

# Commercial & Civil Litigation

## ATTORNEYS

Samuel J. Banks  
Patricia E. Bruce  
Maureen E. Carr  
Stephen D. Caruso  
R. Scott Caulkins  
Harrison J. Clinton  
Andrea Campbell Davison  
Raighne C. Delaney  
Juanita F. Ferguson  
Leo S. Fisher  
Blake W. Frieman  
Jonathan M. Harrison  
Robert T. Hicks  
Timothy R. Hughes  
James V. Irving  
Richard D. Kelley  
James W. Korman  
Charles F.B. McAleer Jr.  
Jennifer O. Schiffer  
Richard C. "Rip" Sullivan, Jr.  
R. Douglas Taylor, Jr.  
Malcolm W. Thomas

## RELATED PRACTICES

Alternative Dispute  
Resolution

From modest contract disputes and collections to complex multi-million dollar litigation, Bean, Kinney & Korman enjoys a reputation of assembling qualified, tenacious teams of attorneys and support staff to serve our clients. We practice in the trial and appellate courts of every local and federal jurisdiction in Northern Virginia and the greater Washington, D.C. metropolitan area. We also handle cases nationwide. We appear in mediation and arbitration proceedings.

### Litigation Practice Versatility

We see the forest. We're not artificially compartmentalized by practice discipline, which can result in skewed and flawed litigation strategy. Our experienced trial attorneys take advantage of the firm's substantive knowledge in multiple practice areas and have the sense to draw upon those resources in preparing for trial.

### Appropriate Staffing of Cases

Many firms drag in whoever is available to handle a matter. We organize whoever is needed and appropriate. That may be only a junior associate with a senior attorney's occasional guidance. Or it may be multiple combinations of attorneys and support staff with a range of experience and skills that can go toe-to-toe with formidable opponents. The requirements of the client and the demands of the case receive equally thoughtful response.

### Experience in Different Types of Litigation

Litigation is not a numbers game in which the side putting the most bodies into the fray wins. It demands focus, intuition, skill, determination, credibility, and ultimately the ability to convince a judge or jury that you're right. These are qualities we have in abundance. We appreciate the opportunity to put them at your

Appellate Practice  
Domestic Relations  
Negligence/Personal Injury

service, as we have for our clients involved in a variety of litigated matters, including:

- commercial contract disputes,
- partnership disputes,
- employment matters ,
- title disputes and defense of title insurance claims ,
- credit enforcement and collection ,
- adversary proceedings in bankruptcy cases,
- lender liability claims,
- leasing disputes ,
- construction claims ,
- business accountings,
- intellectual property infringement,
- government contracts,
- defamation and product disparagement,
- false advertising and unfair trade.

## **PUBLISHED ARTICLES**

Why You Should Consider Opting for Arbitration During the Coronavirus Pandemic  
*American Bar Association - Practice Points*, November 30, 2020

BUILDING BLOC: How the Construction Industry Can Use the Vote to Shore Up the Foundation of Democracy  
*Virginia Bar Association Construction Law Blog*, October 1, 2020

Federal assistance may prolong bankruptcy filings  
*Virginia Lawyers Weekly*, June 1, 2020

SBA Paycheck Protection Loans under the CARES Act  
April 4, 2020

Maryland COVID-19 Small Business and Nonprofit Assistance  
March 24, 2020

The Equitable Maxims: A Primer  
*American Bar Association*, September 19, 2019

Mechanics Lien Flowchart (DC)  
*Practical Law*, June 29, 2019

Mechanic's Lien Flowchart (VA)  
*Practical Law*, June 29, 2019

Mechanic's Lien Workflow Checklist (DC)  
*Practical Law*, June 29, 2019

Mechanic's Liens in Practice (DC)  
*Practical Law*, June 29, 2019

Mechanics' Lien Workflow Checklist (VA)  
*Practical Law*, June 29, 2019

Mechanics' Liens in Practice (VA)  
*Practical Law*, June 29, 2019

Playing the Sovereign Card: Defending Foreign Sovereigns in  
U.S. Courts  
*American Bar Association*, January 1, 2017

Creative Pleading in Business Torts  
*BKK Business Law Newsletter*, May 20, 2016

Husky International Electronics, Inc. v. Ritz: "Actual Fraud"  
According to the SCOTUS  
*Bankruptcy Law News*, May 9, 2016

Practitioners Beware: Pitfalls Created by Virginia's New  
Business Records Statute  
*Virginia Lawyer Magazine*, August 27, 2015

Proactive Steps to Protect Trade Secrets  
*BKK Business Law Newsletter*, September 1, 2013

A Tactical Approach to Defending Virginia Non-Competes  
*BKK Business Law Newsletter*, September 1, 2013

Business Torts in Virginia: Alliance Technology Group LLC v.

Achieve 1, LLC

*BKK Business Law Newsletter*, March 1, 2013

Enforceability of Waivers of Prospective Liability

*BKK Business Law Newsletter*, September 1, 2012

Old Law Wins a New Case

*BKK Business Law Newsletter*, May 1, 2012

Fairfax Circuit Court Expands Jurisdiction in Conspiracy Cases

*BKK Business Law Newsletter*, January 1, 2012

Finality of Orders in Reston Homeowners Association v. Ramirez

*BKK Business Law Newsletter*, January 1, 2012

The Drafting of Property Settlement Agreements: DeMayo v. DeMayo – A Cautionary Tale

*The Fee Simple*, May 1, 2011

Nimby! The Views at Clarendon Project and Litigation 2004-2011

*The Fee Simple*, May 1, 2011

The Arrogant Car Salesman in a Non-Competition Agreement

*BKK Business Law Newsletter*, March 1, 2011

How to Defend Avoidance Actions in Bankruptcy Litigation

*The Practical Real Estate Lawyer*, January 18, 2011

The Substantially Prevailing Party

*BKK Business Law Newsletter*, January 1, 2011

Minimizing the Likelihood of Masonry Litigation

*Masonry Magazine*, November 1, 2010

The Dead Man's Statute in Virginia

*BKK Business Law Newsletter*, March 1, 2010

Notice Pleading: Be Simple But Be Precise

*BKK Business Law Newsletter*, March 1, 2010

How Not to Get Sued

*AIA Northern Virginia News*, March 1, 2010

Business Torts: Business Conspiracy & Trade Secrets  
*BKK Business Law Newsletter*, September 1, 2009

Chinese Drywall: The Return of National Construction Products  
Liability Litigation  
*Construction, Accounting and Taxation*, Volume 19, Number 5,  
September 1, 2009

Recouping Losses Due to Settlement Agent Wrongdoing  
*Litigation Commentary & Review*, June 1, 2009

Damages Under the Virginia Uniform Computer Information  
Transactions Act: Blue Line vs. Redmon Group  
*The Journal of Virginia Trial Lawyers Association*, Volume 21,  
Number 3, June 1, 2009

The Mold Threat  
*Electrical Contractor*, February 1, 2009

## **NEWS**

R. Scott Caulkins, Patricia Bruce, and Carole Capsalis Join  
Bean, Kinney & Korman  
Tuesday February 8, 2022

Bean, Kinney & Korman Named a 2022 “Best Law Firm” for  
Eleventh Consecutive Year  
Thursday November 4, 2021

Charles (Chas) McAleer, Dean Luo and Harrison Clinton Join  
Bean, Kinney & Korman  
Friday February 12, 2021

Bean, Kinney & Korman Named a 2021 “Best Law Firm” for  
Tenth Consecutive Year  
Thursday November 5, 2020

Raighne Delaney was quoted in “Many bars, business groups  
back appeal of right proposal”  
*Virginia Lawyers Weekly*, Monday September 7, 2020

Malcolm W. Thomas Joins Bean, Kinney & Korman  
Tuesday February 25, 2020

Maureen E. Carr Joins Bean, Kinney & Korman as a Shareholder  
Monday March 13, 2017

Bean, Kinney & Korman Attorneys Win Virginia Supreme Court Appeal Involving Local Taxation of Transferable Development Rights  
Monday January 9, 2017

Raighne Delaney was quoted in “Yelp critics must be identified, court rules in online landscape altering decision.”  
*The Washington Times*, Thursday January 9, 2014

Bean, Kinney & Korman Named a Best Law Firm by U.S. News Media Group and Best Lawyers in America  
Thursday November 1, 2012

Trump Attorneys Fight for Albemarle House rights  
Wednesday November 9, 2011

Bean, Kinney & Korman Represents Winning Defendant DeMayo in a Case Involving A Complicated Property Settlement Agreement  
Monday April 4, 2011

Bean, Kinney & Korman Represents Developer of ‘The Views’ at Clarendon in Dismissed Case  
Monday January 3, 2011

Bean, Kinney & Korman Represents Developer 1210 North Highland Street in Peter Glassman, Plaintiff v. Arlington County, Virginia, et. al.  
Tuesday April 13, 2010

Raighne Delaney mentioned in “Million Dollar Settlements of 2009” in #13 (tie) for ADI Technologies Inc. v. EMW Inc.  
*Virginia Lawyers Weekly*, Monday February 1, 2010

Bean, Kinney & Korman Wins Appeal For Defendant Imagination Entertainment Limited, et al. Regarding the Marketing and Sale of Popular Dice Game “Left Center Right”  
Sunday July 26, 2009

Bean, Kinney & Korman Assists Blue Line Media in Winning \$1.1 Million Verdict Against Redmon Group  
Wednesday December 17, 2008

Blue Line Media Wins \$1.1M in Verdict  
*Washington Business Journal*, Sunday November 23, 2008

Bean, Kinney & Korman Clients Win Summary Judgment in Trademark Infringement Case  
Friday July 25, 2008

Arlington Circuit Court Dismisses Lawsuit Challenging Arlington County Board's Approval of Views at Clarendon  
Wednesday July 11, 2007

## **SEMINARS & EVENTS**

Tips and Tricks of Subpoena Practice in Civil Litigation  
The Omni Homestead Resort, Hot Springs, VA, Saturday, July 24, 2021

2021 Virginia Law Foundation Fellows Induction – Charles McAleer Jr.  
Thursday, January 21, 2021

Overview of Virginia Department of Labor and Industry COVID-19 Regulations for Employers  
Online, Tuesday, August 4, 2020

Shared Workspace Leases in Wake of COVID-19: Risk Mitigation, Insurance, Negotiating Key Provisions  
Online, Thursday, July 16, 2020

2020 Not-for-Profit Symposium  
Online, Tuesday, June 2, 2020

Women Mean Business Committee Presents:  
Online, Tuesday, April 21, 2020

Webinar: Understanding Your Leases and Contracts in the COVID-19 Landscape  
Webinar, Friday, March 27, 2020