

October 26, 2011

VIA FACSIMILE & FIRST-CLASS MAIL

The Honorable Bob McDonnell
Governor, Commonwealth of Virginia
1111 East Broad Street
Richmond, Virginia 23219

The Honorable Henry L. Marsh III
General Assembly Building, Room 432
Capitol Square
Richmond, Virginia 23219

The Honorable David T. Albo
House of Representatives
Commonwealth of Virginia
6367 Rolling Mill Place, Suite 102
Springfield, Virginia 22152

The Honorable Clifford L. Athey, Jr.
General Assembly Building
P.O. Box 406
Richmond, Virginia 23218

Re: Vacancy in the Arlington Circuit Court

Dear Governor McDonnell, Senator Marsh, Delegate Albo and Delegate Athey:

On behalf of the Virginia Women Attorneys Association (“VWAA”), a regional committee (“the Committee”), was impaneled to evaluate candidates for the upcoming vacancy on the Arlington Circuit Court (17th Judicial Circuit) occasioned by the retirement of the Honorable James F. Almand.

The VWAA process requires the submission of a completed application along with the candidate’s resume and encourages the appearance of the candidate for an interview with the Committee. Members of the Committee also contacted candidate references and other members of the local bar and legal community to inquire as to the candidate’s suitability for the vacancy.

The following endorsement categories are used by the VWAA:

(1) NOT QUALIFIED: Applied to any applicant who fails to meet the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.

(2) QUALIFIED: Applied to any applicant who meets the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.

(3) RECOMMENDED: Applied to applicants whose qualifications are sufficiently above the minimum requirements to warrant the Committee's affirmative recommendation.

(4) HIGHLY RECOMMENDED: Reserved for any candidate who is especially well-qualified for the position and merits special recommendation.

The VWAA's procedures provide that endorsements of "Qualified" and "Recommended" require a vote in support by at least a simple majority of the Committee. An endorsement of "Highly Recommended" requires a vote in support by at least a two-thirds majority of those voting. In order for the Committee to find that a candidate fails to meet the minimum qualifications and is "Not Qualified," at least two-thirds of those voting must so find.

The Board of Directors of the VWAA has approved, in accordance with its procedures, the following endorsements of the Committee(s) for this vacancy:

Louise M. DiMatteo, Esquire is found *Highly Recommended*.

Paul W. Barnett, Esquire is found *Recommended*.

Daniel S. Fiore, Esquire is found *Recommended*.

Executive summaries of the qualifications of each of the above candidates are attached to this letter.

For your further information, the Committee members participating in the interview process were:

Molly M. Garrett, Attorney at Law: Ms. Garrett is an associate with the law firm of Shoun, Bach, Walinsky & Curran, P.C. She focuses her practice solely on domestic relations and family law. She has been a member of the Virginia State Bar since 2003.

Virginia C. Haizlip, Attorney at Law: Ms. Haizlip is an associate with Cole Miller PLLC. She practices exclusively in the area of domestic relations. Ms. Haizlip has been a member of the Virginia State Bar since 2005 and the District of Columbia Bar since 2006.

Alexandra B. Hess, Attorney at Law: Ms. Hess is an associate with the law firm of Hughes Hubbard & Reed, LLP. Her practice focuses on litigation and international trade matters. She has been a member of the Virginia State Bar since 2010.

Caroline D. LaForge, Attorney at Law: Ms. LaForge's practice focuses on domestic relations. She has been a member of the Virginia State Bar since 2008 and a member of the District of Columbia Bar since 2009.

Debra Powers, Attorney at Law: Ms. Powers is an associate with The Susan Hicks Group, PC. She focuses her practice solely on domestic relations and family law. She has been a member of the Virginia State Bar since 1995.

K. Leigh Taylor, Attorney at Law: Ms. Taylor is the President of the Northern Virginia Chapter of the VWAA. She is an associate with The Susan Hicks Group, PC and focuses her practice solely on domestic relations law. She has been a member of the Virginia State Bar since 2003.

Kimberly C. Waletich, Attorney at Law: Ms. Waletich is an associate with The Roop Law Firm, PLLC. Her practice is focused on family law and domestic relations. She has been a member of the Virginia State Bar since 2006.

We hope that this information will prove helpful to you during your selection process for this very important judicial position. Please feel free to contact VWAA President Catherine M. Reese at (703)279-5140, should you have any questions or need additional information.

Sincerely yours,

Molly M. Garrett
Judicial Chair, Northern Virginia Chapter
Virginia Women Attorneys Association

Enclosures

cc: Louise M. DiMatteo, Esquire
Daniel S. Fiore, Esquire
Paul W. Barnett, Esquire

LOUISE M. DIMATTEO

Experience and Legal Ability: Ms. DiMatteo received a juris doctor from Washington & Lee University in 1989 and was admitted to practice law in the Commonwealth of Virginia in 1989.

Ms. DiMatteo is also admitted to practice before the U.S. District Court for the Eastern District of Virginia, the U.S. Fourth Circuit Court of Appeals, the Court of Appeals for the District of Columbia and the U.S. Supreme Court.

Ms. DiMatteo is currently an Assistant County Attorney for Arlington County. She began her career as an Assistant, and subsequently Senior, Public Defender in Fairfax County. In 1993, Ms. DiMatteo joined the firm of Siciliano, Ellis, Dyer and Boccarosse working in the realm of insurance defense. In 1995, she returned to serve the citizens of Fairfax County as an Assistant County Attorney. During her tenure at Fairfax County, she spent five years prosecuting child abuse and neglect cases; she also concentrated for a time in tax enforcement and collection matters. After nine years, in 2004, she joined the Office of the County Attorney for Arlington County as an Assistant County Attorney. She has been with Arlington County since that time. Ms. DiMatteo's practice with Arlington County has been wide-ranging. She handles a variety of cases for Arlington County, including, but not limited to, personnel and employment matters, civil rights matters, contracts and procurement matters, and guardianship and conservatorship matters.

Ms. DiMatteo has extensive experience and regularly appears in the Arlington Circuit Court.

Fairness and Temperament: Through her submissions and interview, Ms. DiMatteo demonstrated to the Committee that she possesses the requisite fairness and temperament for the circuit court bench.

Professionalism and Integrity: The Committee finds that Ms. DiMatteo possesses the requisite professionalism and integrity for the circuit court bench. She is member of the Harry L. Carrico Professionalism faculty.

Ms. DiMatteo is an active member of the Virginia State Bar and is currently President-Elect of the Arlington County Bar Association.

Overall Evaluation: The Committee finds that Ms. DiMatteo is especially well-qualified for the position of a circuit court judge and merits the designation of highly recommended.

DANIEL S. FIORE, II

Experience and Legal Ability: Mr. Fiore received a juris doctor from George Mason University in 1981 and was admitted to practice law in the Commonwealth of Virginia in 1981.

Mr. Fiore is also admitted to practice before the U.S. Bankruptcy Court for the Eastern District, the U.S. District Court for the Eastern District of Virginia, the U.S. Tax Court, the U.S. District Court for the District of Maryland, the U.S. Bankruptcy Court for the District of Maryland, the U.S. Fourth Circuit Court of Appeals, the Maryland Court of Appeals, the District of Columbia Court of Appeals, the U.S. Bankruptcy Court for the Western District of Virginia, the U.S. District Court for the Western District of Virginia, the U.S. Eleventh Circuit Court of Appeals and the U.S. Supreme Court.

Mr. Fiore is a principal with the law firm of Fiore & Levine, PLLC. Mr. Fiore represents financial institutions and insurance companies in commercial and insurance defense matters pending in Virginia, and in some instances, nationwide. His practice areas include litigation under the Uniform Commercial Code, contract law, commercial law, debtor's rights, creditor's rights and tort litigation including soft tissue, brain injury and wrongful death defense. Earlier in his practice, Mr. Fiore represented individuals in domestic relations, criminal defense, plaintiff's medical malpractice, legal malpractice and personal injury matters as well as serving as a guardian *ad litem*.

Mr. Fiore was appointed as a substitute judge in September 2000 by then Chief Judge Paul Sheridan and reappointed by Chief Judge William T. Newman, Jr., in September of 2006. He has also served as a Commissioner in Chancery in Arlington County as well as a Neutral Case Evaluator in Fairfax County.

Fairness and Temperament: Through his submissions, interview, and his eleven (11) years serving as a substitute judge, Mr. Fiore has demonstrated to the Committee that he possesses the requisite fairness and temperament for the circuit court bench.

Professionalism and Integrity: The Committee finds that Mr. Fiore possesses the requisite professionalism and integrity for the bench.

Overall Evaluation: The committee finds that the Mr. Fiore is sufficiently above the minimum requirements for the position of a circuit court judge and merits the designation of recommended.

PAUL W. BARNETT:

Experience and Legal Ability: Mr. Barnett received his juris doctor from the Paul M. Herbert Law School, Louisiana State University in 1989 and was admitted to practice law in the Commonwealth of Virginia in 1995.

He is also admitted to practice in the U.S. District Court for the Eastern District of Virginia and the District of Columbia Court of Appeals. [superior court is like circuit court – if you are admitted before dc Ct of app you can practice in sup ct] He was a member of the Louisiana State Bar from 1989 to 1995.

Mr. Barnett is a principal with the law firm of Manning & Murray, P.C. Mr. Barnett represents clients with regard to business formation, contracts, real estate matters, estate planning and administration, elder law issues and contested guardianship and conservatorships matters. He represents and counsels fiduciaries and beneficiaries of estates and trusts, which involves the management of \$15 million in client assets. He currently serves as guardian *ad litem* in certain Arlington Circuit Court proceedings. Prior to joining Manning and Murray, Mr. Barnett was a founding member of LaPlante and Barnett, where his practice was similar in nature to his current practice but where he also handled residential real estate closings and the buying and selling of businesses. Prior to founding LaPlante and Barnett, Mr. Barnett was a solo practitioner handling criminal and civil litigation in Virginia and the District of Columbia, including family law related matters and serving as a guardian *ad litem* for juveniles.

Fairness and Temperament: Through his submissions and interview, Mr. Barnett has demonstrated that he possesses the requisite fairness and temperament for the circuit court bench.

Professionalism and Integrity: The Committee finds that Mr. Barnett possesses the requisite professionalism and integrity for the circuit court bench.

Overall Evaluation: The Committee finds that the Mr. Barnett is sufficiently above the minimum requirements for the position of a circuit court judge and merits the designation of recommended.