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**The views expressed in the *Roanoke Bar Review* do not represent the policy or carry the endorsement of the Association unless specifically noted.**

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## 19 YEARS IN THE RBA

BY CATHY CADDY

As some of you know, I work for another group besides the Roanoke Bar Association and the Roanoke Law Foundation. I had been with that group for two years when my dear friend Carol Broadhurst called and said: "The bar association is looking for someone to do what you do for that other group. You need to apply for this job!" In the 25 years I had known her, Carol had never steered me wrong. So, I said, "OK!" and sent a letter and resume to then-president Maryellen Goodlatte.

I was granted an interview, in a room full of lawyers. Very scary then; now, not so much. I thought the interview went well, but it was quite different from interviews I had experienced throughout my career. I learned about Jimmy Kincanon and the legacy he left after serving as RBA secretary/treasurer for 50 years, and now it was time to hire someone. The rest of the interview was spent talking about what I was doing for that other group. After a couple of weeks, Maryellen called to tell me that I had been chosen for the position and asked if I had any questions. I said, "Well, yes, a couple. What do I have to do and how much does it pay?" She laughed, told me the hourly rate at that time, and said, "And we will just figure it out as we go along." Again, I said, "OK!" In looking back over the past 19 years, I am confident in saying that, together, we did indeed figure it out.



## Community Outreach

In June 1997, the RLF (originally known as the Roanoke Bar Association Foundation) was formed "to improve and facilitate the administration of justice, to promote the diffusion of knowledge of the law and to effect such other educational and charitable purposes as the trustees shall from time to time determine." The following year, the Foundation began accepting applications for the James N. Kincanon Scholarship; the Jane S. Glenn Scholarship was added in 2013, and a grant program was added in 2014. Thanks to the support of RBA members, the success of the Gala and Law Day Celebration, and support from the Fellows of the Foundation, the RLF has awarded over \$163,400 in scholarships and grants since its inception.

When I first came onboard, the RBA had monthly luncheons, a Bench-Bar conference, a Law Day celebration, a golf/picnic outing, and a newsletter. The only community service project was No Bills Night, sponsored by the Young Lawyers Conference of the Virginia State Bar. This project offers an opportunity for area lawyers to provide a valuable service to our local community, while promoting our profession in a positive manner. Each year, RBA members volunteer for at least an hour to answer the hotline and provide citizens with free, confidential legal advice.

In 1998, the Board decided that the Association should sponsor its own community service project. We talked with Dr. Rita Bishop, who was then Assistant Superintendent of Roanoke City Public Schools. She told us that if children did not read on grade level by the third grade, they never would. And so, Barrister Book Buddies was born. RBA members were asked to read for at least one hour each month throughout the school year. The pilot program was held in the summer. I was assigned a second-grade class. At the end of the summer, we gave every student a book. A little girl walked up to me and asked, "Is this mine?" I said, "Yes." Her face brightened, and she asked, "To keep?" Again, I said, "Yes." She wanted to be sure and asked, "Forever?" I smiled and said, "Yes, honey, you can keep this book as long as you want to." She skipped away, exclaiming, "I am so excited! I don't have any books." I cried all the way home. Since that first pilot program, RBA members have read to, provided books for, and stood as an example for over 9,500 elementary schoolchildren. For those of you who have been or will be a Barrister Book Buddy, don't for one second think you are not making a difference.

Barrister Book Buddies was only the beginning of the RBA's service to the community. That same year, the Legal Aid Conflicts Committee was formed to organize a group of volunteers to provide legal assistance to people who qualify for services from Legal Aid Society of

## PRESIDENT'S CORNER

BY JOSEPH W. H. MOTT, ESQ.



The end of the bar year draws ever-nigh as I write this and prepare to pass the gavel to my capable successor, Hugh Wellons.

It has been a successful year for the Roanoke Bar Association and Roanoke Law Foundation. We continued our proud tradition of public service, with a twist. RBA members again reached out to elementary school students with the Barrister Book Buddies, and to middle school students with the Rule of Law program, giving generously of their time and talents, and staffing

up all available positions. But just like the Veg-O-Matic. Wait! There's More! The Red Cross Blood Drive, the Stand Down for Veterans, No Bills Night. And this year the RLF put on two sessions of You and the Law, orienting the public with the workings of the General District and Circuit Courts. We can be rightfully proud of what we do for an association our size.

The You and the Law series won two awards this year from the Conference of Local Bar Associations. The first, an Award of Merit, was given for the *You and the Law: Trial by Jury*, and the second, a Certificate of Achievement, was given for *You and the Law: Your Day in Court*.

Watch your inbox for the summer social presented by the Young Lawyers Committee under the leadership of Macel Janoschka. All are invited to this opportunity to mingle in a collegial and relaxed setting with your fellow bar members.

At our annual meeting on June 14, we elected Kevin Holt as our President-Elect, and Lori Jones Bentley, Daniel P. Frankl, Patrick J. Kenney, James J. O'Keeffe, and Justin E. Simmons to terms to the Board of Directors. My thanks to them, and to the other board members who agreed to continue their service. We awarded the Jane Glenn Scholarship to Katherine Moles, \$3,000 in scholarships to six other deserving students, and contributed \$500 to the Legal Aid Society for its programs.

At the annual meeting we also adopted a bylaw amendment for our judicial endorsement procedure that was brought into focus by the Virginia Supreme Court nomination controversy. The bylaws previously required the president to call an endorsement meeting when a vacancy at the state appellate level became apparent, whether or not a local candidate was interested, and whether or not the endorsement had any chance of influencing the process. The amendment now gives discretion to the president, and may avoid a needless, time-consuming process in the future.

This year is tinged with sadness as we say goodbye to Cathy Caddy, who has served so long, so well, and in so many ways, as our Executive Director for the past 19 years. A changing cast of presidents, officers, board members, and association members have paraded through the Association during that time, and she was the steady hand on the tiller throughout it all. The duck on the pond analogy is nowhere more applicable than to Cathy, as she paddled furiously below the surface while by all appearances serenely gliding through the bar years. We'll miss you, Cathy!

And we welcome Diane Higgs as our new Executive Director. Diane comes to the Association with long experience in running a law office and an equally impressive record of service in nonprofit organizations. She has long been related by marriage to the RBA, having been married to former president Steve Higgs for 36 years and is now a full-fledged member of the RBA family. Please welcome Diane when you get a chance.

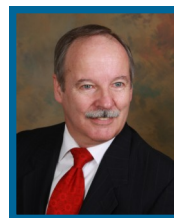
Lastly, I wish to thank all the board members, officers, and members who helped to make this such a successful year. I also wish to thank all for the opportunity to serve as president this year. Working in the public sector in the U. S. Attorney's Office can be insular and isolating from the private bar. The opportunity to interact with the larger bar universe this past year is sincerely appreciated and a source of continuing gratification. It's been a great ride.

Joseph W. H. Mott is an Assistant U. S. Attorney for the Western District of Virginia

## RBA PRESIDENTS REMEMBER: CATHY CADDY

*The editors asked past RBA presidents for their memories of working with Cathy Caddy as the association's Executive Director. They expressed gratitude and admiration for all she has done for our association over the past 19 years. We share some representative portions of their remarks with you here.*

"When I think of Cathy Caddy," said **Lori D. Thompson (RBA President, 2011-12)**, "I think of that familiar saying about the goal is to be like a duck—look calm and serene on the surface but be paddling like crazy underneath. That is Cathy. She makes running the Roanoke Bar Association and the Roanoke Law Foundation look easy—like they are well-oiled, seamless operations that never miss a beat, but behind the scenes, Cathy is oiling the gears frantically and trying to keep a bunch of busy lawyers organized and effective by handling a hundred different tasks at once. Oh, and did I mention, this [was technically] just her part-time job?"



"I was relatively new to the Board of the Bar Association when the suggestion was made that we should hire an Executive Director," **Raymond F. Leven (2002-03)** remembered. "As Secretary-Treasurer, I was overwhelmed by following Jimmy Kincanon, who had served around 40 years. Since he had carefully husbanded our funds, I wasn't sure we should be spending so 'wildly.' After interviewing Cathy with our President, **Frank W. Rogers III (1998-99)**, I was convinced we needed to do this. As the Secretary-Treasurer, I was the first and primary beneficiary of Cathy's organizational skills. With her help, I was able to remain in that office for many years (never to rival Mr. Kincanon)."

Frank Rogers, now a judge of the Juvenile and Domestic Relations District Court for the 23rd Judicial Circuit, added: "I was privileged to serve on the search committee tasked with recommending to the RBA board a candidate to become its first executive director (though that was not the title at the time). We had a handful of excellent candidates we interviewed, but one stood out among them. I consider my vote in favor of Cathy Caddy to be one of the best decisions I made, professionally and personally, in my 30 years as a lawyer."



"Cathy has extraordinary organizational skills," Judge Rogers continued. "She has always made projects seem easy, and I can never recall her saying 'No' to anything she was asked to do. Give her a task, and she just goes out and gets it done—like establishing the Barrister Book Buddies in my year as RBA president (1998-99). The idea came out of a summer retreat of the board. A lot of meetings followed, culminating in a joint press conference with the Roanoke City Schools Superintendent to announce the program, all of which Cathy skillfully managed, while at the same time handling her regular RBA duties."

"Cathy's commitment to the RBA's mission, and her seemingly endless energy, have helped transform the RBA. The Roanoke Law Foundation, and RBA programs like Santa in the Square/at the Station and You and the Law, to name just two, were born and have prospered, thanks to Cathy. And, thanks to Cathy, the RBA has meaningfully given back to the community it serves. The RBA has gone from a relatively insular institution to a prominent community partner. Members of the RBA and of the community have benefitted significantly from the conversion—benefits of the long and lasting kind."

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## S. D. ROBERTS MOORE: 2016 FRANK W. "BO" ROGERS, JR., LIFETIME ACHIEVEMENT AWARD WINNER



*This award recognizes an outstanding lawyer who embodies the highest standard of personal and professional excellence in Southwest Virginia and, in doing so, enhances the image and esteem of attorneys in the region. Monica Taylor Monday, Esq., offered the following remarks in presenting this award to Mr. Moore at the Law Day luncheon.*

It is my privilege to share with you some highlights of the many accomplishments of S. D. Roberts Moore—"Rabbit" to those who know him.

Rabbit was born in Staunton and was raised in Richmond. He has always loved sports, and during his formative years, he played baseball, football, and basketball. It was reportedly on the basketball court that Roberts Moore permanently acquired the nickname Rabbit. Someone shouted: "Catch that Rabbit!" And it stuck.

Rabbit received his undergraduate degree from Virginia Tech and his law degree from the University of Richmond. After law school, he received job offers in Roanoke and New York. As his daughter Carrie remarked, "It is pretty hard to see Rabbit in New York!" And perhaps he knew that. So, on July 10, 1961, Rabbit joined the Roanoke law firm that would later bear his name—Gentry Locke Rakes & Moore—and has been practicing law at the same firm for 54 years.

Rabbit's tenure at Gentry Locke has left a lasting mark on the Roanoke legal landscape. He was instrumental in helping the firm grow from five lawyers, when he started, to the almost 60 lawyers who work at the firm today. And he single-handedly created the firm's plaintiff's practice, which has now grown into its own practice group and is an important part of our firm. And during his 54 years at the firm, he has exemplified the best of what it means to be a Virginia lawyer, adhering to the highest levels of professionalism, ethics, and courtesy.

Rabbit's career has been characterized by his commitment to professionalism and his clients. He believes in the right to a jury trial and to equal justice, and has tried to ensure that his clients have both. He has done all of this with great skill, compassion, and professionalism.

He is an aggressive litigator who has handled more than 200 jury trials. For the past 25 years, Rabbit has focused his work on plaintiff's personal-injury litigation, primarily medical malpractice, as well as other tort cases. His extensive practice in that area includes many cases that have traveled to the Supreme Court of Virginia.

In the medical-malpractice arena, Rabbit has fought against what he views as arbitrary and unfair limitations on the right to trial by jury and equal protection, such as the medical-malpractice cap and the special statute of limitations for minors injured by medical negligence.

As a result, Rabbit has played a tremendous personal role in the development of Virginia's law governing medical negligence. His professional accomplishments have not gone unnoticed. To name just a few accolades, Rabbit is a Fellow of the prestigious American College of Trial Lawyers, has been named to the Best Lawyers in America in the area of personal-injury litigation for 25 years, is recognized as a leading Virginia litigator by *Benchmark Litigation*, and is a member of the Fourth Circuit Judicial Conference.

He also was the first chairman of the MCLE Committee of the Virginia State Bar and has served on the Council of the Virginia State Bar.

## PATICE L. HOLLAND: 2016 YOUNG LAWYER OF THE YEAR AWARD WINNER

*Victor O. Cardwell, Esq., offered the following remarks in presenting this award to Ms. Holland at the Law Day luncheon.*

### Background

Patice L. Holland was born and raised "just down the road" in Franklin County, Virginia. I must say there are some fine and sometimes "intoxicating" products that have been known to originate down 220 South, but none of that compares to Patice! Kudos to Mr. and Mrs. Holland for brewing up this fine young lady!



Deciding to spread her wings a bit, Patice pursued her undergraduate education at George Mason in Fairfax. Patice then "flew the coop" and went to law school at Stetson University in Florida. After receiving her JD in 2007, Patice decided to come back home to roost.

Ever-confident, Patice reached out directly to Bill Poff to inquire about a position with our firm, Woods Rogers. Bill was so impressed with Patice that he insisted that she be hired. I think all of us who knew and remember Bill can appreciate what an endorsement that was. Patice joined Woods Rogers as an associate in 2007. Since that time, Patice has focused her practice on commercial litigation, labor and employment law, and railroad litigation.

In recognition of her outstanding contributions to the firm and our community, Patice recently became the firm's first African-American female partner.

### Patice's Work

Having worked very closely with Patice over the past seven years, I can personally attest—Patice is an outstanding attorney, a real lawyer's lawyer. She has an impressive ability to understand the most complex issues and the power to convey those ideas to a judge or lay person alike.

Tom Winn offers similar praise, observing, "Patice's strong work ethic, excellent instincts, and engaging personality make her an undeniable force on a litigation team. She takes ownership of client issues as if they were her own."

Matt Pritts commented, "Clients love her, plain and simple."

Other colleagues noted that Patice:

- Captures a room when she walks in.
- Is sincere and talented.
- Can SING!

### Patice's Commitment to the Community

Patice's commitment to the Roanoke Valley is equally impressive. She serves as Board member and legal counsel for the Miss Virginia Pageant. She serves on the Roanoke Cultural Endowment Fund and the Roanoke Arts Commission, and also serves as chair of the City's Agency Funding Advisory Committee for arts and cultural organizations. She is actively involved in the Loudon Avenue Baptist Church, where she sings beautifully in the choir and supports the governance of that historic institution.

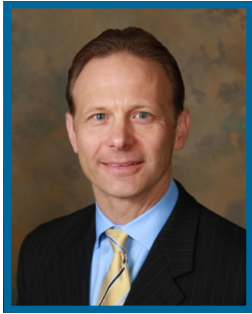
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## VIEWS FROM THE BENCH: JUDGE JOHN WEBER, III

BY BRADLEY C. TOBIAS, ESQ.



Settling into the back corner of Paul's Restaurant in downtown Roanoke, Judge John Weber, III, is instantly recognized as a regular and loyal customer of the longstanding diner. "Hey Judge, great to see you again," exclaim the familiar folks behind the cash register. Though he has not sat on the bench in the 23rd Judicial Circuit's Juvenile and District Relations District Court for long, Judge Weber has long been plugged into the local community of the Roanoke Valley and brings his local experience, warmth, and

humility to every case that he hears.

Judge Weber grew up in Northern Virginia where his father was based as a commercial airline pilot with Eastern Airlines at Washington National Airport. He remembers the diversity of his high school, J.E.B. Stuart High, and how it quickly informed him of the importance of understanding different demographical and cultural perspectives. One of Judge Weber's first jobs was working for Eastern Airlines at National Airport, where he was tasked with the not-so-glamorous job of cleaning airplane bathrooms while the planes were grounded. "It was not such a great job," he recalls, "but it paid fourteen dollars an hour, which was great money back then." At his high school, Judge Weber was involved in student government, president of his class, and interested in pursuing a career in politics.

After graduating high school, Judge Weber attended Wake Forest University where he double-majored in political science and philosophy, but his interest in becoming a politician waned. In the summer after his junior year, Judge Weber got an internship with a small law firm in Irvington, Virginia, in close view of the beautiful Rappahannock River. "The firm had a boat named the Algonquin, and on Friday afternoons, we would go cruise up and down the river." Judge Weber remembers these boat trips with fondness and recalls thinking that becoming a lawyer might come with lots of similar perks.

Judge Weber attended the University of Richmond School of Law and continued working for the same Irvington law firm in the summer after his 1L year. In his 2L summer, Judge Weber worked as a summer associate with Clement & Wheatley in Danville. During his 3L year, Judge Weber returned to the Wake Forest Homecoming where he hit it off with Cathi, a woman whom he had known in college, but never dated. She was still at Wake getting her law degree. They got married during her 3L year. Judge Weber got married and received notice that he passed the bar during the same month.

Early on as a young attorney, Judge Weber discovered the excitement and thrill of trial work. "I loved it. I loved the experience of helping people. I wanted to try everything," he remembers. "Early on, I got myself onto the court appointed list." Judge Weber's first job in Danville gave him extensive opportunities to appear in the state courts at every level in Southside Virginia.

In his practice, Judge Weber quickly realized that the courtroom was the great equalizer and that his role was best served helping those that could not speak for themselves. At Smith & Stowe, PC, in Danville, Judge Weber tried cases across a large spectrum including insurance defense, personal injury, domestic and criminal, opportunities that he fondly recalls. After just a year out of law school, Judge Weber had numerous bench trials and jury trials under his belt.

In 1993, Judge Weber was hired to work for Gentry Locke Rakes & Moore in Roanoke after bumping into his classmate Chris Kite at a Danville docket call. "Chris mentioned an opening at Gentry Locke and suggested that I consider applying," Judge Weber remembers. Judge Weber did insurance defense work and workers' compensation, and enjoyed the opportunity to work on larger cases with a larger firm. "I wanted to

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## THE RLF'S *YOU AND THE LAW* PROGRAM CONTINUES WITH GREAT SUCCESS

BY THE HONORABLE JACQUELINE F. WARD TALEVI

In March 2015, Rick Kahl, Clerk of the Roanoke City General District Court, approached me with a proposal to present an educational program to the public detailing the inner workings of the court system including Juvenile and Domestic Relations District Court, General District Court, and Circuit Court. He proposed three separate programs, each with a separate focus. He believed that the public would be interested, but I must confess, I was skeptical. As a new Clerk, Rick had completed several courses in court management offered by the Office of the Executive Secretary (OES) and had obtained certification in the Court Executive program, which augmented the BA degree in Business Administration that he had earned from Radford University many years earlier. During the OES course work, he became familiar with the Virginia Judiciary's Mission and Visions statement, which called for (among other initiatives) more emphasis on community outreach and public education. In presenting his proposal to me, Rick referred to a video featuring retired U.S. Supreme Court Justice Sandra Day O'Connor who expressed her concern regarding the public's lack of knowledge about basic civics. I had seen the video as well and had heard Justice O'Connor address a conference in Washington, D.C., regarding the same issue. Rick made a compelling argument. Knowing his keen interest in community outreach coupled with his 29 years of public service with the Roanoke City Police Department before he came to the Clerk's office, I knew he would dedicate the time necessary to make the project successful.



Immediately, a partnership with the Roanoke Bar Association came to mind, as I knew the RBA and the Roanoke Law Foundation shared a vision to provide education to citizens regarding legal issues through its successful *You and the Law* program. An e-mail to the RBA's Executive Director, Cathy Caddy, set the new proposed project in motion. E-mails, meetings, and discussions followed with Tom Miller, Rich Maxwell, Roy Creasy, and others as we hammered out the details of the first program. In October 2015, *You and the Law* launched a behind-the-scenes look at the General District Court. The evaluations prepared by the attendees indicated that the program was a success.

Rick's vision was to highlight the Circuit Court as well, so the second program, held on April 5, 2016, focused on the Circuit Court and the constitutional right to trial by jury. Lance Green, Administrative Assistant to Brenda Hamilton, presented an overview of the Circuit Court Clerk's Office and its functions. Master Deputy Dean Thompson described jury selection. Bill Braxton, former prosecutor with the Commonwealth Attorney's Office in Roanoke City, provided an overview of the grand jury process. Barry Stacy, a grand juror, described his view of the duties and responsibilities inherent in serving on the grand jury.

The finale came with the mock trial of *Commonwealth v. Baldwin*. The defendant was charged with driving under the influence of alcohol/narcotics. Mr. Braxton represented the Commonwealth and Drew Givens, an attorney with the Public Defender's Office, represented the defendant. Judge David Carson presided. Members of the audience served as jurors, and law clerks working for the Circuit Court served as witnesses and the defendant. The trial was exciting with the usual amount of drama sprinkled into the mix. After the evidence was presented, the jurors deliberated and returned a verdict of not guilty.

The evaluations provided by the attendees showed that the program was a success. Rick and I agreed the success of the two

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## ROANOKE LAW LIBRARY NEWS AND INFORMATION

BY JOSEPH KLEIN, LAW LIBRARIAN



We have had a mild, damp spring, but it looks like the heat of summer will be arriving soon. I used my vacation to renovate and move into a new home, but hopefully some of you will be going somewhere wonderful and exotic, or at the very least, relaxing. Don't forget to stop by the Roanoke Law Library to check out our selection of popular fiction to read while on vacation. For those of you with children, there are literally hundreds of fantastic programs for

kids of all ages going on at area library branches all summer as part of our annual Summer Reading Program. Check out our webpage at [www.roanokeva.gov/library](http://www.roanokeva.gov/library) for more details.

### Spotlight on the Collection—Virginia Resources (Part 2)

I previously addressed the Roanoke Law Library's wonderful collection of Virginia primary resources. I am now going to share with you our comprehensive collection of Virginia secondary resources, many of which are available for checkout to members of the Roanoke Bar Association.

We have a huge selection of Virginia legal treatises, most of which have the latest supplementation, so you are assured of finding the most relevant and current answers to your questions. We have the complete Virginia Practice series published by West, which covers most major areas of Virginia law and is updated annually. The most recent year is kept behind the reference desk for use in the library, but the rest are available for circulation to members who have current Roanoke Valley library cards.

Additionally, we have a complete set of the Virginia Continuing Legal Education books, which are powerful resources for Virginia practitioners. There is most likely a Virginia CLE for whatever type of case you have, and most Virginia CLEs have the forms you will need; some even come with CD-ROMs with electronic versions of those forms. All Virginia CLEs are available for checkout to members of the RBA.

Speaking of forms, we also have the comprehensive Virginia Forms set, published by LexisNexis. This set is updated annually, so you know it will always have the latest forms. This set is probably the Roanoke Law Library's most used resource and is an invaluable resource for finding forms for Virginia cases.

Finally, we have many other popular Virginia law treatises and casefinders for civil, criminal, and family law. To find out if we have a treatise in the area of law you need, search our online catalog available at [www.rvl.info](http://www.rvl.info) (limit your search to the Law Library). If you have any questions about Virginia secondary resources or any other legal information issues, please do not hesitate to give me a call at 853-2268.

### Williamson Road Library Closing

As previously discussed, the renovated Raleigh Court Library recently reopened to rave reviews. The next phase of the Roanoke Public Libraries renovation plans has recently begun. On June 1, 2016, the Williamson Road Library closed so that we could begin its much-needed renovation, which will be completed sometime in 2017. These newly renovated libraries allow us to better serve the citizens of Roanoke, and we are so excited for you to see the Williamson Road Library when it reopens. If you haven't gotten a chance to check out the Raleigh Court Library, I highly encourage you to do so—you'll be glad you did.

## SWVM

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### Foreclosure Prevention Attorney

The Legal Aid Society of Roanoke Valley seeks a full-time attorney to provide legal assistance on foreclosure prevention, beginning July 1st. The attorney will be based in Roanoke but will be part of a statewide team of attorneys addressing issues of housing loss in Virginia. Experience and bar admission desired. Salary \$50K plus, depending upon experience. Excellent fringe benefits, including liberal health insurance, paid vacation and sick leave. Email letter of interest and resume to Henry L. Woodward, Esq. at [henry@lasrv.org](mailto:henry@lasrv.org). LASRV is an equal opportunity employer.



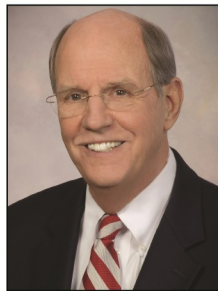
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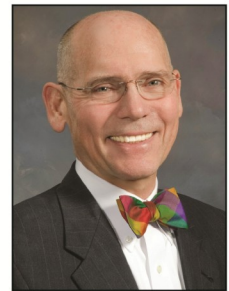
**Thomas E. Albro, Esq.**  
Past President, Virginia  
Trial Lawyers Association



**Hon. William N. Alexander, II (Ret.)**  
Former Circuit Court  
Chief Judge



**Hon. Pamela S. Baskervill (Ret.)**  
Former Circuit Court  
Chief Judge



**Hon. B. Waugh Crigler (Ret.)**  
Former U.S.  
Magistrate Judge



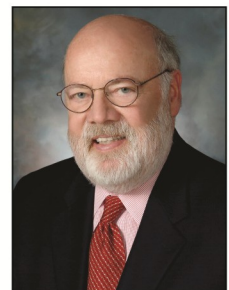
**Hon. J. Michael Gamble (Ret.)**  
Former Circuit  
Court Judge



**Hon. Larry B. Kirksey (Ret.)**  
Former Circuit  
Court Judge



**Hon. Lawrence L. Koontz, Jr. (Ret.)**  
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## THE ROANOKE FBA CHAPTER HOSTS RECEPTION FOR NEW U.S. ATTORNEY JOHN P. FISHWICK, JR.

BY ROBERT A. ZIOGAS, ESQ.

The Roanoke Chapter of the Federal Bar Association hosted a meet-and-greet reception for new U.S. Attorney for the Western District of Virginia, John P. Fishwick, Jr., on March 30, 2016.

The reception at Billy's in downtown Roanoke was well attended by many lawyers and judges and coincided with Fishwick's 100th day in office. Fishwick, who was joined by his wife, Jeanne, addressed the attendees, giving a brief report on his first 100 days as U.S. Attorney.



John and Jeanne Fishwick

Fishwick reported that the U.S. Attorney's Office has 29 lawyers over its four locations in Abington, Charlottesville, Harrisonburg, and Roanoke. He has travelled and will continue to routinely travel to all offices as part of his day-to-day duties. "I am the ambassador for the Office," he told the gathering. "I have made it a priority to get to know the people in the law-enforcement agencies with whom we work," said Fishwick, recounting recent trips to Danville and Lynchburg, where he met with law-enforcement representatives. And he has already been invited to be the speaker at the July graduation at the Roanoke City/County Police Academy, after a recent visit to the Academy where he met with the current class.

Fishwick has also made it a point to get to know the members of the bar, always closing introductions with an invitation that they let him know how he and the Office can be of help to them.



John Fishwick being greeted by Rich Maxwell and John Jessee

Fishwick's enthusiasm for his new role was apparent from the mere tone of his voice. "Coming into this job is like coming home for me!" he said. He has hit the road running and commented on the wonderful lawyers and staff who surround him at the Office and who have made the transition into the job as smooth as possible.

While the first 100 days have been fast paced and successful, Fishwick has not lost sight of the long term planning and goals and their implementation that lie ahead. "We all remember what our parents told us when we were young?" he asked. "My dad would say, OK, I see what you have done, now tell me what you're going to be doing the next 100 days," Fishwick added. He will continue to travel to the

(Continued on page 10)

## INVESTITURE OF HON. THOMAS W. ROE, JR.

On June 8, 2016, a large crowd gathered at the Roanoke County Courthouse for the investiture of Thomas W. Roe, Jr., as judge of the General District Court for the Twenty-Third Judicial District of Virginia.

Judge Roe was joined by his former law partners, David Spigle and Ronnie Clay, who delivered opening remarks, and Michael Massey, who presented a biographical sketch of the judge.



Mr. Massey noted that Judge Roe was born in Ohio and moved to Virginia to practice law in 1986, after which he served as a prosecutor in the Roanoke City Commonwealth Attorney's Office before entering the private practice of law. He later served as President of the Botetourt County Bar Association and practiced throughout the Roanoke Valley in criminal law, domestic relations, personal injury, and civil law matters.

Following opening remarks, Judge Roe was presented with a judicial robe by Hugh Wellons, President-elect of the Roanoke City Bar Association; Sarah Jane Newton, President of the Salem-Roanoke County Bar Association; and Devon Slovensky, President of the Virginia Women Attorney's Association. He was commissioned by G. Michael Pace, Jr., General Counsel of Roanoke College, and administered the oath by Judge Charles N. Dorsey of the Circuit Court for the Twenty-Third Judicial District of Virginia.

Judge Roe was joined by his family and a reception was held in the law library.



Devon Slovensky, Hugh Wellons and Sarah Jane Newton present Judge Roe with his first judicial robe, compliments of the VWAA, the RBA and the SRCBA.



Judge Roe



## 19 YEARS IN THE RBA

(Continued from page 1)

Roanoke Valley and Blue Ridge Legal Services except for a conflict of interest. Now known as the Pro Bono Committee, those volunteers continue to fulfill the requests from Legal Aid.

In 2004, the Virginia State Bar's Young Lawyers Conference and the Virginia Bar Association's Young Lawyers Division implemented the Wills for Heroes program, offering free wills, powers of attorney, and advance medical directives for first responders. The RBA periodically offered this program to our local fire and police departments, and in 2014 formed our own program, the Peace of Mind Project. Since the beginning of these programs, RBA members have filled every request from first responders for legal assistance with estate planning.

Also in 2004, the pilot program for Youth Court began at Patrick Henry High School. Offered as an alternative to suspension and other disciplinary sanctions, these hearings allowed student peers to review disciplinary cases and decide the sanctions themselves. The PH Youth Court served as a model for the rest of the state, and soon William Fleming High School implemented Youth Court as well. RBA members helped train hundreds of student volunteers and provided feedback to the participants until the program ended in 2010 after a decline in support resources in the school system.

In 2006, the RLF started what soon became everyone's favorite community service project—Santa in the Square. A holiday party for underprivileged children and families in shelters, this event is guaranteed to put a volunteer in the holiday spirit! When the event location was moved from Center in the Square to the Virginia Museum of Transportation, it became known as Santa at the Station. Every year, children enjoy their favorite party foods, create crafts in Santa's Workshop, have their picture taken with Santa, and shop for loved ones in Santa's Sack. Attendance varies each year and is dependent upon the weather; the lowest was 86, the highest over 400. RBA members and their staff members have supported Santa at the Station financially and through volunteering, making it a huge success every year, measured mainly by the children's smiles.

Theodore Roosevelt said, "Ours is a government of liberty by, through and under the law. No man is above it, and no man is below it." When the VBA created the Rule of Law program, the RBA was asked to coordinate the pilot program in 2009. The RBA, in conjunction with the Salem/Roanoke County Bar Association, has presented the rule of law in middle-school civics classes in Roanoke City, Roanoke County, and Salem. Since the pilot program, RBA and SRCBA members have taught over 21,000 students the importance of the rule of law as the basis for all of our rights and responsibilities as American citizens.

As a guest speaker at one of our monthly luncheons, Roanoke City Circuit Judge William Broadhurst challenged the RBA to educate the public about the legal system and how the courts operate. Never one to resist a challenge, the RBA presented the first You and the Law program in 2010. To date, 33 RBA members have given their time and shared their expertise with the public, some of them multiple times. Fifteen sessions later, You and the Law continues to be one of the most popular RBA projects. Videos of all presentations are available on the RBA's website.

Throughout the years, RBA members have responded to the call for other programs such as the Senior Citizens Law Day, the distribution of So You're 18 booklets, the Big Read Project, the Federal Court Re-Entry Project, the Section 1983 Pro Bono Project, Day of Service, and the Pro Bono Summit. The RBA continues its community outreach efforts with annual participation in Stand Down for Veterans, annual support of the Roanoke Law Library, Red Cross blood drives, and encouraging members to volunteer in the Oliver Hill Mentoring Program.

### Member Support

In 1999, the RBA was blessed with a different type of support. I was assigned a liaison from RVLSA . . . *the association for legal professionals*. Now I know how the early pioneers must have felt when the cavalry arrived! Since that day, RVLSA members have proved to be indispensable, providing invaluable assistance with RBA programs and events, always available and ready whenever they are needed.

(Continued on page 11)

## RBA PRESIDENTS REMEMBER

(Continued from page 2)

Judge Rogers summed up his thoughts: "I have wondered over the years how Cathy has been so successful. How could she get along with a constantly changing board, and a new president each year? And how did she manage all of the egos?! I attribute Cathy's success to her personality. She is smart. She is assertive, but does not come across as demanding. She is confident, but not egotistical. She is both deferential and independent at the same time. She is self-deprecating, and very funny."

Ray Leven continued his remembrance of Cathy: "Eventually, I became President-Elect and then President [2002-03]. It was amazing to me how smoothly I handled these offices. Then I realized that relying on Cathy made me and the RBA look good. There is no possibility that the RBA could have expanded its outreach and Community good work without Cathy. She has been an active and effective administrator. The scholarship program . . . and many other Bar efforts are Cathy's efforts. We are recognized as a leading Bar Association in the State, and with all due respect to the many members who give so much of their time, we couldn't have done so much without the steady organizational abilities of Cathy Caddy."

"It gets better. Cathy is a wonderful person who is fun to work with. She brings out the best in us and makes it an enjoyable process. She will be missed, [and] I wish her all the best."

**G. Michael Pace, Jr. (2000–01)** said:

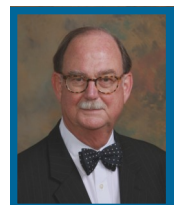
"I consider my friendship and experiences working with Cathy Caddy as one of the great delights of my legal career. Simply put, Cathy is extraordinary in every possible way—exceedingly helpful, organized, committed, and the perfect teammate. She has steered the RBA ship for so many presidents, ensuring their individual successes and that of the RBA. Cathy was instrumental in coordinating the activities of The Rule of Law Project in Roanoke City Schools, beginning in 2009 and continuing to this day. As a result of her stewardship, the RBA will continue to be one of the gems of the organized bar in Virginia."



**Douglas W. Densmore (2001–02)** said:

"My first RBA meeting as President is one I will never forget. It was on September 11, 2001. As you can imagine there was a lot of confusion, concern and downright panic that morning as the news regarding the terrorist attacks was being assimilated. We had to decide whether to have the meeting at all and if so, how to adjust the program to take into account the horrible circumstances of that morning, and we had to make those decisions quickly. With Cathy's guidance and steady hand, we held an abbreviated meeting, carried out our program, and instituted the Pledge of Allegiance, a practice which has carried at every RBA meeting since."

While **Eugene M. Elliott, Jr.**, was RBA president (2003–04) and then as RBA representative to the Conference of Local Bar Associations from 2004–2015, he was in continuous contact with Cathy Caddy. He said: "There could not be a more dedicated, energetic, knowledgeable, intelligent and insightful Executive Director for the RBA than Cathy Caddy. She is always accessible, knows more about us than anyone else, is highly professional, protects us, encourages our efforts, and above all else, is organized and efficient. She, to a very great extent, sees that what we do actually gets done."



(Continued on page 11)



## LIFETIME ACHIEVEMENT AWARD

*(Continued from page 3)*

He also serves his alma matter, the University of Richmond, as a member of the school's Board of Trustees.

But Rabbit is more than a highly skilled litigator. As son-in-law Jay O'Keeffe recognized, he is a fearless advocate who does not back down from an unpopular cause or client—from prison inmates in Section 1983 cases to First Amendment challenges for the critically outspoken. He has also shown a particular passion for cases challenging abuses of authority.

He does not hesitate to challenge existing law, particularly when that law leads to an unjust result. Many lawyers who have performed research projects for Rabbit have been told: "Well, that can't be the law." It doesn't really matter if everyone else tells him that he can't possibly win such a case; Rabbit will stick with it, often with surprising results.

Rabbit's success is attributable, in part, to his fierce intellect, insatiable curiosity, and keen ability to focus on the key issue at the heart of a case. Melissa Robinson had this to say: "One thing which always left me in awe of Rabbit when I worked with him was his uncanny ability to get right to the heart of the critical legal issues and facts when just learning of a case, regardless of its complexity. He would have a better grasp on a case when hearing about it for the first time on a Saturday morning than some others who had poured over it for weeks and were coming to him for advice."

I personally saw this uncanny ability to focus on the important issue during a case I worked on with Rabbit at the Fourth Circuit. It was a multi-million dollar case involving an invention. We had the plaintiff, and had lost on summary judgment. Rabbit was going to argue the appeal. On the way to Richmond for the argument, Rabbit was talking to me and Paul Klockenbrink about the issues he thought the Fourth Circuit would be interested in, and said he thought that the Court would be interested in the statute of frauds. Paul and I were concerned—and surprised—because the statute of frauds had never been mentioned in the case, and no one had briefed it. Right before Rabbit walked up to argue to the Fourth Circuit, I looked at his notepad, and he had only a few words written on the page. I kid you not, one of the first questions the Court asked was about the statute of frauds. We won.

And even with this legendary experience and all of these accolades, Rabbit remains humble. I have never heard him brag or boast about a victory or honor, and he will give credit to others who have earned it.

He also never allows the heat of the courtroom to interfere with his professional judgment or his treatment of others—a mark of a true professional.

Over his long career, Rabbit has generously mentored countless young lawyers, including prominent attorneys who are—or used to be—at Gentry Locke. Melissa Robinson said: "Rabbit has confidence in the associates who work for him, regardless of their age. He gives everyone with whom he works the opportunity to excel."

Rabbit always expects great things from those whom he works with, but also makes sure that everyone has an opportunity to be great. His door has always been open to younger lawyers seeking his advice on a case or a legal problem, or just wanting to talk about a book or a movie. I doubt that there have been many Saturday mornings when a young lawyer has not been in his office. Kai Memmer said: "He never turned down a request to discuss anything. If you came to him, especially on that Saturday morning, he would gladly work through issues with you." As Bill Rakes said: "Rabbit is demanding, but fair and highly respected and loved by those young lawyers he mentors."

He is also a great believer in "learning by doing." Lawyers who try cases with Rabbit quickly learn that they will not be carrying his brief-

*(Continued on page 14)*

## YOUNG LAWYER OF THE YEAR AWARD

*(Continued from page 3)*

The bottom line is that we at Woods Rogers are extremely proud to have her on our team. But of course we are biased. Listen to what other leaders in our profession and our community have to say about her:

## Testimonials

Judge David B. Carson, Twenty-third Judicial Circuit of Virginia

Patice, to me, is an old-school attorney in the best sense. She cares about herself, her product, and her profession. When you see her, she is always put together. When you review anything she submits, it is well put together, logical, and free of career-killing typos and other stupid mistakes. When she appears in court, she is always prepared, rarely relies on notes, argues what's worthy of argument, and concedes what's necessary to concede.

She is delightful, and her start in the profession is, to me, an example of how anyone should aspire to start in today's legal world.

Judge Charles N. Dorsey, Twenty-third Judicial Circuit of Virginia

I am sure you are flattered to have been asked to introduce Patice for the Young Lawyer Award.

Professionally, I have worked with, and seen Patice in attendance at, professional social events, VWAA events, and the Ted Dalton American Inn of Court functions. She has also appeared in court. She obviously has a great sense of humor but is thoroughly prepared and "gets the job done." This past year she has done a terrific job of handling the program for the Ted Dalton American Inn of Court and has obtained State Bar approval for CLE credit for certain programs and has even gone so far as having brochures and table programs prepared. Several times she was actually out of town on business, and not only made arrangements to have her work done ahead of time, but also made arrangements for someone else to see that it got done properly at the time of our meeting. She is a pleasure to be around with a great smile and ebullient personality. I have kidded her about coming to the "big city" from Franklin County. Upon initially meeting her, I mistakenly heard her name as "Patrice" and mistakenly called her that for some time, though she never corrected me. When someone else did kindly correct me, I told her that I wished she had said something, and she laughed and said, "No, I've told everyone that's Judge Dorsey's name for me; it doesn't matter." The highest compliment I have received from her, however, was several years ago at the Inn of Court when she walked by, patted me, and said "Hey there buddy." Being a buddy with Patice is being one of a large group, but is still quite an honor.

Judge Michael Urbanski, U. S. District Court for the Western District of Virginia

I am happy to share a few thoughts on Patice. Patice has done great work with the students at the Oliver Hill House. I am impressed by her compassion and dedication to improving the lives of the youth in our community. Patice has an engaging personality and ever present smile. Patice was kind enough to perform at my investiture. Her musical abilities are outpaced only by her keen legal mind and judgment. A well deserved award.

Pastor Bill Lee, Loudon Avenue Christian Church

There are a couple of folk sayings that I heard growing up in reference to a person whose maturity outdistanced her age. One was, she is an old soul. The second, she has been here before.

*(Continued on page 15)*

## VIEWS FROM THE BENCH

(Continued from page 4)

try at least one case every month. One of the things I learned at Gentry Locke was that you were not going to win every case you tried, but some cases just needed to be tried." He recalls Rabbit Moore consoling him after a loss saying, "If you're trying cases and not losing, then you are not trying enough cases!"

In the fall of 1997, after having been with Gentry Locke for a few years, Judge Weber ran into Scott Fell, a lawyer from Kalbaugh, Pfund and Messersmith. Mr. Fell was the only attorney in the firm's Roanoke office and he told Judge Weber that the firm was seeking to expand the office and wanted to know if he would like to join. Judge Weber accepted, and in 1997 the two of them worked in the Roanoke office together. At KPM, Judge Weber picked up his trial practice right where he had left off, trying primarily insurance defense cases all around the Commonwealth. "We lived on the road. It was just the two of us travelling around Virginia trying cases. We tried cases in over 80% of all the court-houses in the state." During his tenure at KPM, Judge Weber tried close to 80 civil jury trials.

In late 2002, a new, younger lawyer, Stuart Pearson, joined KPM. Judge Weber remembers clicking well with him from the start. "He was a bright guy, and together we thought we could build something special." With some soul searching, research, and a leap of faith, Judge Weber and Mr. Pearson created their own law firm, Weber Pearson, in January 2003.

At Weber Pearson, Judge Weber was quick to learn and subsequently extol the excitement and uncertainty of starting one's own firm. "It was a stressful experience from the beginning but a very good one," he says. "To create business, we took everything that walked in the door." Judge Weber and Mr. Pearson continued to build a local clientele over the next few years, and their law firm quickly grew to regional acclaim.

One of the toughest things Judge Weber had to do when he accepted a position on the bench was figure out what he was going to do with the staff at his old firm. In 2011, Mr. Pearson had left the firm to relocate to Danville, and Judge Weber had been working as a solo practitioner with his staff. "I had a great staff; we had really built a strong, working relationship with one another, and we were family." Fortunately, Judge Weber had stayed in contact with Mr. Pearson, and he agreed to come back to Roanoke and take over the firm.

Judge Weber considers himself as "street lawyer turned judge." Throughout his law practice, he enjoyed the opportunity to meet with clients in bad situations and hopefully help make a positive impact. "As judges, we have some ability to impact bad situations and turn them good," he said. "I love this city and its people, and I feel like as a former lawyer who established tight bonds with the community, I can bring that perspective and experience to the bench."

Judge Weber says that he enjoys the challenges that come with being a judge on the Juvenile and Domestic Relations District Court. "I love the variety. I get to see some folks who are regulars, but there are always fresh and new scenarios and facts every day. I enjoy the challenges, intellectually and emotionally."

According to Judge Weber, one of the great rewards of the judiciary is the ability to help kids who are starting down troubled paths and turn them around. "Many kids, for example, have a real problem with authority at their schools. But these same kids might have a great respect for the court system. It's a great privilege that I have the ability to prevent them from getting lost at an early age."



In practice, Judge Weber suggests that the best thing lawyers can do is really get to know their clients and their case. "That might be the one thing I miss most about being lawyer—connecting with clients and really getting to know people," he says. For Judge Weber, connecting with the people before him and making a positive impact is his greatest reward as a judge.

Bradley C. Tobias is an associate at Gentry Locke

## RECEPTION FOR U.S. ATTORNEY

(Continued from page 7)

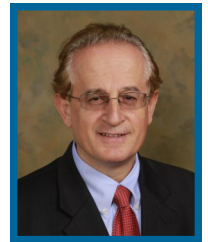
offices and continue making the connections with the law-enforcement agencies, and will work with the Office's lawyers and staff to prioritize the matters on which it will need to devote its resources in the future. At the time of his swearing-in ceremony in February 2016, Fishwick pledged to focus his efforts to stop gun crimes, human trafficking, and heroin distribution.

Before being appointed U. S. Attorney, Fishwick gained vast experience over thirty years in private practice, defending high-profile cases in federal court as well as litigating civil matters as a principal in the law firm of Lichtenstein Fishwick PLC in Roanoke.

Fishwick obtained his undergraduate degree from Harvard University and his law degree from Washington and Lee University, where he was editor of the Law Review and a cum laude graduate. He then clerked for the late U. S. District Judge James C. Turk before going into private practice.

In closing his remarks at the reception, Fishwick made it a point to comment on the important role bar associations, such as the Roanoke FBA Chapter and the Roanoke Bar Association, play. "They give us a chance to get to know each other and to help us grow professionally and personally, which then fosters professionalism in our interactions as we do our jobs," Fishwick said.

The Roanoke FBA Chapter was pleased to have had the opportunity to host the reception, and equally pleased that so many came out to greet Fishwick and wish him the best in his new role.



Robert A. Ziogas is a principal at Glenn Feldmann Darby & Goodlatte and the Public Relations Committee Chairman for the Roanoke FBA Chapter

## YOU AND THE LAW

(Continued from page 4)

presentations rested largely on the efforts of the RBA and RLF with special emphasis on the enthusiasm and passion of Mr. Miller and the organizational skills of Ms. Caddy.

Whenever I have the opportunity to address bar leader conferences as I did in March 2016, I am so proud to discuss the variety of activities that the RBA and RLF champion. Through Barrister Book Buddies, Santa in the Square, Rule of Law, **You and the Law**, the RBA and RLF seek new ways to provide meaningful educational opportunities and outreach to the public. I am so proud to be part of this organization of dedicated citizen lawyers who are focused on improving their community through outreach and education.

The Honorable Jacqueline F. Ward Talevi is the Chief Judge of the General District Court of the 23rd Judicial Circuit





## 19 YEARS IN THE RBA

(Continued from page 8)

Also in 1999, the Young Lawyers Committee was formed to serve as a liaison between young lawyer members of the RBA and the Board and the VBA's Young Lawyers Conference. Over the past 17 years, the RBA's Young Lawyers Committee has played an invaluable role in the Association's programs and events.

The Practice of Law in Southwest Virginia was implemented in 2004 to provide new attorneys with practical information about state and federal courts and the role of the local bar association, and to promote an open discussion about civility and professionalism in the practice of law. The program is now known as The Practice of Law in the 23rd Circuit and runs every two to three years. Any attorney who has practiced five years or less is encouraged to attend; RBA membership is not required.

Young lawyers were also the focus of the Trial Advocacy Program, a three-day event in 2008 featuring a series of lectures by leading Roanoke trial attorneys, followed by two mock federal jury trials, complete with paid jurors.

In 2012, the RBA established the Mentor Match Program to provide new lawyers with the tools to enable them to attain professional excellence. Recognizing that new lawyers often enter the legal profession without connections in the legal community, the program has been designed to help new lawyers develop the knowledge, practice skills, client service standards, and professionalism necessary for the effective practice of law in southwest Virginia. Our more experienced RBA members have responded to the request for mentors, filling every mentee request since the beginning of the program.

Part of the mission of the RBA is to provide educational opportunities for the members. Since 1997, the RBA has presented 142 hours of CLE credit with 78 RBA members serving as speakers and moderators. From 2005 to 2008, a series of monthly CLE sessions was available to all RBA members at no cost. Since 2012, RBA membership dues have included at least 4.0 hours of CLE annually. The newsletter, the *Roanoke Bar Review*, is published quarterly, thanks to the contribution of educational and informational articles written by RBA members and others.

The RBA was established in part to provide a forum for the promotion of professional excellence among members of the bar. Monthly meetings and the Law Day Celebration offer professionally relevant speakers and opportunities for networking with colleagues. The annual Bench Bar Conference provides an opportunity for members to interact with our judiciary and learn about the expectations of the court in a less formal atmosphere. In the early years, the Golf and Picnic Outing offered a fun-filled day, but that has been replaced with the Summer Social, a relaxing evening event celebrating congeniality and professionalism. All of these events are made possible through the volunteer efforts of RBA members who serve on these committees.

### Volunteer Recognition

Obviously, the volunteer capacity of the RBA and RLF is extraordinary, and recognizing these volunteers is important. In 1998, the Board established the Distinguished Service Award to recognize individuals who have distinguished themselves in the legal profession. In 2006, the Frank W. "Bo" Rogers, Jr., Lifetime Achievement Award was created to recognize an outstanding lawyer who embodies the highest tradition of personal and professional excellence. That same year the Young Lawyer of the Year Award was set up to acknowledge an outstanding young lawyer.

In 2005, the RBA became a certifying organization with the President's Volunteer Service Award, an initiative of the Corporation for National and Community Service administered by the Points of Light Institute. RBA members with 100 or more volunteer hours in a calendar year are presented with a personalized certificate, lapel pin, and congratulatory letter from the President of the United States. RBA members with 25 to 99 hours are recognized with the RBA Certificate of Commendation. Since this program began, 95 RBA members have submitted over 59,000

(Continued on page 14)

## RBA PRESIDENTS REMEMBER

(Continued from page 8)

**Elizabeth K. Dillon (2004-05)**, U. S. District Judge, agreed: "Because of Cathy's expertise, preparation, leadership, hard work, patience, and kindness, the [RBA] has successfully served the lawyers of the Roanoke Valley and the community. She has been the heart and soul of the RBA, and she will be missed."



**Steven L. Higgs (2005-06)** remembered: "After being named President-Elect, I attended the annual Bar Leaders Institute sponsored by the Conference of Local Bar Associations. One of the first recommendations to new bar presidents was to limit your efforts to no more than three goals or programs, and as I listened to the various programs, I sketched out some ideas and brought them back to Roanoke. I talked with Cathy and

settled on three pretty reasonable goals, though one, a monthly free CLE program, required that she organize an extra meeting each month during the bar year.

"Just before the beginning of the bar year, I was approached by board members Lori Thompson and Tracy Giles about putting on a formal Gala to benefit the RBA's [Roanoke Law] Foundation. I talked with Cathy about whether 'we' (meaning she) could pull it off, and we added that program to our plates. With the untimely passing of 'Bo' Rogers, the award of merit named after him was tied to the Gala, along with a new award for outstanding young lawyers, and the volunteer service awards that had been one of my original programming goals. In the few months before the inaugural Gala, I exchanged over 225 Gala-related e-mails with Cathy, including my favorite, well after midnight the morning before the Gala, when Cathy responded to my e-mail with the message: 'I'm glad someone else is still up.' Cathy is always 'up,' cheerful and indefatigable."

**K. Brett Marston (2006-07)** and others recognized Cathy Caddy's critical role in helping the programs of the RBA, like Barrister Book Buddies, You and the Law, Santa in the Square/Station, and many others "work so well" and receive "worthy recognition from the Virginia State Bar." He said: "Cathy has been more than dependable. We could always count on her to be there, to be organized, and to have thought of the details that the rest of us may have forgotten. Thanks to her, we were able to continue paying attention to our law practices, all the while knowing that Cathy would have taken care of the organization and planning needed for RBA events to be successful. Cathy has always had such a positive attitude. I'm sure working with attorneys may present some challenges, but she has always had a smile on her face and a positive approach to helping the RBA succeed."



Like many others, **George "Al" McLean, Jr. (2007-08)** spoke of Cathy Caddy's being "so well organized and efficient, making it a pleasure to serve as RBA president." Personally, he said, "I remember most her sincere concern about my son when he was serving in Iraq."

**Mark K. Cathey (2008-09)** said: "Cathy Caddy is the most competent professional I have ever worked with. Her organizational and communication skills are superb. She is the RBA's institutional memory and the glue that holds it together." In particular, Cathey remembered working closely with her on two projects: the Fourth Annual Roanoke Bar Association Founda-



(Continued on page 16)

## 2016 ROANOKE LAW FOUNDATION GRANTS AND SCHOLARSHIPS

Richard C. Maxwell, Chairman of the Roanoke Law Foundation, presented the 2016 grant and scholarship awards at the Annual Meeting of the Roanoke Bar Association.

David Beidler accepted the 2016 Roanoke Law Foundation Grant for The Legal Aid Society of Roanoke Valley.

The James N. Kincanon Scholarship was established in recognition of Mr. Kincanon's fifty years of service as Secretary/Treasurer of the Association. The 2016 recipients of the James N. Kincanon Scholarships are:

John Christian Blackwell, a 2016 graduate of Patrick Henry High School, who will attend the University of Virginia.

Ashlynn Elizabeth Hubert, a 2016 graduate of Glenvar High School, who will attend George Mason University

Joshua Scott Roberts, a 2015 graduate of Hidden Valley High School, who attends Roanoke College.

Aijalon L. Robinson, a 2016 graduate of Patrick Henry High School, who will attend George Mason University.

Curtis Tarik Staples, a 2016 graduate of Salem High School, who will attend Stanford University.

Seth Christopher Weston, Jr., a 2016 graduate of Cave Spring High School, who will attend the University of Mary Washington.

The Jane S. Glenn Scholarship was established in memory of an outstanding member of the Association who died at the early age of 50 in November 2007. The 2016 recipient of the Jane S. Glenn Scholarship is Katherine Anne Moles, a 2011 graduate of Hidden Valley High School, who attends the University of Virginia School of Law.

With the 2016 awards, the Roanoke Law Foundation has awarded over \$163,400 in scholarships and grants since it was established in 1997.



David Beidler and Rich Maxwell



Christian Blackwell and Rich Maxwell



Ashlynn Hubert and Rich Maxwell



Aijalon Robinson and Rich Maxwell



Joshua Roberts and Rich Maxwell



Seth Weston and Rich Maxwell



# 91ST ANNUAL MEETING OF THE ROANOKE BAR ASSOCIATION



Kelly Hickey, President of RVLSA . . . the association for legal professionals, and Joey Klein, Roanoke City Law Librarian, receive donations from the Roanoke Bar Association.



Outgoing President Joe Mott passes the Roanoke Bar Association gavel to new President Hugh Wellons, who presents Joe with a plaque recognizing his service to the RBA.



## 2015 VOLUNTEER SERVICE AWARDS

### President's Volunteer Service Awards

#### Silver Level - 250 - 499 Hours

Roy V. Creasy  
Lori D. Thompson

#### Bronze Level - 100 - 249 Hours

David N. Cohan  
Martha W. Elder  
Eugene M. Elliott, Jr.  
Daniel P. Frankl  
Brandy M. Rapp  
Henry L. Woodward

### RBA Certificates of Commendation

#### 50 - 99 Hours

Christopher S. Dadak\*  
Stephen W. Lemon  
Matthew J. O'Herron  
Victor S. Skaff, III\*

#### 25 - 49 Hours

David J. Damico\*  
Richard Bryan Holbrook  
Eleanor A Lasky  
Kenneth J. Ries\*  
Ashlee A. Webster

\*Includes 25 or more hours of *pro bono* legal services provided through Blue Ridge Legal Services

Left: Past Presidents of the RBA recognize Cathy Caddy who retires in June after serving 19 years as the Executive Director of the RBA and RLF.

Left to right: Doug Densmore, Brett Marston, Ray Leven, Steve Higgs, Cathy Caddy, Stephen Lemon, Al McLean, Gene Elliott, Joe Mott, Mark Cathey, Rich Maxwell and Tom Miller.

## LIFETIME ACHIEVEMENT AWARD

*(Continued from page 9)*

case—instead, they will be playing a very active role at trial, depositions, and hearings, whether they get advance notice of that or not.

But more than anything else, Rabbit is a great listener. I have had the opportunity to watch Rabbit with a client, and have marveled at his patience and ability to really listen to what the client wants. Unlike many lawyers who interrupt or redirect a conversation, Rabbit always lets his clients speak openly and at length, and he truly listens to what they say—especially when they have trouble saying it. That gift is almost certainly due to his background. As the child of two deaf parents, Rabbit learned from an early age to focus intently on what others are trying to say. He was also one of the first lawyers in the Roanoke Valley to learn American Sign Language.

That generosity in listening has had an effect on many with whom Rabbit has worked. Tony Russell, with whom Rabbit has worked closely for almost 20 years, said that Rabbit “is a father figure for many including me. He is generous with his time and he will find time to speak with you no matter the subject, even with personal issues.” As I mentioned earlier, Rabbit is an avid sports fan. Today, he is perhaps one of the most devoted fans that the Richmond Spiders basketball and football teams have. He says that if he had not become a lawyer, he would have been a professional baseball player—and no doubt a very good one. And, of course, there is bridge. Rabbit plays bridge competitively and is a fixture at the Shenandoah Club during his bridge hours at lunchtime. He also loves music, movies, and books (reading at least 30 books a year).

Rabbit has an incredible work ethic and an enormous appetite for work. Even as he approaches 80, he is usually the first attorney at the office in the morning, and still likes to come in on Saturdays. Several years ago we stopped sending an employee to the office on Saturday mornings in an effort to discourage the frequency of his Saturday work habits.

When Rabbit had a heart attack a few years back, he drove himself to the hospital in the middle of the night, letting his wife Sandra be his passenger. The heart attack was on a Friday, and Rabbit summonsed Tony Russell and other attorneys to the hospital over the weekend to talk about cases. He did not miss a day of work—Rabbit was back in the office on Monday, his only concession being that he was not in a suit and tie.

Rabbit is passionate about work, but also passionate about his family. He is married to the fabulous Sandra Moore, and has 5 children and 12 grandchildren. More than a few people have seen the pride that Rabbit has for his family. Tony Russell observed: “The most beautiful thing is to see Mr. Moore light up with a huge smile when he gets a call from one of his family. He is so proud of each and every one of them.”

And I have to say that this fierce litigator literally turns to mush when his grandchildren visit him in the office.

Now those of you who know Rabbit pretty well are wondering when the humorous Rabbit stories will be told. Alas, time is precious and the setting is august. Nevertheless, I would be shirking my duties if I did not indulge you.

My favorite story is of the time when Rabbit was in the office on a weekend and called Tony Russell at home to see if he had any tweezers; when Tony said yes, Rabbit asked him to come to the office and remove an eraser from his ear that had dislodged from a pencil.

It is also true that Rabbit is not a good driver. In fact, he is a terrible driver. This fact has resulted in many involuntary appearances in court. It has happened more than once that Rabbit's vehicle has come into contact with parking garage arms—one of those arms was at the airport, and Rabbit drove through it when he couldn't locate his parking ticket for the attendant. People truly fear encountering his vehicle in our parking garage. And one time, Rabbit

*(Continued on page 15)*

## 19 YEARS IN THE RBA

*(Continued from page 11)*

volunteer hours. With over 500 members in the RBA, it makes one wonder what the total would be if all members submitted their hours!

The RBA itself is not the only one who has recognized its volunteers and projects. Since 2004, the Association has submitted programs and projects annually to the Awards of Merit Competition sponsored by the Conference of Local Bar Associations, a conference of the VSB. With the awards that will be presented this month, the RBA has been awarded 16 Awards of Merit and 8 Certificates of Achievement. Many of these awards can be seen in the RBA historical display case located in the Roanoke Law Library in the city courthouse.

In 2014, the CLBA established the Bar Association of the Year Award. I immediately thought that no bar deserved this recognition more than the RBA and submitted a nomination, detailing the projects, programs, and events that the Association had sponsored during our 2013-2014 bar year. In the summary, I wrote:

The Roanoke Bar Association prides itself in providing exceptional opportunities for members to network with colleagues from the bench and the bar, to further their legal education, to provide service to the bar, to provide pro bono legal services, to participate in community service activities, and to be recognized for their contributions. An extraordinary effort is continuously being made to raise the esteem in which our profession is held by encouraging members to participate in these activities and take advantage of everything the RBA has to offer.

One of the most noteworthy accomplishments of the Roanoke Bar Association is the continuation of projects, year after year. Once projects are begun, most of them continue annually; the others reappear every two to three years. There is no such thing as a dead project at the RBA!

Combine that with the remarkable fact that all of this is achieved through the efforts of dedicated volunteers and one part-time employee, and you have what we believe to be a prime example of an outstanding local bar association.

The CLBA agreed and the Roanoke Bar Association was named the first Bar Association of the Year in 2014.

### Leadership

When I prepared the nomination for the Bar Association of the Year Award, I read it over for the first time and couldn't believe all we had accomplished in just one year. I knew, of course, that we were doing all of these things, but it was as though I hadn't seen the trees for the forest. Looking back through this article, I am again amazed at how much we have undertaken over the past 19 years.

None of this would have been possible without incredibly talented leadership, and the RBA has been blessed with exemplary officers and directors, many of whom have also served the Foundation as Trustees. In 1995, the CLBA established the Bar Leader of the Year Award. The VSB's website lists 123 local and statewide bars in Virginia. It is interesting to note that 24% of the Bar Leader of the Year Awards have been presented to RBA past presidents.

The Board has not achieved this success alone. Our bar association has been fortunate to have many accomplished members who have given their time and expertise to make the RBA the obvious choice for recognition with the highest award. RBA members always step up to ensure that every RBA/RLF project has the support it needs to be not only successful, but also of the highest quality.

In closing, I hope you take pride in your bar association. I encourage you to get involved in the activities of the RBA and see, firsthand, why it was named the first Bar Association of the Year. I know that I am very proud of the RBA and RLF, and equally as proud to have had a small part in all we have accomplished together.

*Cathy Caddy served as the RBA's Executive Director for 19 years. She retired in June. She will be greatly missed.*



## LIFETIME ACHIEVEMENT AWARD

*(Continued from page 14)*

hit a deer, damaging his vehicle. When he picked up an accident reconstruction expert at the airport, the expert thought Rabbit's car was the subject car involved in the collision he was reconstructing. But no worries, one time after wrecking a car, Rabbit sent dictation to his secretary, asking her to buy him a new one.

But let me finish on a serious note. Rabbit has served as a role model for many young lawyers about the importance of professionalism and commitment to the client. When I was a young lawyer at Gentry Locke, Rabbit spoke to the lawyers at a firm meeting about the important role of a lawyer and the sacred responsibility that a lawyer has when asked to represent a client. He explained that there is no higher calling than when someone entrusts their legal problem to you. I literally got goose bumps. It was inspirational, and those who have seen Rabbit with clients understand that he believes this to his core.

Rabbit has instilled his views of professionalism in countless lawyers—many of whom are here today—leaving a continuing and lasting legacy of what it means to be a lawyer. In short, he exemplifies the ideals the RBA embraces, and the ideals of professionalism that have made our profession great.



It is my pleasure and honor to present the 2016 Bo Rogers Lifetime Achievement Award to Roberts Moore.

*Monica Taylor Monday is Managing Partner at Gentry Locke.*



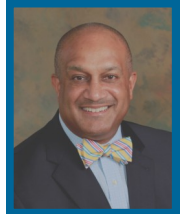
Monica Monday and Rabbit Moore

## YOUNG LAWYER OF THE YEAR AWARD

*(Continued from page 9)*

These folk sayings from black sages of my childhood aptly describe Patice Holland. Patice's maturity is well advanced of her years. Recently, while dealing with a contractual issue in our church, she wisely counseled me, "This is a legal issue, Pastor, not a pastoral one. Would you kindly step aside?" Only an old soul who has been here before could have gotten away with that.

There can be no doubt that the future for this young lawyer appears to be very bright. And so, it is my pleasure to present the 2016 Young Lawyer of the Year Award to Patice Ladell Holland. This Award recognizes an outstanding young lawyer who has demonstrated both (1) dedicated service to our community and (2) dedicated service to our profession. Those who know Patice will attest that she has demonstrated both since coming to Woods Rogers and Roanoke in 2007. Please join me in congratulating Patice for this special recognition.



*Victor O. Cardwell is a principal at Woods Rogers PLC.*



Victor Cardwell and Patice Holland

## RBA PRESIDENTS REMEMBER

(Continued from page 11)

tion Gala and Law Day Celebration, to benefit the Foundation and the Oliver White Hill Foundation, and the purchase of the antique display case, now in the Roanoke Law Library, containing an exhibit about the history of the RBA. "Predictably, Cathy did most of the work on both of these projects," Cathey said.

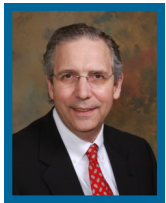


**Francis H. "Chip" Casola (2010-11)** remembered: "Cathy Caddy's attention to detail is remarkable and was the reason things always worked so smoothly both behind the scenes at board meetings and during the members' monthly luncheons. That quality was matched only by her perseverance and drive for perfection. I recall that during one of our annual audits the books were off by one cent. This totally irked Cathy, and

she spent hours searching for the reason for the penny deficit. I was surprised (but shouldn't have been) when the audit committee reported its findings, and Cathy announced she had found the reason for the 'deficit' and proudly announced that the books were now perfectly balanced. I always smiled to myself when she would begin a discussion of financial matters with newcomers to the Board—like she had with me—that she was not an accountant and set up the financial reporting documents the best she could and if they had a better idea on how to organize them, she was happy to listen. Apparently no one did in the last 18 years because her reporting method has never been changed (even after Stephen Lemon was president!).

"Cathy was overworked and underpaid in her position, but never, ever under-appreciated by any president who ever worked with her. She is going to be greatly missed by the Association, but I will find solace in the fact that, while she never told me this outright, I know I was her favorite president. But maybe that's how all the rest feel, too. Godspeed Cathy in all that the future holds."

**Thomas H. Miller (2012-13)** said: "Cathy Caddy has been an excellent Executive Director of the [RBA]. She has allowed each new President to leave his or her own stamp on the Association, while ensuring that our day-to-day routine operations and programs run successfully without drama. She has always offered a great perspective to keep the attorney Board of Directors humble. She would espouse the view of those non-lawyers in our community and ask us to keep those factors in mind when we were making certain decisions. Cathy was proud of our Association and worked extremely hard to ensure that we were recognized for our good works."

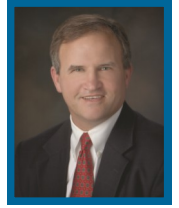


**Stephen W. Lemon (2013-14)** said simply: "Cathy Caddy is a gem. The RBA's being named the inaugural Bar Association of the Year by the Virginia State Bar Conference of Local Bar Associations in June of 2014 was more of a reflection on her long tenure as our Executive Director than on the achievements of any singular board or board president." He also remembered working

with Cathy to start an RBA program to provide wills for local police and firefighters, free of charge. He said, Cathy's "compassion for our first responders and the needs of their families is genuine and heartfelt, and the program we devised and she coordinated is effective to their needs."

**Lori Thompson** continued: "Cathy Caddy leaves behind a significant legacy and large shoes to fill. [Among so many other roles,] she is the historian of the Association and uses her unique knowledge of our past near-disasters to help each President navigate the organization into the future. She knows why each bylaw was written and each policy adopted—and she may be the only person who actually knows what all of them are."

**Rich Maxwell (2014-15)** commented: "One of Cathy's favorite sayings when asked a question about an RBA procedure is 'It's on the web-site' [another RBA program that she efficiently managed]. Or if that failed, then it was 'We have a policy on that.' Cathy had the graciousness to tell each RBA president that he or she was in control of the organization. And each president was smart enough to know that Cathy was really in control and to let her take care of the details."



**Joseph Mott (2015-16)** said: "I appreciated how gently Cathy treated me when I first came in. We went to Beamer's shortly after I became president to talk about the coming year, the calendar, and what the job involved. I remember her repeatedly assuring me, 'You'll get through this.' It probably wasn't the first time she told that to an incoming president. And, thanks to her, I did."

RBA presidents and members alike have enjoyed Cathy Caddy's sense of fun. **Tom Miller** recounted a story that Cathy herself often told: "Cathy was a Barrister Book Buddies reader for many years for the same teacher. At the end of one school year, the children asked Cathy if she would read to them again the following year. Cathy replied that, alas, no, she would remain behind with the same teacher. One of the young girls in the class, certain that poor Cathy had failed the class, stated: 'But you read so good!' Cathy loved this project and worked tirelessly to make it a success each year."

**Tom Miller** reported some other accomplishments, perhaps not known to many: "Cathy Caddy is an author, having written a book in honor and memory of her mother, Mrs. Lambert, of Bluefield, Virginia! It is a funny collection of stories from Cathy's childhood and reflects her sense of humor—well-developed at the feet of her parents and from her sister and extended family. Cathy also is a rescue dog courier driver, helping transport abandoned and neglected dogs up and down the east coast to new, loving homes. Maybe in her retirement she will continue these two labors of love!"

Lori Thompson spoke for many to sum it all up: "In short, Cathy Caddy has been the indispensable ingredient to the success of the RBA and its Foundation. As a past President of the RBA, I want to thank her for her dedication, her energy, her toughness in seeing us through difficult times, her sense of humor in putting up with a bunch of know-it-all-attorneys and her generosity in sharing her talents—because she has given us far more than we ever gave her in compensation. Whatever honors and recognitions the RBA has received are due to her, and I hope that she takes pride in knowing that the RBA's achievements are her achievements. The outside world may never fully appreciate that fact—but, trust me, any past President does."

As Stephen Lemon said, "Cathy joins James Kincanon as the two pillars of RBA success since its founding. Congratulations and Cheers to Cathy on her well-deserved retirement!"





Abby: Hark! The Golden Angels Sing!



Lilly: Bah! Humbug!

Judge Rogers, RBA President 1998–99, said of Cathy Caddy's success as the RBA's executive director: "[P]erhaps most importantly, [Cathy] is a lover of animals, dogs in particular. How Doris and I look forward each holiday season to 'The Card'—always a photo of Cathy's Golden Retriever dressed up in some season appropriate (for humans) attire in the middle of a snow storm or snow pile. John Grogan, author of *Marley and Me*, wrote: 'You can learn a lot from a dog. He [Marley] taught me about friendship, selflessness and, above all else, unwavering loyalty.' Cathy has learned well from her dogs. The RBA has large shoes to fill with Cathy's retirement. I hope her replacement will be cut out of the same mold."

## *A Summer Reception*

*Celebrating Congeniality and Professionalism*



The Young Lawyers Committee is planning another fun-filled summer reception.

Watch your email for the date and time!



# ANNOUNCEMENTS

NEW MEMBERS	UPCOMING EVENTS	OFFICERS																																		
<p>The Roanoke Bar Association welcomes the following new Active members:</p> <p>Dylan Ross Denslow Woods Rogers, PLC</p>	<p>Roanoke Bar Association Meetings 2015- 2016</p> <p>September 8, 2015</p> <p>October 13 2015</p> <p>November 10, 2015</p> <p>December 8 2015</p> <p>January 12, 2016 (Evening Meeting)</p> <p>February 9, 2016</p> <p>March 8, 2016</p> <p>April 12, 2016</p> <p>May 2, 2016 (Law Day)</p> <p>June 14, 2016 (Annual Meeting)</p> <p>Go to <a href="http://www.roanokebar.com">www.roanokebar.com</a> for more information on all upcoming events.</p>	<table><tr><td>Joseph W. H. Mott President</td><td>857-2250</td></tr><tr><td>Hugh B. Wellons President-Elect</td><td>512-1809</td></tr><tr><td>Kevin W. Holt Secretary-Treasurer</td><td>983-9377</td></tr><tr><td>Richard C. Maxwell Past President</td><td>983-7628</td></tr><tr><td>Catherine L. Caddy Executive Director</td><td>342-4905</td></tr></table> <table><tr><th colspan="2">BOARD OF DIRECTORS</th></tr><tr><td>Lori J. Bentley</td><td>767-2041</td></tr><tr><td>Robert E. Dean</td><td>585-1776</td></tr><tr><td>Daniel P. Frankl</td><td>527-3515</td></tr><tr><td>Macel H. Janoschka</td><td>725-3372</td></tr><tr><td>Patrick J. Kenney</td><td>982-7721</td></tr><tr><td>Powell M. Leitch, III</td><td>510-3013</td></tr><tr><td>James J. O’Keeffe</td><td>983-9459</td></tr><tr><td>J. Lee E. Osborne</td><td>983-7516</td></tr><tr><td>Diana M. Perkinson</td><td>343-2436</td></tr><tr><td>Melissa W. Robinson</td><td>767-2203</td></tr><tr><td>Justin E. Simmons</td><td>857-5120</td></tr></table>	Joseph W. H. Mott President	857-2250	Hugh B. Wellons President-Elect	512-1809	Kevin W. Holt Secretary-Treasurer	983-9377	Richard C. Maxwell Past President	983-7628	Catherine L. Caddy Executive Director	342-4905	BOARD OF DIRECTORS		Lori J. Bentley	767-2041	Robert E. Dean	585-1776	Daniel P. Frankl	527-3515	Macel H. Janoschka	725-3372	Patrick J. Kenney	982-7721	Powell M. Leitch, III	510-3013	James J. O’Keeffe	983-9459	J. Lee E. Osborne	983-7516	Diana M. Perkinson	343-2436	Melissa W. Robinson	767-2203	Justin E. Simmons	857-5120
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