



## Declaration of Candidacy

Candidates for election as Second Vice President or Director Elected Nationally must complete this form and submit it to the Executive Director at the principal headquarters of DRI by 5:00 PM (CDT) on July 1<sup>st</sup> of the year in which the election is held. Additional sheets should be attached as needed.

**National Director Requirements** - Directors Elected Nationally or by Region must be Individual Members of the Corporation admitted to the practice of law. Each such director must meet the following qualifications at the time of election: (a) The candidate shall have been a DRI member for a total of at least five (5) years, and (b) The candidate shall have been a member of at least one DRI substantive law committee for at least three (3) years, and (c) The candidate must have registered for and attended at least one (1) DRI Annual Meeting within the previous three (3) years, and, within the three (3) years prior to the final day of the Annual Meeting, the candidate must have 1) registered for and attended at least two (2) DRI seminars, or 2) registered for and attended one (1) DRI seminar and one (1) DRI Regional Meeting.

Position sought

- Second Vice President\*    
  Secretary- Treasurer    
 X National Director

\*If you have declared your candidacy for Second Vice President and are not the successful candidate, will you consider the Secretary - Treasurer Officer position?

- Yes    
  No

Personal Information	
<b>Name</b>	E. Ford Stephens
<b>Firm/Company</b>	Christian & Barton, L.L.P.
<b>Address</b>	909 East Main Street, Suite 1200, Richmond, Virginia 23219
<b>Telephone</b>	(804) 697-4124
<b>Cell Phone</b>	(804) 240-4510
<b>Email</b>	estephens@cblaw.com
<b>Born (Location)</b>	Newport News, Virginia

Education	
<b>Education</b>	University of Virginia, JD University of Virginia, BA (with Distinction)

<b>Recognitions, Practice &amp; Professional Affiliations</b>	
<b>Awards and Achievements</b>	<p>The Fellows of the American Bar Foundation (elected 2013)</p> <p>The Fellows of the Virginia Law Foundation (Class of 2011)</p> <p>Best Lawyers in America (Insurance Law, Litigation-Insurance, 2015-19)</p> <p>Virginia Super Lawyers (Insurance Coverage, 2013-2019; Business Litigation, 2010-2012)</p> <p>Martindale-Hubbell (AV<sup>®</sup> Preeminent<sup>™</sup> Peer Review)</p>
<b>Areas of Practice</b>	Insurance, appeals and commercial litigation
<b>Years as a Defense Attorney</b>	33 (as of this fall)
<b>Employment History</b>	Christian & Barton, L.L.P. (1986-present) Richmond, Virginia
<b>Noteworthy Defense Work</b>	<p><i>Levine v. Emplrs Ins. Co. of Wausau</i>, 887 F.3d 623 (4th Cir. 2018) (declaration sheet in a commercial automobile policy controlled over a UM/UIM endorsement required by a bureau of insurance)</p> <p><i>Do v. Liberty Ins. Corp.</i>, 2013 U.S. App. LEXIS 13520 (4th Cir. 2013) (ruling that an insurer had no duty to act in good faith toward its insured with regard to a UM/UIM claim in Virginia)</p> <p><i>PBM Nutritionals, LLC v. Lexington Ins. Co.</i>, 724 S.E.2d 707 (Va. 2012) (co-counsel on appeal) (pollution exclusion in an all-risk policy not limited to traditional environmental losses)</p> <p><i>Love v. Dell, Inc.</i>, 551 F.3d 333 (5th Cir. 2008) (confirming that ERISA does not require the administrator to give deference to a treating physician's assessments when confronted with contrary reliable evidence)</p> <p><i>Chawla v. Transamerica Occidental Life Ins. Co.</i>, 440 F.3d 649 (4th Cir 2006) (to prove estoppel in a rescission case involving life insurance, a beneficiary must show detrimental reliance by proving another insurer would have provided coverage to the insured)</p> <p><i>Minnesota Life Ins. Co. v. Scott</i>, 330 F. Supp. 2d 661 (E.D. Va. 2004) (DUI death is not an accidental death for AD&amp;D coverage)</p> <p><i>Hilfiger v Transamerica Occidental Life Ins. Co.</i>, 505 S.E.2d 190 (Va. 1998) (an applicant himself must apply for life insurance)</p>

<p><b>Professional Affiliations</b></p>	<p>International Association of Defense Counsel (IADC) (member)  (Author, “Statutory Interpleader in Federal Court—A Cure for Conflicting Claims,” <i>IADC Insurance and Reinsurance Newsletter</i>, January 2014)</p> <p>Association of Life Insurance Counsel (member)</p> <p>Virginia Association of Defense Attorneys (member)</p> <p>Virginia Law Foundation (former board member)</p> <p>Attorneys Liability Assurance Society (regional loss prevention partner)</p> <p>American Bar Association  (Contributing author to its publications, <i>ERISA Survey of Federal Courts</i>; 2005, 2007, 2010, 2012, 2014, 2016 and 2019, and <i>Misrepresentation in the Life, Health and Disability Insurance Application Process: A National Survey</i>, 2009 and 2015)</p> <p>Leadership Metro Richmond (Member, Class of 2010)  (“Leadership Metro Richmond (LMR) is a community leadership development organization with a mission to connect and educate diverse groups of community leaders, inspiring them to serve the greater Richmond region.”  <a href="http://www.lmronline.org/transforming-community-leaders">http://www.lmronline.org/transforming-community-leaders</a>)</p> <p>Virginia State Bar, Special Committee on Lawyer Malpractice Insurance (former member)</p> <p>John Marshall Inn of Court (Executive Committee, 2010-2013)</p> <p>Eastern Claims Conference  (Speaker, 2011-2018)</p> <p>Central Virginia Legal Aid (Volunteer, 1989-2011, 2013-2014)</p>
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<b>Involvement in DRI and Other Defense Organizations</b>	
<b>DRI Member Since</b>	1986
<b>Please describe your previous involvement in DRI, including but not limited to, leadership positions held. Projects contributed to, Committee memberships, presentations given, and written materials authored. Special accomplishments should also be noted.</b>	
<p><b>Membership Committee</b> (2017-present)</p> <p><b>Insurance Roundtable Steering Committee</b> (2017, 2018, 2019)</p> <p><b>Life, Health &amp; Disability Committee</b></p>	<p>Substantive Law Committee coordinator (2019) Substantive Law Committee liaison for membership (2018)</p> <p>Marketing Co-Chair (2019) Marketing Chair and Panelist (2018) Panelist (2017)</p> <p>Committee Chair (2014-2016) Committee Vice Chair (2012-2014) Program Chair (2011) Program Vice Chair (2010) Marketing Chair Sponsorship “Czar”</p> <p><u>Presentations:</u></p> <p>Life Insurance Basics (2019 Boot Camp for New Life, Health and Disability Lawyers)</p> <p>Life Insurance Basics (2017 Boot Camp for New Life, Health and Disability Lawyers)</p> <p>Life Insurance Basics (2015 Boot Camp for New Life, Health and Disability Lawyers)</p> <p>Protecting the Attorney-Client Privilege (2014 Life, Health, Disability &amp; ERISA Seminar)</p> <p>Life Insurance Basics (2013 Boot Camp for New Life, Health and Disability Lawyers)</p> <p>Life Insurance Update (2009 Life, Health, Disability &amp; ERISA Seminar)</p> <p>Accidental Death &amp; Dismemberment Update (2006 Life, Health, Disability &amp; ERISA Seminar)</p>

<p style="text-align: center;"><b>Insurance Law Committee</b></p>	<p><u>Publications Authored or Contributed to:</u></p> <p>“From the Chair: Get in Here!” <i>For The Defense</i> (December 2015)</p> <p>“From the Chair: The Leading Resource for LHD Attorneys,” <i>For The Defense</i> (December 2014)</p> <p>“The Vexation of Conflicting Claims: Rule and Statutory Interpleaders in Federal Court,” <i>For The Defense</i> (October 2012)</p> <p><i>DRI Removal Deskbook—Getting Your Case to Federal Court</i>, 2011, DRI Defense Library Series (contributing author)</p> <p><u>Presentations:</u></p> <p>Current Procedural Strategies and Issues in Coverage Litigation (2012 Insurance Coverage and Practice Symposium)</p> <p><u>Publications Authored or Contributed to:</u></p> <p><i>Writing a Reservation of Rights: A North American Compendium</i>, DRI Defense Library Series (co-national editor of an update in development)</p> <p><i>Writing a Reservation of Rights: A North American Compendium</i>, 2014, DRI Defense Library Series (regional editor and contributing author)</p> <p>“Avoiding the Pitfalls of Writing a Reservation of Rights in an Unfamiliar State,” <i>The Voice</i>, November 2013 (co-author)</p> <p><i>Excess and Umbrella Insurance State-by-State Compendium</i>, 2011, DRI Defense Library Series (contributing author)</p> <p>“Coverage within the Ivy Walls: Select Insurance Issues Involving College Students,” <i>For The Defense</i> (May 2009) (co-author)</p>
<p><b>List any leadership roles in other defense organizations</b></p>	<p>Although the Virginia Law Foundation is not a defense organization, I am a former Committee Chair (2007-2011) of the Virginia Law Foundation’s Committee on Continuing Legal Education, which oversees the largest, non-profit CLE provider in Virginia.</p>

**Goals for the Board, Defense Bar Challenges and DRI's Role**

**Describe your goals if you are elected to the above position.**

DRI is an outstanding organization, but it is not immune from market forces and the on-going changes to the legal profession. As a member of the Board of Directors, I would like to work collaboratively with others in tackling such issues as: engaging younger lawyers as new and sustaining members of DRI; fostering diversity within our membership; and exploring if and how the DRI should evolve, such as developing alternative sources of funding, reviewing DRI's approach to seminars to ensure the continued strength of that facet of our organization, and striving to provide added value to our members.

**What do you believe is the most important issue confronting the defense bar?**

One of DRI's stated goals is to assist members in dealing with the economic realities of the defense law practice, including the competitive legal marketplace. In this context, a challenge for the defense bar is an apparent trend toward the commodification of legal services in some sectors of the economy. At our best, lawyers are trusted advisors who bring knowledge, experience and judgment to efficiently address the legal issues of our clients. These attributes should be significant considerations in the selection and retention of defense counsel.

**Define the appropriate role for DRI as the national defense bar organization.**

DRI's appropriate role as the national defense bar organization is the role defined in its mission statement, which includes:

- Enhancing the skills, effectiveness, and professionalism of defense lawyers;
- Anticipating and addressing issues germane to defense lawyers and the civil justice system;
- Promoting appreciation of the role of the defense lawyer; and
- Improving the civil justice system and preserving the civil jury.

<b>Other Information</b>	
<b>Hobbies and/or Interests</b>	I continue to dabble in the fine art of brewing beer, although I have yet to grow a scruffy beard like the YouTube beer dudes. Last year at a JDRF (Juvenile Diabetes Research Fund) fundraiser, I was the winning bidder on an opportunity to collaborate on a beer with a local brewery, Three Notch'd, which I then shared with a local community organization, Leadership Metro Richmond. Together with the head brewer, the folks at LMR and I came up with a brown ale recipe, spent the better part of a day brewing it and then attended its launch a few weeks later. I realized that my driveway brewing was the same process that the pros used, just that they had bigger and way better equipment. And the result was also the same – an eminently quaffable beverage. If DRI ever has a seminar in Richmond, Virginia, I would be happy to stock the bar at the networking reception.
<b>Family</b>	<p>Married to Beth Perry Stephens for 27 years (she is an event planner and front-office employee for a respiratory drug delivery conference)</p> <p>Children:</p> <p>Charlie Stephens (age 25, University of Virginia, '16, works for a start-up, Quorum, in Washington, D.C.)</p> <p>Graham Stephens (age 23, The College of William &amp; Mary, '18, works for a campaign fund-raising organization, "Run the World," supporting progressive female candidates)</p> <p>Annie Stephens (age 17, Douglas S. Freeman High School, '20)</p>

*E. Ford Stephens*

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