

# The Mottley Crew Review

(804) 823-2011  
www.MottleyLawFirm.com

 The Mottley Law Firm

January 2019

## Meditations on a Life in Law A Decade Behind Us, and a Lifetime Ahead

As the 10-year anniversary of forming The Mottley Law Firm approaches, I look back at what was, what is, and what's to come. It's hard to believe, but 10 years ago today, I was scrambling around trying to figure out the ins and outs of starting my own firm from scratch. I had exactly one client, one case, and one laptop. To the outside observer, things looked grim, but on the inside, I was full of hope.

Looking back over the last decade, I think of the clients I've helped (many I now call friends), the battles we've fought together, and my beautiful supportive family. In all that time, my passions never changed. Today, I am more aware than ever that making it this far was made possible by the support of those around me, some of whom had no reason to help other than their own goodwill. If it's taught me anything, it's that a kick in the rear is sometimes a push down the right path.

Growing up in Hanover County, being the rural farming area it used to be, I spent my days exploring the fields and woods with my friends. My dad, the principal of the local elementary school, and my mom, a teacher at the local high school, were always supportive of my dreams. Motivational speaker Jim Rohn famously said, "You are the average of the five people you spend most of your time with." As a kid, this natural law of averages worked to my advantage.

My childhood dreams are exciting to recall. I wanted to pull off the impossible: playing for the Yankees in the summer, for the Redskins in the winter, and being a scientist who builds robots. When my physical body didn't keep up with these dreams, I became more realistic. In high school, I discovered an interest in law and politics. I was elected president of the student body at Virginia Tech, which taught me two things: I will never seek elected political office again in my life and, more importantly, personal relationships can make all the difference.



That's when I turned to the law. I left my beloved Virginia Tech to study law at the University of Virginia School of Law.

I began my legal career with Mays & Valentine, which was, at the time, the third-largest firm in Virginia. After a brief stint in the real estate department, I started getting involved in large business litigation cases. The partners liked my work, and I eventually worked my way up to defending railroads and other larger corporations against personal injury claims. As a young lawyer, I was getting courtroom experience — something a lot of young lawyers in big firms don't get today. But I wasn't just getting any old trial experience, I was going up against some of the best plaintiffs' lawyers in the state. That experience played a large role in molding me into the trial lawyer I am today. After the firm merged with a larger nationwide firm, I became a partner, thinking that the path ahead was going to stay on the up-and-up.

In 2008, the recession hit, and some of the finest lawyers I'd ever known were left on the cutting room floor. As a young partner with no large corporate clients to my name, I saw the writing on the wall. Sure enough, on November 19, 2008, I was called into a conference room and told that I needed to start looking for a new place to practice law.

I always imagined getting this news would be the worst thing in the world. Like, right up there with death. But that's not how it was. You see, for years, I'd been doing what I did when I was a kid: dreaming of building something on my own. So, after thanking the folks and shaking their hands, I got up, walked to the conference room door, and suddenly realized something. I was smiling. These guys had just done something I hadn't been able to do for myself. I came home, set my bag down, and gleefully told my wife, Tricia, "Well, honey, I lost my job today!" A beautiful, befuddled frown played over her face. Our three kids, then just 2, 7, and 9 years old, were playing in the other room. We had a mortgage and a car payment that weren't going anywhere. But I had a crazy plan, and Tricia stood by me as always.

On March 1, 2009, the day after my 38th birthday, I left the big firm and started The Mottley Law Firm. The rest is chronicled in the satisfaction of all of the clients who came to us for help. Every minute I spend with my clients now is a minute I spend helping others, of my own volition. I love to see them love their results. I am a man who is full of love for his amazing family, full of zest for life, and full of ambition to help those who need it. These are ambitions worth chasing.

*-Kevin W. Mottley*

# Putting the 'Pain' in Champagne

## SPONTANEOUSLY EJECTING CORK CAUSES LAWSUIT

For many people, preparing for the New Year's countdown is the most exhilarating part of the holiday season. You tune your TV to the Times Square ball drop, hand out party hats, confetti, and noisemakers, and meticulously line up some champagne flutes. What's left to do? Pop open the champagne! There are many partiers who pop the cork with enthusiastic and careless abandon, while others point the bottle away from their faces and anxiously twist the cork until they hear those bubbles surge to the surface. Turns out, while the latter practice may be slightly less fun, it's certainly the safer approach.

On April 8, 1978, Charles J. Murray was injured when a natural cork stopper spontaneously ejected from a bottle of previously unopened Almaden Blanc de Blancs champagne and struck him in the left eye. He was preparing to serve the bubbly to a party of 40 people, so he placed 12 bottles on a rolling cart and removed the foil and wire retainer from three or four bottles — including the one that eventually injured him. Once he started to roll the cart toward the guests, the cork shot out of the bottle all on its own.

Due to the severity of his injury, Murray sued Almaden Vineyards, Inc., National Distillers and Chemical Corporation, and Carbo, Inc., alleging that they were responsible because they failed to include a proper warning label on the bottle. The defendants, however, argued that the cork stopper did not and could not spontaneously eject unless Murray had handled the bottle improperly. The case was argued by both sides for two years, but eventually, Murray won. Almaden Vineyards now prints the following on its bottles: "WARNING: THIS BOTTLE IS UNDER PRESSURE. THE STOPPER WILL EJECT SOON AFTER THE WIRE HOOD REMOVAL. TO PROTECT AGAINST INJURY TO FACE AND EYES, POINT AWAY FROM SELF AND OTHERS WHEN OPENING."

When it comes to bubbly-induced mayhem, the greatest potential trouble lies in the eye of the beholder — literally. With an estimated velocity of 60 miles per hour, uncontrolled corks do in fact fly faster than the blink of an eye. To avoid having to explain a not-so-fashionable eye patch at work on Monday, handle those fizzy drinks with care.

# How to Spend Wisely in Retirement

## MAKE YOUR SAVINGS LAST



When it comes to retirement and finances, there's enough material about saving to fill a library. You see commercials on TV showing one tiny domino gradually becoming a massive tower, you hear advice from coworkers and family members, and you read books and articles on the topic. Much less attention, however, is paid to how to spend those savings once you're actually retired, even though it's a significant part of the equation. After all, it doesn't matter how much you save if you blow it all in a year. Here are a few considerations to keep in mind as you begin chipping away at that nest egg.

### HOW MUCH TO SPEND

The easiest way to budget for your retirement is with a level spending plan. In this system, you simply estimate how many years your retirement will last and divide your savings by that number. It's better to make a generous estimate rather than a conservative one. A survey of financial planners conducted by the American Institute of Certified Public Accountants (AICPA) found that outliving savings is the No. 1 concern of those approaching retirement. Underestimating your life span is an easy way for this fear to come true.

Of course, a level spending plan assumes that your financial needs won't change over the course of your retirement. If you're the type of person who regularly meets and exceeds your budgeting goals, you can probably make it work. If not, you may want to consider a plan that allocates more money with each passing year of retirement. In the event of increased medical costs or other later-life expenses, an escalating plan provides a financial safety net.

### WHAT TO SPEND ON

Some of your spending choices will come down to personal preference and interests, but you might be surprised to learn that one category of spending consistently proves more fulfilling than others. Professor Michael Finke of The American College surveyed nearly 1,500 retirees and found that spending money on leisure activities and experiences caused the lowest rate of regret. Finke calls this "social spending" and surmises that it's favored because it encourages older adults to get out into the world and enjoy their retirements.

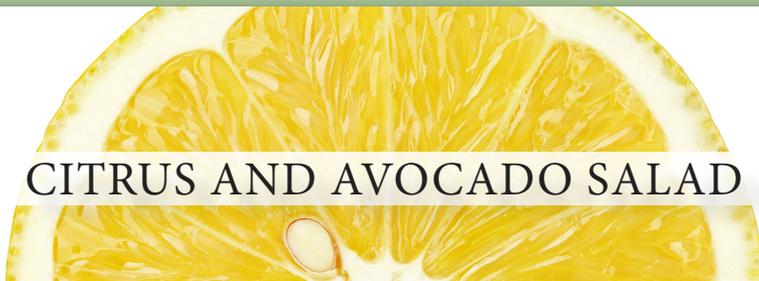
There is no perfect plan for how to spend your savings during retirement. But there is one very wrong way to go about it, and that's mindlessly. However you choose to spend your savings, make sure you have a plan.



# TAKE A BREAK

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## CITRUS AND AVOCADO SALAD

Winter is the height of citrus season, so it's a perfect time to experiment with oranges and lemons. Roasting the fruits concentrates their flavor and makes the skins edible, creating a blast of flavor for this winter salad.

### Ingredients

- 1 blood, cara cara, or navel orange, sliced 1/8-inch thick and deseeded
- 1 Meyer or regular lemon, sliced 1/8-inch thick and deseeded
- 4 tablespoons olive oil, divided
- 1/4 small red onion, thinly sliced
- 2 tablespoons fresh lemon juice
- 1 bunch arugula
- 1/2 cup fresh mint leaves
- 1 avocado, cut into wedges
- Salt and pepper, to taste

### Directions

1. Heat oven to 425 F.
2. In a rimmed baking sheet, toss citrus slices with 1 tablespoon oil and season with salt and pepper. Roast citrus until lightly charred and caramelized, about 10–15 minutes. Let cool.
3. Meanwhile, in a large mixing bowl, combine onion and lemon juice. Season with salt and let sit for 5 minutes.
4. Add citrus, arugula, and mint to onion mixture. Drizzle with remaining oil, season with salt and pepper to taste, and toss thoroughly.
5. Add avocado, combining very gently to not crush avocado.

Inspired by Bon Appétit

# SOCIALLY SECURE

Social Media Reminders for Parents

Social media has been making the world smaller than ever. The distance among cross-country relatives and friends shrinks with each post or Skype call. And instant updates from loved ones are particularly valuable during the holidays. That Christmas morning video call means Grandma and Grandpa get to see their grandkids in their new holiday outfits, but so can online predators.

According to digital and safety experts, half of the photos filtered onto the darknet are stolen from parents' social media accounts. If these predators are privy to your photos, they're also able to snag your location and other sensitive information, putting you and your children at physical risk as well.

On a less disturbing note, social media content is permanent. Even after you delete a post or a photo, it leaves a digital footprint that could follow your child throughout their education and could even affect job interviews or future relationships. It's still possible for you to foster a sense of privacy in the digital age, but it's important to respect what your child deems private information. After all, it's their future. Consider these rules before you share.

1. **Ask your child's permission.** If they can speak, then they can speak for themselves. Children love to see photos of themselves, but they may also be aware of what they are and aren't comfortable with, even at a young age.
2. **Limit the nudity.** Everyone loves a beach day, but think twice before posting swimsuit or skinny-dipping pictures. Opt to post safer photos, like the family posing prior to fun in the sun.
3. **Check your settings.** Your privacy settings may be exposing your family to more people than you know, and if you feel the need to share every minute of your child's day online, making these settings airtight will protect your children and their reputations.

Consider some of these safe alternatives to regular public posting:

1. **Tinybeans.com** is a secure photo-sharing website for parents of babies and young children. The digital photo album app allows you to share photos with only the people you choose.
2. **Create a separate, secure group on Facebook.** Family, friends, or coworkers in closed groups can still fawn over their little ones in a personal, safe setting.

Despite the dangers your digital life can elicit, you don't have to avoid the digital world completely. Social media is still a great tool for families to stay connected, as long as you take precautions. Go ahead and brag about your kids online — just be safe and considerate of your child's wishes.



The Mottley Law Firm PLC  
1700 Bayberry Court, Suite 203  
Richmond, Virginia 23226  
(804) 823-2011  
www.MottleyLawFirm.com

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In many of his speeches and sermons, Martin Luther King Jr. spoke about love. He wasn't talking about the romantic kind, though. King often used the term "agape," an Ancient Greek word used to refer to the unconditional love of God for man, to talk about universal love for all people, regardless of race, religion, or circumstance.

We commemorate King on Jan. 21. It's a celebration and a National Day of Service, so take the opportunity to honor King's message of universal love. Here are three ways to put agape into practice.

## A Message of Universal Love Commemorating MLK Jr.

### 1. PAY A VISIT TO A HISTORICAL SITE.

Immerse yourself in King's message this month by visiting the places where these historic events occurred. Our nation is full of opportunities to become better acquainted with the birth of the civil rights movement, from the King Center in Atlanta, Georgia, to Selma, Alabama, where protest marches were held in 1965. After all, if we don't know our past, we are doomed to repeat it.

### 2. EDUCATE YOURSELF AND OTHERS ABOUT THE STRUGGLES PEOPLE HAVE FACED.

Learning about the experiences of others cultivates empathy. When you interact with someone across cultural or subcultural boundaries, it helps to reduce prejudice. Promote positive interactions in your community by hosting a film night or book club focused on the civil rights movement. You can feature a movie like "Selma" or "13th." For a book club, select an autobiography or biography that puts yourself

in someone else's shoes, like Maya Angelou's "I Know Why the Caged Bird Sings," or Rebecca Skloot's "The Immortal Life of Henrietta Lacks."

### 3. SHARE THE MESSAGE OF NONVIOLENCE AND GIVE BACK TO YOUR COMMUNITY.

At the center of King's message was the principle of nonviolence. Consider how you can advocate for nonviolence in your community. You could donate your time or money to a local shelter for victims of abuse, or volunteer your home to foster abandoned pets. If you're part of a PTA or another school organization, encourage students to put an end to bullying. The Mix It Up program has anti-bullying lessons and activities that support King's message.

Take some time to reflect on Martin Luther King Jr.'s vision this month and take part in the universal message of love. Don't we all want more of that?