

**VADA**



# 2025 Annual Meeting

OCTOBER 22-24, 2025  
MARRIOTT RESORT  
VIRGINIA BEACH OCEANFRONT

## AGENDA

9.0 CLE Hours (1.0 Ethics) Approved

### Wednesday, October 22

- 6:00 PM **President's Welcome Reception**, *Seaside Lobby (2<sup>nd</sup> Floor)*
- 7:30 PM **Dine Arounds**, *Various locations (Join your group at the closing of the reception – hosts will have restaurant signs)*
- 9:30-11:00 PM **Late Night**, *Raleigh Room at the Cavalier*  
*Beer, wine, and soft drinks are courtesy of our sponsors.*

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FORENSIC-ENGINEERS.COM  **MW FORENSIC ENGINEERING**

### Thursday, October 23

- 6:30 AM **Group Walk or Run**, *Meet in hotel lobby*
- 8:00 AM **Registration and Buffet Breakfast**, *Seaside Lobby (2<sup>nd</sup> Floor)*

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Experts at Work  **PARAGON FORENSICS**

- 8:00 AM **Past Presidents' Breakfast**, *Dorsey*  
*Please visit the buffet and join your fellow past presidents in Dorsey*
- 8:55 AM **Welcome and General Session**, *Seaside Ballroom (2<sup>nd</sup> Floor)*

9:00-10:00 AM

**Artificial Intelligence in Civil Litigation Practice, 1.0 HR** (Leanna Minix and Ericka Kopp)

This session on using artificial intelligence (AI) in practice will cover several aspects of AI that affect the day-to-day lives of civil litigators. First, panelists will provide an overview of AI in Virginia state practice, including discovery and the Rules of Professional Conduct. Panelists will further explore the implications of AI in deepfakes and investigations, as well as the overarching ethical implications AI in the legal field. Panelists will also discuss the role of AI in federal practice, including effects on the Rules of Evidence and sanctions for undisclosed use of AI. Additionally, we will review the most helpful AI tools for attorneys, with input from sponsor Lexis on how to use the latest technology. This panel will explore best practices for using AI as both a sword and shield in civil litigation and issues to monitor as AI continues to develop.

Donna Baird, *Lexis+AI*

Ashley Davoli, Esq., *Moran Reeves Conn*

Jessiah Hulle, Esq., *Gentry Locke*

Daniel Shin, Esq., *Center for Legal & Court Technology at William & Mary Law School*

10:00-11:00 AM

**Misjoinder and Misnomer, 1.0 HR** (Yevgeniy Klinovskiy & Kourtney Coker)

This session will start with a brief discussion of the recent changes to misjoinder and misnomer jurisprudence, followed by an overview of factors to consider when evaluating a potential misjoinder or misnomer issue. The speaker will offer an overview of the statutory provisions and the requirements plaintiffs must fulfill when seeking to amend, including the circumstances under which errors are correctable and nonsuit and statute tolling provisions may apply. The presentation will conclude with ideas on how best to pursue and present these concepts in litigation (e.g., through motions to quash and pleas in bar) and the strategy behind whether and when to file dispositive motions.

Justin Simmons, Esq., *WoodsRogers*

11:00-11:15 AM

**Break**

Sponsored by:



Know.

11:15-12:15 PM

**The Shifting Rules of Respondeat Superior, 1.0 HR** (Leanna Minix & Lisa Duley)

This session will cover the current legal landscape, changed by 2025 legislation involving the responsibility of employers for employees who commit sexual assault, but shaped by decades-old principles of vicarious liability such as notice, foreseeability, and adequate preventative measures. Also, the session will cover other aspects of respondeat superior not related to sexual assault. Panelists will speak about the effects of the new legislation on the defense of these cases and will discuss ways to investigate and otherwise defend these matters. This presentation will include a quick review of the applicable statutes of limitation.

Marty Conn, Esq., *Moran Reeves Conn*

Neal Lewis, Esq., *Hancock Daniel*

Julie Palmer, Esq., *Harman Claytor Corrigan & Wellman*

12:15-2:15 PM

**Awards Luncheon, *Seaside Ballroom (2<sup>nd</sup> Floor)***



2:30-4:30 PM

## LITIGATION SECTION BREAKOUTS

**JOINT SESSION: AUTO & TRANSPORTATION LIABILITY WITH PRODUCTS & TOXIC TORTS, *Calloway***



### **Advanced Driver Assistance: Drawing the Line Between Man and Machine in Litigation**

While Advanced Driver Assistance may help drivers navigate the roads, the increasingly more commonplace vehicle technology has begun to blur the line between man and machine – and therefore also the intersection between transportation and product liability. In this joint breakout session, technology experts and litigators will discuss the overlap between these fields of law and practice, challenges, and useful techniques for navigating them and adapting both product liability standards and transportation liability strategies to effectively defend both man and machine.

Tyler Black, *J.S. Held*

Jason G. Moyers, Esq., *Harman Claytor Corrigan & Wellman*

Matthew Wagenhofer, *MW Forensic Engineering*

**JOINT SESSION: CORPORATE & COMMERCIAL LITIGATION WITH PROFESSIONAL LIABILITY, *Miller***



2:30-3:30 PM

### **Sanctions in Virginia, 1.0 HR**

Virginia law provides for sanctions against litigants and their counsel for signing a pleading that is not well-grounded in fact and law or otherwise seeks to achieve an improper purpose. The statute is silent, however, as to the factual investigation most appropriate for determining what the signor knew at the time they signed the pleading. Only one Virginia court has addressed this question. In a 1999 ruling, Judge Klein (Fairfax) adopted an especially high standard for a sanctions movant to justify the need for discovery, requiring litigants to demonstrate “extraordinary circumstances” to warrant post-trial discovery for a sanctions inquiry. This session will interrogate Judge Klein’s holding, comparing it to similar sanctions statutes in Federal and other state courts, and advise as to what defense attorneys need to do to create a record to pursue sanctions for improper complaints and other pleadings.

Colin Neal, Esq., *Carr Maloney*

3:30-4:30 PM

**Soft Costs: What Are They, Why Do They Matter and How Are They Impacted by Project Delays? 1.0 HR**

This presentation will provide a comprehensive discussion of Soft Costs in a construction project, and how project developers, general contractors and insurance professionals view Soft Costs from different perspectives. Also, this session will discuss the impact of project delays on Soft Costs, and how delays are handled under Builder's Risk policies, particularly in a claims scenario.

Daniel M. Eggleston, Esq., *Lee/Shoemaker*  
David Elmore, *MDD*

**LOCAL GOVERNMENT, *Dorsey***

2:30-4:30 PM

**Surveillance Technology and the Legal Challenges to Governmental Use, 2.0 HRS**

Recent advances in government surveillance technology, including an update of legislation and litigation involving license-plate readers, facial recognition, and other types of surveillance technology utilized by government agencies.

Leah Dubuisson Han, Esq., *Hanover County Attorney's Office*  
Lt. Matt League, *Hanover County Sheriff's Office*  
Karla Soloria, Esq., *Norfolk City Attorney's Office*

**MEDICAL MALPRACTICE, *Goodman***

Sponsored by:  In2Trial

2:30-3:30 PM

**Managing Investigations by the Virginia Department of Health, 1.0 HR**

This presentation will address best practices for health care professionals and their counsel when faced with a Complaint filed with the Virginia Department of Health, particularly when it becomes clear that the VDH is considering further action. Topics include an analysis of the professional's statutory and due process rights, defending these matters before the Board, and the discoverability of Board-related matters in civil litigation.

Gerald C. Canaan, II, Esq., *Byrne Canaan Law*

3:30-4:30 PM

**Expert Certification: What's New? 1.0 HR**

After twelve years in action, Virginia's expert certification statutes have been amended. This presentation will include a dissection of the amended statutes and an analysis of the practical implications of these changes. Group discussion about case-specific applications will follow.

Ren Klinovskiy, Esq., *Byrne Canaan Law*

## POLICY COVERAGE, *Kaye*

2:30-3:30 PM

### **Inventing Coverage: Intentional Acts Pled as Negligence, 1.0 HR**

This session will discuss how Virginia law treats claims of insurance coverage which arise from seemingly intentional acts mischaracterized as negligence, including common relevant policy provisions, legal issues involved in assessing the duties to defend and indemnify, and practical and strategic issues to consider for an insurance company client.

Abby Dreiling, Esq., *Hancock Daniel Johnson*  
John B. Mumford, Jr., Esq., *Hancock Daniel Johnson*

3:30-4:30 PM

### **A Claimant & Policyholder Perspective on Resolving Cases with Overlying Coverage Disputes, 1.0 HR**

This session will explore the common legal and practical issues involved in the resolution of civil lawsuits that contain insurance coverage disputes, including discussions of funding agreements, Section 38.2-2206 settlements, two-track litigation (coverage DJ actions), global mediations, the effect of contractual indemnity agreements, and the roles of underlying counsel.

Robert Friedman, Esq., *Friedman Fisher Verity*

4:30-6:00 PM

### **Break**

5:00-6:00 PM

### **Young Lawyers Informal Gathering, *Tulu Lobby Bar***

6:00-7:30 PM

### **Bench-Bar Reception, *Seaside Terrace (2<sup>nd</sup> Floor)*** *Weather location: Seaside Ballroom*



7:30-9:30 PM

### **Dinner on Your Own**

7:30-9:30 PM

### **Women's Section Dinner, *Executive Meeting Room (4<sup>th</sup> Floor)***



9:30-11:00 PM

### **Late Night, *The Deck Cavalier Beach Club*** *Weather location: Cavalier Club Member's Lounge*



*Friday, October 24*

7:00-7:45 AM

**Wellness Committee Yoga**, *West Lawn*

8:00-9:00 AM

**Breakfast Buffet Available**, *Seaside Lobby (2<sup>nd</sup> Floor)*

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Wolstein** | VOCATIONAL &  
REHABILITATION  
SERVICES

9:00 AM

**Morning Announcements & General Session** (Community Outreach, Sponsors Raffle, Wellness Activities Raffle), *Seaside Ballroom*

To donate to **Horizons Hampton Roads**, use the QR code or visit [www.horizonshamptonroads.org](http://www.horizonshamptonroads.org) & click the green gift icon on the top right.



9:15-10:15 AM

**The Discoverability of Materials Shared and Communications with Experts and an Overview on Issues Relating to Disclosures and Admissibility, 1.0 HR** (Ashley Hart & Mamoun Mahayni)

This presentation will cover the applicability of privileges and protections to communications between counsel and experts. It will explore differences between expert discovery in state and federal practice, including the distinction between retained and non-retained experts under the Federal Rules, and the recent addition to the Virginia Rules of specific protections for attorney-expert communications.

Stewart Pollock, Esq., *Moran Reeves Conn*

Michael Sharp, Esq., *Sharp Litigation*

Chris Tate, Esq., *Flora Pettit*

10:15-10:30 AM

**Break**

10:30-11:30 AM

**Helping Clients Respond to Government Investigations, 1.0 HR** (Michala Black & Ren Klinovskiy)

This panel will provide a 30,000-foot view on how to represent clients facing government investigations, with particular focus on protecting those clients from liability and positioning them for potential civil and/or criminal litigation. Panelists will offer recommendations and cite to common pitfalls for practitioners assisting clients with government investigations, inquiries, and records requests. Discussion will follow.

Cullen D. Seltzer, Esq., *Sands Anderson*

Evan X. Tucker, Esq., *McGuireWoods*

11:30-12:30 PM

**From Assignment to Settlement: Evaluating and Documenting Your Case to Maximize Resolution, 1.0 HR** (Kathryn Bonorchis & Lindsay Brock)  
Most civil cases settle short of trial. From the time and expense of taking a case to trial to the threat of nuclear verdicts, an increasing number of litigants prefer to resolve cases out of court. Getting across the settlement “finish line” can, however, be challenging, especially when counsel and the decision makers – which could include the client, TPA, risk manager, and others – have different perspectives. This session will offer strategies for evaluating a case from start to completion, so that clients and carriers are informed, aware of the risks behind each step, and armed with the necessary tools to decide, reserve, and update appropriate authority to settle the case at each procedural turn.

James W. Barkley, Esq., *The McCammon Group*  
Kathleen M. McCauley, Esq., *Moran Reeves Conn*  
Hon. Thomas S. Shadrick (Ret.), *The McCammon Group*

12:30-12:45 PM

**Box Lunches Available, [Seaside Lobby](#)**

12:45-1:45 PM

**Accessible Pro Bono: Getting Involved without Getting in Over Your Head, 1.0 ETHICS** (Taylor Brewer & Rebecca Roberts & Sam Romano)  
This presentation will explain the current status of the justice gap in Virginia, and how lawyers can help close that gap by providing legal services to those who cannot afford them. Also, this session will offer guidance on finding pro bono opportunities that appeal to each lawyer, with a focus on those that can be done remotely. Finally, this session discusses the use of artificial intelligence in pro bono and how lawyers can leverage AI to make an even bigger difference while acting ethically and effectively.

Diane Ferguson, Esq., *Virginia State Bar*  
Crista Ganz, *Virginia State Bar*

1:45 PM

**Adjourn**