



The  
HOMESTEAD®

V·B·A

*The Virginia Bar Association*

121<sup>st</sup> Summer Meeting

July 21 - 24, 2011 • The Homestead • Hot Springs, Virginia

# 121<sup>st</sup> Summer Meeting of The Virginia Bar Association

July 21-24, 2011 • The Homestead • Hot Springs, Virginia

## The Agenda

### Thursday, July 21, 2011

12:00-4:30 PM **Board of Governors Luncheon & Meeting**

2:00-6:00 PM **Registration and Information Desk**

*Courtesy of: SunTrust Bank*

6:00-7:00 PM **Opening Reception** (*Children welcome.*)

*Courtesy of: The Homestead*

### Friday, July 22, 2011

8:30-6:00 PM **Registration and Information Desk**

*Courtesy of: SunTrust Bank*

9:00-12:10 PM **Concurrent CLE Programs**

*(See separate listing.)*

10:00-11:30 AM **Spouse/Guest Program: A Culinary Demonstration and Tasting**

**“Ravioli Deliziosi!”**

*The Homestead’s executive chef will demonstrate techniques in preparing fresh ravioli with a variety of fillings and sauces that may be served for any dinner course.*

*(Separate registration and fee required.)*

12:15-1:45 PM **Legacy Series Luncheon Presentation**

**“The Civil War in Virginia: The Home Front.”**

*A presentation of the Committee on Special Issues of National and State Importance by William M.S.*

*Rasmussen, Ph.D. of the Virginia Historical Society.*

*(For members, spouses and guests—separate registration and fee for lunch required.)*

*Courtesy of: Hunton & Williams LLP*

12:30-5:00 PM **Golf Tournament**

*Members, spouses and guests are welcome, and players of every level are encouraged to participate. Prizes will be awarded at the Saturday evening reception.*

*(See “Recreational and Leisure Activities” section for details.)*

*Prizes courtesy of: Wells Fargo Private Bank, Legal Specialty Group*

2:15-3:30 PM **General Session: Civil Litigation Section and Appellate Practice Section** (*1 CLE Credit*)

**“The Roberts Court at Age Five: The 2010 U.S. Supreme Court Term in Review.”**

3:40-5:40 PM **General Session: Law Practice Management Division** (*2 CLE Credits/2 Ethics*)

**“Lawyer Marketing: An Ethics Guide.”**

*A fast-paced ethics presentation by Thomas E. Spahn, utilizing hypotheticals.*

6:30-7:30 PM **Reception** (*black tie*)

*Courtesy of: CSX Corporation and*

*Norfolk Southern Corporation*

*VBA tradition has been to commission portraits of recently elected Justices of the Supreme Court of Virginia. We are pleased to have the opportunity to present to The Honorable LeRoy F. Millette, Jr. his portrait during the Friday evening banquet.*



7:30-9:30 PM **Banquet** (*black tie*)

*Presentation of VBA Honors*

*Recognition of 2011 VBA Life Members*

*Dancing and Entertainment*

*Entertainment Courtesy of: Dominion Resources*

*Decor Design Courtesy of:*

*Equity Concepts, L.L.C. and*

*U.S. Bank Corporate Trust Services*

*Visual Presentation Courtesy of:*

*McGuireWoods LLP*

*After Dinner President’s Reception Courtesy of:*

*MercerTrigiani and*

*Spotts Fain PC*

### Saturday, July 23, 2011

8:00-10:00 AM **YLD Executive Council Breakfast Meeting**

8:30-1:00 PM **Registration and Information Desk**

*Courtesy of: SunTrust Bank*

9:00-10:30 AM **Concurrent CLE Programs**

*(See separate listing.)*

9:00-10:30 AM **General Counsel Roundtable**

*A presentation by the Law Practice Management Division.*

10:40-12:10 PM **President’s Showcase Presentation** (*1.5 Credits*)

**“Virginia is for Business—Can the Commonwealth Stay Ahead?”**

*A presentation by the Committee on Special Issues of National and State Importance, Virginia Business Magazine and Business Law Section.*

*(Members, spouses and guests are welcome.)*

12:20-1:30 PM **Book Club Luncheon Featuring Adriana Trigiani**

*A presentation by the Law Practice Management Division on the “Big Stone Gap” series and moderated by the best-selling author herself. Read any or all of the “Big Stone Gap” books in advance and bring your copies for Trigiani to autograph!*

*(For members, spouses and guests—separate registration and fee for lunch required.)*

*Courtesy of: LeClairRyan*

1:30 PM

**Golf Tournament/Tennis Round Robin**

*Members, spouses and guests are welcome, and players of every level are encouraged to participate. Prizes will be awarded at the Saturday evening reception.*

*(Advance sign-up required for tennis—see*

*“Recreational and Leisure Activities” for details.)*

*Prizes Courtesy of: Wells Fargo Private Bank, Legal Specialty Group*

6:30-7:30 PM **President’s Award Reception** (*business attire*)

*Courtesy of: LexisNexis*

9:30-11:30 PM **YLD Social**

*(All lawyers and their families welcome.)*

*Courtesy of: Woods Rogers PLC*

# 121<sup>st</sup> Summer Meeting of The Virginia Bar Association

July 21-24, 2011 • The Homestead • Hot Springs, Virginia

## Educational Programming

### Friday, July 22, 2011

- 9:00-10:30 AM (1.5 Credits) **Concurrent Session: Domestic Relations and Civil Litigation Sections**  
"Social Media: Riches and Risks."
- 9:00-10:30 AM (1.5 Credits) **Concurrent Session: Environment, Natural Resources and Energy Law and Administrative Law Sections**  
"Agency Guidance Documents: How Much Deference are They Due?"
- 9:00-10:30 AM (1.5 Credits/1.5 Ethics) **Concurrent Session: Lawyers Helping Lawyers**  
"Mental Health and Substance Abuse Issues Impacting Virginia's Legal System: Views From Both Sides of the Bench."
- 9:00-10:30 AM (1.5 Credits) **Concurrent Session: Wills, Trusts & Estates Section**  
"Fiduciary Litigation Review: Recent Virginia Decisions, Reported and Unreported, Addressing Various Fiduciary Issues."
- 10:40-12:10 PM (1.5 Credits) **Concurrent Session: Civil Litigation Section**  
"Jury Trials: Vanishing?"
- 10:40-12:10 PM (1.5 Credits) **Concurrent Session: Intellectual Property & Information Technology Law and Corporate Counsel Sections**  
"IP Due Diligence in Corporate Transactions—How to Prepare IP for Review and How to Assess IP During Review."
- 10:40-12:10 PM (1.5 Credits) **Concurrent Session: Veterans Issues Task Force**  
"Lawyers Helping Warriors: Our Obligations to Servicemembers Returning from Combat."
- 2:15-3:30 PM (1.0 Credits) **General Session: Civil Litigation and Appellate Practice Sections**  
"The Roberts Court at Age Five: The 2010 U.S. Supreme Court Term in Review."
- 3:40-5:40 PM (2 Credits/2 Ethics) **General Session: Law Practice Management Div.**  
"Lawyer Marketing: An Ethics Guide."  
*An ethics presentation by Thomas E. Spahn.*

### Saturday, July 23, 2011

- 9:00-10:30 AM (1.5 Credits) **Concurrent Session: Business Law Section**  
"Ramping Up: Managing Transaction Risk in the Current Economy."
- 9:00-10:30 AM (1.5 Credits) **Concurrent Session: Civil Litigation, Judicial and Appellate Practice Sections**  
"13<sup>th</sup> Annual Review of Civil Decisions of the Supreme Court of Virginia."  
*A presentation by Judge Jane Marum Roush.*
- 9:00-10:30 AM (1.5 Credits) **Concurrent Session: Construction and Public Contracts Law Section**  
"Legislative Update: Statutory Changes and Impacts on Your Practice."
- 9:30-10:30 AM (1.0 Credits Pending) **Concurrent Session: Young Lawyers Division**  
"Tips to Succeed as a Young Lawyer: The Stages of Development for Maing Partner."
- 10:40-12:10 PM (1.5 Credits) **President's Showcase Presentation: Committee on Special Issues of National and State Importance, Virginia Business Magazine and Business Law Section**  
"Virginia is for Business—Can the Commonwealth Stay Ahead?"  
*Understanding the legal framework that makes Virginia an attractive place to do business—balancing interests of shareholders, management, employees and other important constituencies.*

## Meeting Registration

Registration is available online on the VBA website at [www.vba.org](http://www.vba.org) or by faxing or mailing the attached form. Register by July 7 for a discounted rate. Please be sure to mark the activities in which you and your family want to participate that require a separate registration and/or additional fees.

Visit our website at [www.vba.org](http://www.vba.org) for updated information.

## Hotel Accommodations

There are two ways to make room reservations at The Homestead:

- **By Fax:** Fax the hotel's reservation form to (540) 830-7922;
- **By Mail:** Mail the hotel's reservation form to  
Group Reservations, P.O. Box 2000, Hot Springs, VA 24445

Reservations must be made by July 1, 2011 to take advantage of the discounted group rate.

For general information call (800) 838-1766.

## Spouse/Guest Program

A culinary demonstration has been planned for spouses and guests on Friday morning from 10:00 - 11:30 A.M. Homestead Executive Chef, Mark Gallaudet, will present "Ravioli Deliziosi!" He will demonstrate techniques for preparing fresh ravioli with a variety of fillings and sauces that meet most any taste preference and can be served for any course. This is a demonstration and tasting that everyone will enjoy sampling on-site and duplicating at home! The cost is \$27 per person. Register in advance using the accompanying meeting registration form.

## Children's Programs

A special program is being planned for children ages 5 to 12 during the Friday evening reception and banquet. From 6:00 PM to 11:00 PM, children will have dinner and be entertained with activities including a movie. The cost for this fun-filled evening is only \$18 for each child. Register for this program using the accompanying meeting registration form.

The Homestead's Kid's Club offers a full schedule of organized fun every day. Call The Homestead's Activities Department at (800) 838-1766, option 4.

Private babysitting is offered on an hourly basis by calling (540) 839-7956.

## Recreational and Leisure Activities

Take advantage of the Unlimited Activity Package which can be added to your room rate for an additional \$60 per person daily. Go to the VBA website at [www.vba.org](http://www.vba.org) for the specific activities included.

All members of the Association, their family members and guests are eligible to participate in our golf and tennis tournaments:

**GOLF TOURNAMENT**—Declared play on Thursday, Friday or Saturday on the Cascades Course will make players eligible for prizes to be awarded at our Saturday evening reception. There is a 14 day cancellation policy and fees will be charged to the individual golfer. Call the golf operations staff person, Crystal Michaels, at 540-839-7648 or the Activities Reservation Department at 800-838-1766, option 4, to reserve a tee-time.

**TENNIS TOURNAMENT**—The Tennis Tournament format will be a round robin, all doubles, with interchanging partners. Men's, ladie's and mixed doubles will be played on Saturday at 1:30 PM. The top four scorers in each of the three categories qualify for the finals with The Homestead Tennis Pro, Costen Craven, determining the format. Register in advance, indentifying yourself as a VBA tournament participant, by calling the tennis center at (540) 839-7545 or (800) 838-1766 ext. 7545. The cost is \$30 per event and may be charged to your guest room upon arrival at The Homestead. Non-tournament play can be arranged through the Activities Reservation Department at 1-800-838-1766, option 4.

**THE HOMESTEAD'S ACTIVITIES RESERVATION DEPARTMENT** is happy to arrange all of your individual recreational and leisure activities. Call (800) 838-1766, option 4, for horseback riding; carriage and pony rides; shooting; golf; tennis; spa; spa salon; Kid's Club (other than the special Friday night children's program); transportation; gorge hike. Advance reservations are suggested, particularly for golf, spa appointments and babysitting services. Dinner reservations for Thursday and Saturday evenings should also be made well in advance of your arrival by calling (800) 838-1766 option 4.



*The Virginia Bar Association*

701 E. Franklin Street, Suite 1120  
Richmond, Virginia 23219

PRE-SORTED  
STANDARD  
U.S. POSTAGE  
**PAID**  
Permit No. 784  
RICHMOND, VA



Fellow Members of The Virginia Bar Association and Guests:  
On behalf of the Board of Governors, I am pleased to invite you and your family to join us for the Summer Meeting of The Virginia Bar Association at The Homestead in Hot Springs, July 21-24, 2011. VBA members and their families have been gathering in the Allegheny Mountains for the Summer Meeting since 1889, and we look forward to continuing this fine tradition for the 121st year. The weekend promises to be informative and entertaining.

In addition to our always interesting programs presented by our substantive law sections, we are particularly pleased to present three general session programs: a panel discussion on Virginia's ability to remain an attractive place to do business, a review of the 2010 U.S. Supreme Court term in the fifth year of the Roberts Court, and the ever popular ethics presentation by Tom Spahn focusing this year on marketing. We continue our Legacy Series luncheon, marking the 150th anniversary of the Civil War with, "The Civil War in Virginia: The Home Front."

Social events offer opportunities to network with old friends and make new ones. Of course, The Homestead's signature mountain views and recreational activities are hard to resist. Our Friday night black-tie dinner features the portrait unveiling of Virginia Supreme Court Justice LeRoy F. Millette, Jr. On Saturday afternoon, my sister, Adriana Trigiani, will lead a book club program on her best-selling Big Stone Gap series — bring books for her to sign and come enjoy a few laughs with the Trigiani girls and boys. And, we have planned a special program for our guests with an Italian cooking demonstration and tasting on Friday.

We look forward to visiting with you at The Homestead!

Best wishes,

Lucia Anna Trigiani  
President

# 121<sup>st</sup> Summer Meeting of The Virginia Bar Association

July 21-24, 2011 • The Homestead • Hot Springs, Virginia

## Meeting Registration

Registrant: \_\_\_\_\_ (Full Name) (First Name for Name Badge)

Spouse/Guest: \_\_\_\_\_ (Full Name) (First Name for Name Badge)

Firm Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Please check if this is the first VBA meeting you have attended.

### REGISTRATION FEES: (Check one)

- |  |            |              |
|--|------------|--------------|
| <input type="checkbox"/> Single: Member only — 1 banquet ticket (NOTE: Must register as couple if spouse attends.) | By July 7  | After July 7 |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is a non-lawyer—2 banquet tickets                     | .....\$220 | .....\$240   |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer and a member—2 banquet tickets       | .....275   | .....295     |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer but not a member—2 banquet tickets   | .....355   | .....375     |

### REGISTRATION FEES FOR MEMBERS OF THE JUDICIARY, LAWYER LEGISLATORS,

- FULL TIME GOVERNMENT LAWYERS AND LAW SCHOOL FACULTY:** (Check one) **Flat Rate**
- |  |            |
|--|------------|
| <input type="checkbox"/> Single: Member only—1 banquet ticket (NOTE: Must register as couple if spouse attends.) | .....\$120 |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is a non-lawyer—2 banquet tickets                   | .....175   |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer and a member—2 banquet tickets     | .....175   |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer but not a member—2 banquet tickets | .....255   |

### ACTIVITIES REQUIRING SEPARATE REGISTRATION AND/OR ADDITIONAL FEES (Check Box)

- |   |              |           |
|---|--------------|-----------|
| <input type="checkbox"/> Fri. Spouse/Guest Program - Culinary Demo./Tasting - \$27/person (must register in advance)  | ..#          | \$        |
| <input type="checkbox"/> Fri. Legacy Series Lunch/Program - \$35/person (for member/guest - must register in advance) | ..#          | \$        |
| <input type="checkbox"/> Fri. Night Banquet Tickets for Additional Guests - \$75/person                               | .....#       | \$        |
| <input type="checkbox"/> Fri. Night Children's Program (ages 5-12) during banquet - \$18/child                        | #            | Ages: \$  |
| <input type="checkbox"/> Sat. Book Club Luncheon - \$35 (for member/guest - must register in advance)                 | .....#       | \$        |
|   | <b>TOTAL</b> | <b>\$</b> |

### BANQUET

Banquet ticket(s) are included in registration fee. For planning purposes, however, please let us know your intentions:

- Yes, I/we plan to attend the banquet.  No, I/we do not plan to attend the banquet. (Order additional tickets above.)

- Enclosed is my check for \$ \_\_\_\_\_
- My payment of \$ \_\_\_\_\_ is being processed and mailed separately. I understand that I will be billed if payment is not received, regardless of my attendance.

- Please charge my (circle one)  
**Visa MasterCard AMEX**
- Amt. \$ \_\_\_\_\_
- Card No.: \_\_\_\_\_
- Exp. Date: \_\_\_\_\_ Sec. Code: \_\_\_\_\_

Name on Card: \_\_\_\_\_

**CANCELLATION POLICY**—Requests must be received in writing by July 8, 2011 \$25 non-refundable fee will apply.

### NOTICE TO NON-VBA MEMBERS

Our registration fee schedule is for VBA members only. Non-VBA members registering for the Meeting must add \$100 to this fee. For information about joining the VBA, contact us at (804) 644-0041 or by email at [theyba@vba.org](mailto:theyba@vba.org) or apply for membership online at [www.vba.org](http://www.vba.org).

- Check here if not registered at The Homestead. (A surcharge will be billed.)

### For Office Use

- VBA Member:  Yes  No
- Patron:  Gold  Silver  Blue
- Date: \_\_\_\_\_ Amount: \_\_\_\_\_
- Payment by:  Firm  Personal

## Educational Programming Registration

ALL PROGRAMS ARE INCLUDED IN THE MEETING REGISTRATION FEE.

### Friday, July 22, 2011

- |  |   |
|--|---|
| 9:00-10:30 AM (1.5 Credits)            | <b>Domestic Relations and Civil Litigation Sections</b> <input type="checkbox"/>  |
|  | "Social Media: Riches and Risks."   |
| 9:00-10:30 AM (1.5 Credits)            | <b>Environment, Natural Resources and Energy Law and Administrative Law Sections</b> <input type="checkbox"/>           |
|  | "Agency Guidance Documents: How Much Deference are They Due?"   |
| 9:00-10:30 AM (1.5 Credits/1.5 Ethics) | <b>Lawyers Helping Lawyers</b> <input type="checkbox"/>   |
|  | "Mental Health and Substance Abuse Issues Impacting Virginia's Legal System: Views From Both Sides of the Bench."       |
| 9:00-10:30 AM (1.5 Credits)            | <b>Wills Trusts &amp; Estates Section</b> <input type="checkbox"/>  |
|  | "Fiduciary Litigation Review: Recent Virginia Decisions, Reported and Unreported, Addressing Various Fiduciary Issues." |
| 10:40-12:10 PM (1.5 Credits)           | <b>Civil Litigation Section</b> <input type="checkbox"/>  |
|  | "Jury Trials: Vanishing?"   |
| 10:40-12:10 PM (1.5 Credits)           | <b>Intellectual Property &amp; Information Technology Law and Corporate Counsel Sections</b> <input type="checkbox"/>   |
|  | "IP Due Diligence in Corporate Transactions—How to Prepare IP for Review and How to Assess IP During Review."           |
| 10:40-12:10 PM (1.5 Credits)           | <b>Veterans Issues Task Force</b> <input type="checkbox"/>  |
|  | "Lawyers Helping Warriors: Our Obligations to Servicemembers Returning from Combat."                                    |
| 2:15-3:30 PM (1.0 Credits)             | <b>General Session: Civil Litigation and Appellate Practice Sections</b> <input type="checkbox"/>                       |
|  | "The Roberts Court at Age Five: The 2010 U.S. Supreme Court Term in Review."  |

- |                                       |   |
|---------------------------------------|---|
| 3:40-5:40 PM (2.0 Credits/2.0 Ethics) | <b>General Session: Law Practice Management Div.</b> <input type="checkbox"/> |
|                                       | "Lawyers Marketing: An Ethics Guide."   |

### Saturday, July 23, 2011

- |                                     |  |
|-------------------------------------|--|
| 9:00-10:30 AM (1.5 Credits)         | <b>Business Law Section</b> <input type="checkbox"/>   |
|                                     | "Ramping Up: Managing Transaction Risk in the Current Economy"   |
| 9:00-10:30 AM (1.5 Credits)         | <b>Civil Litigation, Judicial and Appellate Practice Sections</b> <input type="checkbox"/>   |
|                                     | "13 <sup>th</sup> Annual Review of Civil Decisions of the Supreme Court of Virginia."  |
| 9:00-10:30 AM (1.5 Credits)         | <b>Construction and Public Contracts Law Section</b> <input type="checkbox"/>  |
|                                     | "Legislative Update: Statutory Changes and Impacts on Your Practice."  |
| 9:00-10:30 AM (No Credits)          | <b>LPMD and Corporate Counsel Sections</b> <input type="checkbox"/>  |
|                                     | "General Counsel Roundtable."  |
| 9:00-10:30 AM (1.0 Credits Pending) | <b>Young Lawyers Division</b> <input type="checkbox"/>   |
|                                     | "Tips to Succeed as a Young Lawyer: The Stages of Development for Making Partner."   |
| 10:40-12:10 PM (1.5 Credits)        | <b>President's Showcase Presentation: Committee on Special Issues of National and State Importance, Virginia Business Magazine and Business Law Section</b> <input type="checkbox"/> |
|                                     | "Virginia is for Business—Can the Commonwealth Stay Ahead?"  |

## **Mission of The Virginia Bar Association**

*The Virginia Bar Association is the independent voice  
of the Virginia lawyer, advancing the highest ideals of the  
profession through advocacy and volunteer service.*

The logo for The Virginia Bar Association, featuring the letters 'V.B.A.' in a large, blue, serif font. The letters are stylized with a dot between the 'V' and 'B', and between the 'B' and 'A'.

*The Virginia Bar Association*

701 E. Franklin Street, Suite 1120  
Richmond, Virginia 23219  
(804) 644-0041 • FAX: (804) 644-0052

**See our website for more information: [www.vba.org](http://www.vba.org)**