

BRIAN ALLEN CAFRITZ

Central Virginia Office

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- ▲ Place of Birth** Washington, D.C.
- ▲ High School** Kempsville High School, Virginia Beach VA
- ▲ College** University of Virginia, Charlottesville, VA
- ▲ Law School** University of Richmond School of Law, Richmond, Virginia
- ▲ Highest Grades** Secured Transactions
Sales and Contracts
Commercial Paper
Conflict of Laws
- ▲ Scholarships** Virginia District Court Judges Scholarship
Fred A. Crowder Merit Scholarship
- ▲ Degrees** Bachelor of Arts, University of Virginia, 1989
Juris Doctor, T.C. Williams School of Law at the University of Richmond, 1992
- ▲ Legal Experience**

1994-Present *Kalbaugh, Pfund & Messersmith, P.C., Central Virginia Office*
Practice focused on civil litigation with specialty in Retail, Restaurant, Amusement, and other commercial and SIR clients, including Public Utilities, Aviation-related, and Construction Companies. Subject matters of legal issues include premises liability, products liability, retail and merchandising safety, UCC and Warranty claims, food borne illness, contaminated food, consumer protection, loss prevention, construction defect, indemnification disputes, and insurance coverage defense. Procedural experience includes over 50 first chair jury trials, and countless bench trials, arbitration, and mediation forums. Defended matters also involve major loss claims and injuries, including traumatic brain injury, death, and multi-million dollar property damage disputes. Further experience includes cases involving insurance fraud, declaratory judgment



actions for insurance coverage issues on automobile, home owners, and commercial policies, as well as Med-Pay and Personal Injury Protection disputes.

1992-1994

Judicial Law Clerk, Circuit Court of Prince William County

Responsibilities included both short and long term research and writing upon procedural and substantive issues; reviewing pleadings and orders for substantive merit and procedural correctness; drafting orders and assisting judges in preparation of motions and trials.

Bar Memberships

Virginia State Bar, 1992

Maryland State Bar, 1996

Washington, D.C. Bar, 1997

West Virginia State Bar, 2008

Eastern and Western District of Virginia Federal Court, 1996

District of Columbia Federal Court, 1999

Southern District of West Virginia Federal Court, 2008

Northern District of West Virginia Federal Court, 2012

Northern and Southern Districts of Maryland Fed Court, 1999

Fourth Circuit Federal Court of Appeals, 1992

Honors & Designations

AV Rating from Martindale-Hubbell

Named to Annual List of "Top Attorneys - Civil Defense Litigation" by Super Lawyers Magazine (Virginia and West Virginia Edition); 2016, 2017

Named to list of "Top Attorneys in Virginia" by Richmond Magazine, May 2016

Memberships & Affiliations

Founder/Board Member, National Retail/Restaurant Defense Association

Past President, National Retail/Restaurant Defense Association

Member, Claims & Litigation Management Alliance

International Amusements & Leisure Defense Association

Member, Virginia Association of Defense Attorneys

Member, Virginia Bar Association

Presentations and Publications

"The Retail Practitioner's Toolbox in the Brave New World of Science and Technology" CLM Retail, Restaurant & Hospitality Conference, Dallas (2017)

"The Amazing Race to the Future – The Emergence of Virtual and Augmented Reality in Retail" NRRDA Annual Conference, San Diego (2017)



“Industry Innovations” National Retail and Restaurant Defense Association, Ft. Lauderdale, FL (2016), Speaker.

“Legal Challenges of Transgender Restroom Facilities” AM Best Radio Podcast, (2016) Guests Speaker.

“Technology & Claims Innovations,” NRRDA Annual Conference, Ft. Lauderdale, FL. (2016), Speaker.

“A Premises Liability Primer for the Southeast,” National Retail and Restaurant Defense Association, Charlotte NC (2015), Speaker and written materials.

“Navigating Spoliation Claims and Issues,” CLM Retail Restaurant Conference, Dallas, TX (2014), Speaker and written materials.

“Navigating the Pitfalls of Representing SIR Clients,” CLM Retail Restaurant Conference, Atlanta, GA (2013), Speaker and written materials.

“Immediate Accident Response Strategies with an Eye Towards Litigation,” AIMS/IAPPA National Conference, Orlando FL (2011), Speaker.

“Investigating Brain Injury Claims,” National Retail and Restaurant Defense Association, Speaker, Dallas TX (2009); Speaker.

“Prompt and Effective Accident Investigation,” Richmond, VA (2008), Speaker and written materials.

“Handling the Automobile Accident Case,” National Business Institute, Tysons Corner, VA (2004), Speaker and written materials.

“Pursuing Tender of Defense and Indemnification,” Richmond, VA (2004), Speaker and written materials.

“Issues in Tractor Trailer Litigation,” American Moving and Storage Association Safety Conference, Kansas City, MO. (2002) Speaker.

“Defending Brain Injury Claims,” Virginia Insurance Law Seminar, Charlotte, N.C. (2002), Speaker and written materials.

“Liability for Public Sidewalks by Private Enterprises in the District of Columbia,” (1999), Written materials.



Messersmith, John and Cafritz, Brian, "An Uninsured/Underinsured Motorist Coverage Primer," (1999), Speaker and written materials.

Kalbaugh, G. A. and Shields, William G. "Bad Faith Litigation in Virginia." 1997. (Copyright held by National Business Institute, Inc.).