful program *The Triumph of the Rule of Law Over Massive Resistance: A Community Forum*, mod-

erated by Juan Williams and featuring the Chief Justice of the Virginia Supreme Court. Only with the continuing commitment of individuals like you can the NPBA Foundation continue its important mission.

While the economic situation for giving may be challenging, your Foundation cannot afford to wait for better times. The commitment we display to our profession and community is even more important in times of need than plenty. It is for these reasons that I am excited about the future



James Harvey

for the Foundation. The successes of 2009 can serve as a great building block for creating a true endowment for the future. As a member of the Bar, your pledge of a tax-deductable charitable donation is vital, and I ask that you pledge your support today as a Fellow of the Foundation.

YES, I WANT TO BECOME A FELLOW OF THE FOUNDATION WITH MY PLEDGE:

- | | | |
|------------------------------------|----------------------------------|------------------------------------|
| <input type="checkbox"/> Barrister | <input type="checkbox"/> Partner | <input type="checkbox"/> Counselor |
| \$5,000 over 3 years | \$1,200 over 3 years | \$600 over 3 years |

Name: _____

Phone: _____

Office/Law firm: _____

I AM NOT READY TO BE A FELLOW, BUT WANT TO SUPPORT THE FOUNDATION WITH THE FOLLOWING:

- ☐ \$50 ☐ \$100 ☐ \$200 ☐ Other: _____

NPBA Seeks Volunteers for New YLS *Pro Bono* Initiative

In trying times like these, access to legal services can be invaluable. Unfortunately, there are many people in our community who need legal advice but fail to seek it because they lack money or the opportunity to speak with an attorney. Without someone to guide them, these individuals risk losing important rights and the ability to gain relief.

The NPBA YLS wants to explore how to

make the legal system more accessible to these members of the community. A subcommittee has been established to develop opportunities where the Bar can reach out and serve the local community. Currently, the subcommittee is exploring different options, including creating a *pro bono* court referral program, hosting a legal outreach clinic, and providing legal services to local foster children. To make

these (or similar) programs successful, the subcommittee is seeking volunteers who are interested in laying the framework for these new initiatives. If you would like to join us and start or revitalize the *pro bono* portion of your practice, please contact Shalanda Franklin of Vandeventer Black LLP at sfranklinverdell@vanblk.com or by telephone at 446-8653.

Local Firms Receive Statewide Food Frenzy Awards

Virginia Attorney General Bill Mims travelled to Norfolk to present the "The Hanover Tomato Award" to McKenry, Dancigers, Dawson & Lake, PC (medium size law firm per capita) and the "Virginia Peanut Award" to the Law Offices of David A. Greer, PLC (sole proprietor total pounds). In attendance were David Lannetti, NPBA President; Jessica Martyn, NPBA Food Frenzy Chair; Linda Merrick, Legal Administrator for McKenry, Dancigers, Dawson & Lake, PC; Leslie Van Horn, Executive Director, Federation of Virginia Food Banks; Donna Bausch, NPBA Executive Director and Attorney General Bill Mims.



Linda Merrick (center) accepts the for McKenry, Dancigers, Dawson & Lake, PC from Leslie Van Horn and AG Bill Mims



Dave Lannetti and Jessica Martyn accept the "Virginia Peanut Award" from AG Bill Mims on behalf of the Law Offices of David A. Greer, PLC

COURT NEWS

Substitute Judge Norfolk District Courts

The Judges of the Circuit Court of the City of Norfolk are seeking applicants for a substitute judge for the district courts. Applicants must reside in Norfolk and should be readily available to sit for those courts on lengthy notice as well as short notice, so as to allow the district courts to continue their dockets with minimal interruption when a sitting judge is unavailable.

Those who are interested may pick up applications from the NPBA office or Norfolk Circuit Court Judges' Office.

Applications must be submitted by Monday, November 23, 2009 to:

Ms. Sandra Claxton
Judges' Office, Norfolk Circuit Court
100 St. Paul's Blvd.
Norfolk, VA 23510

The Court discourages direct contact with the judges about these appointments.

The Norfolk Juvenile and Domestic Relations District Court will be closed or hearing only emergency cases on the following dates. Please mark your calendar accordingly.

November 3, 2009 Election Day – Clerk's office will be open for business.
No courts will be in session.
November 11, 2009 Veterans Day – Closed
November 25, 2009 Court will close at 12:00 Noon
November 26, 2009 Thanksgiving – Closed
November 27, 2009 Closed
December 23, 2009 Court will close at 12:00 Noon
December 24, 2009 Christmas Eve – Closed
December 25, 2009 Christmas Day – Closed
December 28, 2009 1 Court – overnight arrest cases & emergency cases only
December 29, 2009 1 Court – overnight arrest cases & emergency cases only
December 30, 2009 1 Court – overnight arrest cases & emergency cases only
December 31, 2009 New Year's Eve – Closed
January 1, 2010 New Year's Day – Closed
January 15, 2010 Lee-Jackson Day – Closed
January 18, 2010 Martin Luther King, Jr. Day – Closed
February 15, 2010 President's Day – Closed

Please be advised of the following docket restrictions for the Norfolk Circuit Court:

Wednesday, November 25, 2009 – The Court will be open until noon. The only criminal cases the Court will hear are guilty pleas, bond hearings, probation violations, and (with the consent of the judge) sentencings. The only civil cases the Court will hear are uncontested divorces, motions, and concealed weapons permit appeals.

Tuesday, December 15, 2009 – Last day for jury trials until Tuesday, January 5, 2010.

Wednesday, December 23, 2009 – The Court will be open until 2:00pm. The only criminal cases the Court will hear are guilty pleas, bond hearings, probation violations, and (with the consent of the judge) sentencings. The only civil cases the Court will hear are uncontested divorces, motions, and concealed weapons permit appeals.

Thursday, December 31, 2009 – The Court will be open until 2:00pm. The only criminal cases the Court will hear are guilty pleas, bond hearings, probation violations, and (with the consent of the judge) sentencings. The only civil cases the Court will hear are uncontested divorces, motions, and concealed weapons permit appeals.

Tuesday, January 19, 2010 – No jury trials except in assigned cases by order of the judge.

Wednesday, April 7, 2010 – NPBA Bench Bar Conference – no docket after 2:00pm. No juries other than those already scheduled.

Friday, April 16, 2010 – No Docket. Regional Judges' Meeting.

Tuesday, May 4, 2010 – General Elections – City Council – The only criminal cases the Court will hear are guilty pleas and motions that will not require the testimony of witnesses. The only civil cases the Court will hear are uncontested divorces in which defendant has signed a waiver, appeals of the denial of concealed weapons permits, and motions that will not require the testimony of witnesses.

Monday – Wednesday, May 10-12, 2010 – No Docket. Mandatory Judicial Conference.

Tuesday, June 8, 2010 – Primary Elections (assuming there is a primary) – The only criminal cases the Court will hear are guilty pleas and motions that will not require the testimony of witnesses. The only civil cases the Court will hear are uncontested divorces in which defendant has signed a waiver, appeals of the denial of concealed weapons permits, and motions that will not require the testimony of witnesses. If there is no primary, the Court will have a regular docket.

Friday, September 17, 2010 – No Docket. Regional Judges' Meeting.

Tuesday, November 2, 2010 – General Elections – The only criminal cases the Court will hear are guilty pleas and motions that will not require the testimony of witnesses. The only civil cases the Court will hear are uncontested divorces in which defendant has signed a waiver, appeals of the denial of concealed weapons permits, and motions that will not require the testimony of witnesses.

Monday, November 29, 2010 – No jury trials except in assigned cases by order of the judge.

Thursday, December 16, 2010 – Last day for jury trials until Tuesday, January 4, 2011.

Please note that Thursday, **April 15, 2010**, and Thursday, **September 16, 2010**, will serve as sentencing dates.

NORFOLK & PORTSMOUTH BAR ASSOCIATION

999 Waterside Drive, Suite 1330
Norfolk, Virginia 23510

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YOST ASSOCIATES

Registered Professional Reporters

1609 Duke of Windsor Road
Virginia Beach, VA 23454-2505

Tel.: (757) 481-2583
Fax.: (757) 481-4482

E-mail: info@yostassoc.com
<http://www.yostassoc.com>

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