

# EMINENT DOMAIN

Local, State & National Trends

April 25-26, 2013 • Tides Inn • Irvington

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## Dear Colleague:

This is the one Eminent Domain Conference that you can't afford to miss!

Back by popular demand - choose from our specially-designed **Advanced Topics and Practice Breakout Sessions** to target crucial areas of interest and value to you.

In addition, Friday's general sessions will include a Featured Panel Presentation on **The Future of Mass Transportation in Virginia** by:



**The Honorable Thelma D. Drake**  
**Director**

Virginia Department of Rail and  
Public Transportation, Richmond



**Aubrey L. Layne Jr., MBA, CPA**  
**Representative**

Commonwealth Transportation Board

Networking Reception on Thursday Evening! Meet your colleagues from around the state.

Register today! I look forward to seeing you at the Tides Inn.

**Joseph T. Waldo, Esq.**  
**Program Chair**  
Waldo & Lyle, Norfolk

**Joseph T. Waldo** has practiced law since 1978. He has tried over 100 cases on behalf of property owners facing an eminent domain condemnation. Believing that public education is as valuable to protecting property rights as succeeding in the courtroom, Mr. Waldo lectures nationally, writes and frequently makes media appearances to advocate for the defense of individual property rights. He is a firm believer that property rights play an integral role in protecting our civil rights. His firm is the only practice in Virginia exclusively dedicated to representing property owners in eminent domain.

**Judges Panel:** Moderated by The Honorable Elizabeth B. Lacy, Senior Justice, with Judges from around the Commonwealth.

## Thursday, April 25

8:30	Registration and Continental Breakfast	
9:00	<b>Introduction and Welcome</b> Overview of Day One	<b>Joseph T. Waldo, Esq., Program Chair</b> Waldo & Lyle, Norfolk
9:15	<b>The Property Rights Amendment and Your Practice</b> An Exchange of Viewpoints	<b>Francis A. "Sandy" Cherry, Esq.</b> Randolph, Boyd, Cherry & Vaughan, Richmond <b>Joseph T. Waldo, Esq., Program Chair</b>
10:30	Networking Break	
10:45	<b>Keynote Presentation</b> Virginia's Place in National Eminent Domain Trends	<b>Robert H. Thomas, Esq., Chairman</b> <b>Condemnation Law Committee</b> Section on State & Local Government Law, American Bar Association Director, Damon Key Leong Kupchak, Honolulu, HI
12:00	Lunch Break	

### Advanced Topics Breakout Sessions

1:30	<b>Reservations of Rights</b> And Other Issues Impacting Valuation <b>Stanley G. Barr Jr., Esq.</b> Kaufman & Canoles, Norfolk <b>Kelly Daniels Sheeran, Esq., Assistant City Attorney</b> City of Chesapeake
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2:15	<b>Relocation Benefits</b> <b>F. Adam Cherry III, Esq.</b> Randolph, Boyd, Cherry and Vaughan, Richmond <b>Melissa I. Corder, Program Manager</b> Virginia Department of Transportation, Richmond
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3:00	Networking Break
3:15	<b>Linear Projects</b> Utility Corridors <b>Jeremy P. Hopkins, Esq.</b> Waldo & Lyle, Norfolk <b>Michael E. Lacy, Esq.</b> Troutman Sanders, Richmond

4:00	<b>Appraisal Problems and Neglected Issues</b> Lost Profits, Disputed Highest and Best Uses and More <b>William C. Harvey II, MAI</b> William C. Harvey & Associates, Great Falls <b>Michael C. McCall, MAI, Chief Appraiser</b> Virginia Department of Transportation, Richmond
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5:00	Adjourn to Private Networking Reception Meet Your Colleagues from Around the State
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### Practice Breakout Sessions

1:30	<b>Strict Construction</b> Complying with Pre-Condemnation Statutory Requirements <b>Ronald M. Ayers, Esq.</b> Johnson, Ayers & Matthews, Roanoke <b>Charles M. Lollar, Esq.</b> Waldo & Lyle, Norfolk <b>Rebecca Randolph, Esq., Assistant County Attorney</b> Hanover County Attorney's Office, Hanover
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2:15	<b>Reading Plan Sheets Properly, Why It Makes a Difference</b> How to Decipher What Matters <b>Bruce W. Agnew, Legal Coordinator, Northeast Region</b> Virginia Department of Transportation, Fredricksburg <b>Dexter R. Williams, PE</b> DRW Consultants, Midlothian
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3:00	Networking Break
3:15	<b>Quick-Take Primer</b> How Does the Power Work? Can It Be Challenged? <b>Henry E. Howell III, Esq.</b> The Eminent Domain Litigation Group, Norfolk <b>James J. Knicely, Esq.</b> Knicely & Associates, Williamsburg

4:00	<b>Trial Issues</b> Taking the Jury on the View and Procedural Issues that Make a Difference <b>Grayson P. Hanes, Esq.</b> ReedSmith, Falls Church <b>Bruce R. Smith, Esq.</b> Law Offices of Bruce R. Smith, Springfield
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## Friday, April 26

8:30	Continental Breakfast	2:30	Networking Break
8:55	<b>Welcome Back – Overview of Day Two</b> <b>Joseph T. Waldo, Esq., Program Chair</b>	2:45	<b>Eminent Domain Trials</b> A Perspective from the Bench <i>Moderator: Hon. Elizabeth B. Lacy, Senior Justice</i> Supreme Court of Virginia, Richmond
9:00	<b>Tough Takings Questions</b> Regulatory Takings, Zoning Issues and Judicial Takings <b>Robert H. Thomas, Esq.</b>		<b>Hon. Josiah T. ("Joey") Showalter Jr., Presiding Judge</b> Wythe County Circuit Court, Wytheville
10:00	<b>Five Years in Review</b> Virginia's New Property Rights Keystone Cases <b>L. Steven Emmert, Esq.</b> Sykes, Bourdon, Ahern & Levy, Virginia Beach		<b>Hon. Louis Sherman (Ret.), Judge</b> Norfolk Circuit Court <b>Hon. Arthur Vieregg Jr. (Ret.)</b> Fairfax Circuit Court
10:45	Networking Break	3:45	<b>Ethics</b> Considerations for Eminent Domain Professionals
11:00	<b>Featured Panel Presentation</b> The Future of Mass Transportation in Virginia <b>The Honorable Thelma D. Drake, Director</b> Virginia Department of Rail and Public Transportation, Richmond <b>Aubrey L. Layne Jr., MBA, CPA, Representative</b> Commonwealth Transportation Board		<b>Robert L. Hodges, Esq., Of Counsel</b> McGuireWoods, Richmond <b>Robert E. Travers IV, Esq.</b> Williams Mullen, Virginia Beach
12:00	Lunch Break	4:45	<b>Q&amp;A Panel – Members of the Faculty</b>
1:15	<b>Latest Trends in Mediation</b> New Strategies to Resolve Disputes <b>Joshua E. Baker, Esq.</b> Waldo & Lyle, Norfolk <b>D. Brian Costello, Regional Right of Way Manager</b> Virginia Department of Transportation, Chantilly <b>Hon. Thomas S. Shadrick (Ret.)</b> The McCammon Group, Richmond <b>Jacob P. Stroman IV, Esq., County Attorney</b> Spotsylvania County Attorney's Office		5:00 Evaluations and Adjourn

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### Cancellation

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 pm MST on the Friday prior to the Conference. Substitutions may be made at any time.

### Tuition

- \$795 per person
- \$695 each for two or more
- \$695 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$595 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

### Course materials available in:

- CD
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### Course Materials Only

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7th ANNUAL CONFERENCE

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Back This Year: Breakout Sessions!

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## Keynote Presentation

Virginia's Place in National  
Eminent Domain Trends



**Robert H. Thomas, Esq., Chairman  
Condemnation Law Committee**  
Section on State & Local Government Law  
American Bar Association  
Director, Damon Key Leong Kupchak, Honolulu, HI

**Robert H. Thomas** focuses on land use issues, including eminent domain, regulatory takings and water rights. He is a frequent author and speaker on property and land use issues, and contributed chapters to two recent books on eminent domain. He is also editing a forthcoming book on just compensation, and serves as the managing attorney for Pacific Legal Foundation's Hawaii Center, a public interest foundation dedicated to defending private property rights and individual freedom.

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