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December 14, 2015

VIA FIRST-CLASS MAIL & FACSIMILE:

The Honorable Terry McAuliffe
Governor, Commonwealth of Virginia
1111 East Broad Street
Richmond, Virginia 23219

VIA FIRST-CLASS MAIL & EMAIL:

The Honorable Thomas K. Norment, Jr.
Co-Chair, Courts of Justice Committee
Senate
P.O. Box 6205
Williamsburg, Virginia 23188

VIA FIRST-CLASS MAIL & EMAIL:

The Honorable Mark D. Obenshain
Co-Chair, Courts of Justice Committee
Senate
P.O. Box 555
Harrisonburg, Virginia 22803

VIA FIRST-CLASS MAIL & EMAIL:

The Honorable David T. Albo
Chair, Courts of Justice
House of Delegates
6367 Rolling Mill Place, Suite 102
Springfield, Virginia 22152

Re: Vacancies on the Fairfax County Circuit Court

Dear Governor McAuliffe, Senator Norment, Senator Obenshain, and Delegate Albo:

On behalf of the Virginia Women Attorneys Association ("VWAA"), a regional committee ("the Committee"), was impaneled to evaluate candidates for one (1) present vacancy on the Fairfax County Circuit Court occasioned by the ascension of the Honorable Jane Marum Roush to the Virginia Supreme Court and one (1) anticipated vacancy on the Fairfax Circuit Court occasioned by the retirement of the Honorable Lorraine Nordlund.

The VWAA requested that interested candidates complete the VWAA Judicial Questionnaire (the "Application"), submit a short biography, and participate in an oral interview with the Committee. Prior to the interviews, members of the Committee contacted the references listed on each candidate's Application as well as other members of the local bar and legal community to inquire as to each candidate's suitability for the vacancy. On November 9, 2015, the Committee interviewed seven (7) candidates.

It is worth noting that the VWAA ratings are based upon a review of each candidate's merits against published standards and guidelines, including the following: fairness, integrity, experience, intellect, temperament, professionalism, and *pro bono* service. Ratings are not a function of a general vote by the VWAA membership nor are they a comparison of candidates within the "pool" presented.

The following rating 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 ratings of "Qualified" and "Recommended" require a vote in support by at least a simple majority of the Committee. A rating 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 Executive Committee of the Board of Directors of the VWAA has approved, in accordance with its procedures, the following endorsements of the Committee for this judicial vacancy:

The Honorable Richard E. Gardiner is found *highly recommended*.
The Honorable Thomas P. Mann is found *highly recommended*.

William P. Daly, Jr., Esquire is found *recommended*.
Jonathan D. Frieden, Esquire is found *recommended*.
Richard F. Gibbons, Jr., Esquire is found *recommended*.
August W. Steinhilber, Esquire is found *recommended*.

Katherine E. Stott, Esquire is found *qualified*.

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 as follows:

Erin L. Hutnick Blanch, Esquire: Ms. Blanch is an associate with the law firm of BrigliaHundley. She focuses her practice on criminal defense and civil litigation. Prior to joining BrigliaHundley, Ms. Blanch served as an Assistant Public Defender for Fairfax County. She has been a member of the Virginia State Bar since 2007.

Diana H. D'Alessandro, Esquire: Ms. D'Alessandro is an associate with the law firm of Pesner Kawamoto PLC. She focuses her practice on general civil litigation. Prior to joining Pesner Kawamoto, Ms. D'Alessandro served as a judicial law clerk to the Honorable David S. Schell of the Fairfax Circuit Court for two years. She has been a member of the Virginia State Bar since 2010.

Jennifer S. Joffe, Esquire: Ms. Joffe is a partner at the law firm of Colten Cummins Watson & Vincent, P.C. She focuses her practice on complex family law counseling and litigation. Prior to joining Colten Cummins Watson & Vincent, Ms. Joffe served as a judicial law clerk to the Honorable Jane Marum Roush. She has been a member of the Virginia State Bar since 2001.

Carolé C. Krogmann, Esquire: Ms. Krogmann is a partner at the law firm of Masterman Krogmann, P.C. She focuses her practice in the area of domestic relations, including divorce, child custody and visitation, child support, spousal support, and equitable distribution. She has been a member of the Virginia State Bar since 1997.

Jennifer Leffler, Esquire: Ms. Leffler is a partner at the law firm of LefflerPhillips, PLC. She focuses her practice in criminal defense litigation, including traffic offenses, criminal misdemeanors and felonies, juvenile matters, protective orders, domestic assault and battery, and probation violations. Ms. Leffler is a former Assistant Commonwealth's Attorney for Fairfax County and a former judicial law clerk to the Honorable Jane Marum Roush. She has been a member of the Virginia State Bar since 2009.

Lana M. Manitta, Esquire: Ms. Manitta is a partner with the law firm of Rich Rosenthal Brincefield Manitta Dzubin & Kroeger, LLP. She focuses her practice in the areas of federal and state criminal defense, family law, and federal and state appeals. She has been a member of the Virginia State Bar since 1998.

Julia A. Yolles, Esquire: Ms. Yolles is an associate with The Havrilak Law Firm, P.C. She focuses her practice on family law and domestic relations litigation, including divorce, child custody and visitation, child support, spousal support, equitable distribution, juvenile law, and abuse and neglect. Ms. Yolles practices regularly in the circuit and juvenile and domestic relations courts throughout Northern Virginia. She is a former Arlington County court clerk. She has been a member of the Virginia State Bar since 2011.

All members of the Committee practice regularly in the Fairfax County Circuit Court.

We hope that this information will prove helpful to you during your selection process for these very important judicial positions. Please feel free to contact VWAA President Betsy Sue Scott should you have any questions or need additional information.

Respectfully yours,



Diana H. D'Alessandro
Judicial Chair, Northern Virginia Chapter
Virginia Women Attorneys Association

Enclosures: Executive Summary of the Honorable Richard E. Gardiner
Executive Summary of the Honorable Thomas P. Mann
Executive Summary of William P. Daly, Jr., Esquire
Executive Summary of Jonathan D. Frieden, Esquire
Executive Summary of Richard F. Gibbons, Jr., Esquire
Executive Summary of August W. Steinhilber, Esquire
Executive Summary of Katherine E. Stott, Esquire

CC (by email only): The Honorable Richard E. Gardiner
The Honorable Thomas P. Mann
William P. Daly, Jr., Esquire
Jonathan D. Frieden, Esquire
Richard F. Gibbons, Jr., Esquire
August W. Steinhilber, Esquire
Katherine E. Stott, Esquire

CC (by email only): Senator Adam Ebbin
Senator Barbara Favola
Senator David Marsden
Senator George L. Barker
Senator J. Chapman Petersen
Senator Janet D. Howell
Senator Linda T. Puller
Senator Jennifer T. Wexton
Senator Richard L. Saslaw
Delegate Alfonso Lopez
Delegate Barbara Comstock
Delegate David Albo
Delegate David Bulova
Delegate Eileen Filler-Corn
Delegate James LeMunyon
Delegate Charniele L. Herring
Delegate Robert J. Krupicka, Jr.
Delegate Kenneth R. Plum
Delegate Patrick A. Hope
Delegate L. Kaye Kory
Delegate Mark D. Sickles

Delegate Mark. L. Keam
Delegate Marcus B. Simon
Delegate Richard C. Sullivan, Jr.
Delegate Timothy D. Hugo
Delegate Scott A. Surovell
Delegate Thomas Davis Rust
Delegate Vivian E. Watts

CC (by email only):

Erin L. Hutnick Blanch, Esquire
Jennifer S. Joffe, Esquire
Carolé C. Krogmann, Esquire
Jennifer Leffler, Esquire
Lana M. Manitta, Esquire
Julia A. Yolles, Esquire

Betsy Sue Scott, Esquire, VWAA President
Chandra Lantz, Co-Chair of VWAA's Judiciary Committee
Camille Allan Crandall, VWAA, Northern Virginia Chapter, President

THE HONORABLE RICHARD E. GARDINER

Experience and Legal Ability: Judge Richard E. Gardiner earned his Juris Doctor from the International School of Law (George Mason University School of Law) in 1978. He was admitted to practice law in the Commonwealth of Virginia in 1979.

Judge Gardiner presently serves on the Fairfax County General District Court and has done so since his appointment in July of 2013. In this capacity, Judge Gardiner has presided over thousands of civil and criminal matters, including traffic cases.

Prior to joining the bench, Judge Gardiner was engaged in the private practice of law as a sole practitioner from 1994 to 2013. He concentrated his practice on criminal defense, civil litigation (primarily contracts), and administrative law. For over 15 years prior to engaging in the private practice of law, Judge Gardiner worked for the National Rifle Association of America where he served in several different capacities, including Assistant General Counsel (1/79-3/89), Director, State and Local Governmental Affairs (3/89-8/91) and Legislative Counsel (8/91-6/94).

In 2013, Judge Gardiner was the recipient of the Fairfax Bar Association's President's Award.

Fairness and Temperament: Through his submissions, interview, and professional references, Judge Gardiner demonstrated to the Committee that he possesses the requisite fairness and temperament for the Circuit Court.

Professionalism and Integrity: The Committee finds that Judge Gardiner possesses the requisite professionalism and integrity to serve on the Circuit Court.

Overall Evaluation: The Committee finds that Judge Gardiner is especially well-qualified for the position and merits special recommendation. He warrants the Committee's rating of **Highly Recommended**.

THE HONORABLE THOMAS P. MANN

Experience and Legal Ability: Judge Thomas P. Mann earned his Juris Doctor degree from the American University – Washington College of Law in 1990. He was admitted to practice law in the Commonwealth of Virginia in 1990.

Judge Mann currently serves on the Fairfax County Juvenile and Domestic Relations District Court and has done so since his appointment in 2006. He served as the chief judge from July 2010 – June 2012. Prior to his appointment, Judge Mann served as a substitute judge, sitting in a number of local jurisdictions both in their General District and Juvenile and Domestic Relations Courts.

Judge Mann began his career in private practice representing clients in areas of criminal and domestic relations, personal injury, contract disputes, medical and legal malpractice, and other areas of litigation.

Judge Mann is very involved with the legal community and local community in general. He lectures and serves on several panels for continuing legal education classes and is a member of the Fairfax County Domestic Violence Prevention, Policy Coordinating Council. Judge Mann is a Master of the Bench: George Mason American Inn of Court. He frequently speaks to a variety of groups on issues of domestic violence and juvenile justice. He continues to assist with the Juvenile and Domestic Relations District Court Bar Committee. Prior to taking the bench, Judge Mann received an AV rating from Martindale Hubbell.

Fairness and Temperament: Through his submissions and interview, as well as his development as a jurist since becoming a member of the Juvenile and Domestic Relations District Court, Judge Mann demonstrated to the Committee that he possesses the requisite fairness and temperament for the Circuit Court.

Professionalism and Integrity: The Committee finds that Judge Mann possesses the requisite professionalism and integrity to serve on the Circuit Court.

Overall Evaluation: The Committee finds that Judge Mann is especially well-qualified for the position and merits special recommendation. He warrants the Committee's rating of **Highly Recommended**.

WILLIAM P. DALY, JR.

Experience and Legal Ability: Mr. Daly earned his Juris Doctor degree from the State University of New York at Buffalo in 1986. He was admitted to practice in the Commonwealth of Virginia in 1986.

Mr. Daly is a principal at the law firm of Rees Broome, PC, in Vienna, Virginia. His practice consists primarily of civil litigation in which he represents many small and medium sized corporations and commercial clients. His state and federal practice has included contract disputes, tort claims, statutory warrant and construction disputes and general civil litigation and arbitration for associations and corporate clients. He also represents individuals in the areas of creditor claims, distribution of estate assets, distribution of wrongful death proceeds for minors, and landlord tenant disputes.

In November of 2014, Mr. Daly was appointed to serve as a substitute judge for the Fairfax County General District Court and the Fairfax County Juvenile and Domestic Relations District Court. In this capacity, he has presided over many criminal and civil matters. Also in November of 2014, Mr. Daly was appointed by Mayor DiRocco of Vienna to serve on the Board of Zoning Appeals for the Town of Vienna.

Mr. Daly has generously donated thousands of hours to the legal community through his service as General Counsel, Vice President, President Elect and President of the Fairfax Bar Association. He continues to volunteer for the Fairfax Bar Association as Co-Chief Editor of the Fairfax Circuit Court Practice Manual. He is also a member of the Vienna-Tysons Regional Chamber of Commerce and the Fairfax Law Foundation Board of Directors. Mr. Daly is a faculty member of the Virginia State Bar's Harry L. Carrico Professionalism Course and the Virginia State Bar Law School Professionalism Class at the George Mason University School of Law. He presently serves as a member of the Virginia State Bar Budget and Finance Committee.

In addition, Mr. Daly has provided pro bono legal services to Cub Scouts and little league organizations in his community, as well as the Vienna-Madison Community Coalition who awarded him with their 2006 Certificate of Appreciation for Pro Bono for his assistance in their obtaining their 501(c)(3) status.

Fairness and Temperament: Through his submissions and interview, Mr. Daly has demonstrated to the Committee that he possesses the requisite fairness and temperament for the Circuit Court.

Professionalism and Integrity: The Committee finds that Mr. Daly possesses the requisite professionalism and integrity for the Circuit Court.

Overall Evaluation: The Committee finds that Mr. Daly's qualifications are sufficiently above the minimum requirements for the position of a Circuit Court judge and merit the Committee's affirmative recommendation. He warrants the Committee's rating of **Recommended**.

JONATHAN D. FRIEDEN

Experience and Legal Ability: Jonathan D. Frieden earned his Juris Doctor from the University of Richmond, T.C. Williams School of Law in 1997. He was admitted to practice law in the Commonwealth of Virginia in 1997.

Mr. Frieden has been associated with the law firm of Odin, Feldman & Pittleman, P.C. since the beginning of his career in 1997. He is presently a shareholder in the litigation and intellectual property departments of Odin, Feldman & Pittleman, P.C. Over the years, his diverse practice has included areas of law such as criminal litigation, commercial contract disputes, Government contracting disputes, internet litigation (including domain name and cybersquatting disputes and internet defamation claims), intellectual property litigation (including trademark and copyright enforcement proceedings), and labor and employment disputes. Mr. Frieden has been an adjunct professor at the George Mason University School of Law since 2008, where he teaches Appellate Writing and Legal Drafting. He is an accomplished legal writer and has authored or co-authored over 30 published articles.

In July of 2015, Mr. Frieden was appointed to serve as a substitute judge for the Fairfax General District Court and Juvenile and Domestic Relations District Court. In that capacity, he has presided over approximately 80 trials involving various civil and criminal matters.

In 2013, Mr. Frieden generously donated approximately 100 hours of *pro bono* legal services to Legal Services of Northern Virginia's Attorney of the Day Program. He remains active in the legal community and serves as a Director of the Fairfax Law Foundation, a Chairperson for the Fairfax Law Foundation Public Relations Committee, a member of the Fairfax Bar Association, a member of the Federal Bar Association, and a member of the Virginia Trial Lawyers Association. Mr. Frieden is also active in the local community where he coaches girls volleyball and serves as President and Director of a swim club.

Fairness and Temperament: Through his submissions, interview, and professional references, Mr. Frieden demonstrated to the Committee that he possesses the requisite fairness and temperament for the Circuit Court.

Professionalism and Integrity: The Committee finds that Mr. Frieden possesses the requisite professionalism and integrity for the Circuit Court.

Overall Evaluation: The Committee finds that Mr. Frieden's qualifications are sufficiently above the minimum requirements for the position of a Circuit Court judge and merit the Committee's affirmative recommendation. He warrants the Committee's rating of **Recommended**.

RICHARD F. GIBBONS, JR.

Experience and Legal Ability: Mr. Gibbons received his Juris Doctor degree from the College of William and Mary in 1987 and was admitted to practice law in the Commonwealth of Virginia in 1990.

Mr. Gibbons began his legal career representing investors against brokerage houses. He then worked as a litigation associate for Hunton & Williams handling complex commercial litigation as well as federal environmental law and white collar criminal defense. In 1993, he began serving as an Assistant Commonwealth's Attorney for Stafford County. After working as a Commonwealth's Attorney for seven years, Mr. Gibbons returned to private practice, which is focused primarily on domestic relations and criminal defense. Mr. Gibbons also serves as special counsel for the City of Alexandria and the City of Falls Church where he prosecutes cases involving the abuse and neglect of children. Mr. Gibbons has served as court-appointed counsel for indigent defendants and parties in abuse and neglect matters. He also takes family law cases from the Northern Virginia Pro Bono Law Center and estimates he spends 50 to 100 hours per year on pro bono cases. Mr. Gibbons was awarded the Community Service Award by the City of Alexandria in 2005 for his work on behalf of the Alexandria Department of Human Services in the prosecution of cases involving abuse and neglect. Mr. Gibbons is on the Board of Directors for the Fairfax Bar Association and also serves as a Fairfax Circuit Court Conciliator and Neutral Case Evaluator.

Mr. Gibbons has taught a number of Continuing Legal Education courses, including *Custody Evaluations in the Court Room*, *Ethical Dilemmas*, and *Ethical Perils in Divorce Practice* in the last year alone.

Fairness and Temperament: Through his submissions and interview, Mr. Gibbons demonstrated to the Committee that he possesses the requisite fairness and temperament for the bench.

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

Overall Evaluation: In prior screenings, the Committee has issued Mr. Gibbons a rating of Highly Recommended. A rating of Highly Recommended requires a vote in support by at least a two-thirds majority of those voting. On November 9, 2015, a majority of the Committee members found that while Mr. Gibbons' qualifications are sufficiently above the minimum requirements for the position of a Circuit Court judge and merit the Committee's rating affirmative recommendation, his experience, temperament, and responses to their questions and the questions presented in the Application do not merit special recommendation. He warrants the Committee's rating of **Recommended**.

AUGUST W. STEINHILBER, III

Experience and Legal Ability. Mr. Steinhilber received his Juris Doctor degree from the Marshall-Wythe School of Law, College of William & Mary in 1984. He was admitted to practice law in the Commonwealth of Virginia in 1984.

Mr. Steinhilber is a partner in the firm of Brault Palmer Grove Steinhilber & Robbins, LLP. He joined the firm in 1984 as an associate after graduating law school and became a partner in 1991. His primary practice is in the field of civil litigation, focusing on civil defense work for insurance companies. He also represents individuals in traffic, criminal and domestic relations cases. In the past, Mr. Steinhilber has represented clients in the areas of personal injury as well as other torts, wrongful death, product liability, complicated construction, homeowner and condominium association matters, premises liability cases, municipal liability cases, declaratory judgment cases, insurance and surety cases, subrogation cases and trucking cases.

In 2008, Mr. Steinhilber was appointed to serve as a substitute judge for the Fairfax General District Court and the Juvenile and Domestic Relations District Court. In this capacity, he has presided over approximately 250 to 300 bench trials involving various civil and criminal matters, including traffic. Earlier this year, Mr. Steinhilber was reappointed to another six year term.

Mr. Steinhilber is active in his community and has volunteered with the Cub Scouts as a Chair, Cubmaster and Den Leader for the past eleven years and as an Assistant Scoutmaster and Advisor for the Boy Scouts for the last seven years.

Within the legal community, Mr. Steinhilber is also very involved and is a member of Fairfax Bar Association where he has served on the following Committees: Circuit Court Committee (serving as Chair for 2 ½ years) Technology Committee; CLE Committee (serving as Chair for one year), Judicial Selection Committee, General District Court Committee, Courthouse Construction Task Force as well as various other appointments. He has also served as Master and on various committees for the George Mason American Inn of Court. Mr. Steinhilber has also participated in various Continuing Legal Education courses over the past five years as a faculty member.

Fairness and Temperament: Through his submissions and interview, Mr. Steinhilber demonstrated to the Committee that he possesses the requisite fairness and temperament for the Circuit Court.

Professionalism and Integrity: The Committee finds that Mr. Steinhilber possesses the requisite professionalism and integrity for the Circuit Court.

Overall Evaluation: The Committee finds that Mr. Steinhilber's qualifications are sufficiently above the minimum requirements for the position of a Circuit Court judge and merit the Committee's rating affirmative recommendation. He warrants the Committee's rating of **Recommended**.

KATHERINE STOTT

Experience and Legal Ability: Katherine Stott earned her Juris Doctor degree from Tulane Law School. She was admitted to practice law in the Commonwealth of Virginia in 2002.

Ms. Stott began her legal career the private sector working with a law firm but soon thereafter joined the Fairfax Commonwealth's Attorney's Office where she has practiced since May of 2003. In 2007, Ms. Stott was promoted to Deputy Commonwealth's Attorney. Presently, she prosecutes serious felonies such as sexual assault, child abuse, internet crime, robbery, malicious wounding and homicide. She has tried in excess of one-hundred cases before the Circuit Court, and plays a role in the hiring, training and supervision of Assistant Commonwealth's Attorneys.

Ms. Stott is a member of the Fairfax County Bar Association and serves on the Circuit Court Committee and Criminal Law sub-committee. She also participates in the Model Judiciary Program, and has presented programs before the Sexual Assault Council, Western State Hospital, the Fairfax County Criminal Justice Academy and the Fairfax County Bar Association. She volunteers her time as an assistant coach for her son's soccer team for SYA Athletics.

Fairness and Temperament: Through her submissions, interview, and professional references, Ms. Stott demonstrated to the Committee that she possesses the requisite fairness and temperament for the Circuit Court.

Professionalism and Integrity: The Committee finds that Ms. Stott possesses the requisite professionalism and integrity to serve on the Circuit Court.

Overall Evaluation: The Committee finds that Ms. Stott meets the requirements for fairness, experience, intellect, temperament, professionalism, integrity. She warrants the Committee's rating of **Qualified.**