

**BREIT DRESCHER
IMPREVENTO & WALKER**

September 12, 2011

Roger Mullins
106 Church Street
P.O. Box 647
Tazewell, Virginia 24651

Re: Boyd Graves Sub-Committee to Study Amendment to Rule 4 for
Surveillance Material

Dear Roger:

Our sub-committee was made up of Barbara Williams, Curtis Hairston, David Harless, Steve Busch, William Harty, John Jessee and Brent Brown. Our task was to determine if there was a need for an amendment to Rule 4 of the Rules of the Supreme Court of Virginia to provide us specific analytical framework for the discovery and production of surveillance material in the context of personal injury litigation. Our committee met via conference call on May, 23, 2011, at which time we determined that issues involving the production of surveillance materials are not a real problem in need of a solution in Virginia practice. The sub-committee also determined that the discoverability of surveillance material and its ancillary production is best addressed through traditional work product analysis. Accordingly, the sub-committee makes no proposal to the conference.

Best Regards,


Derrick L. Walker

DLW/crg

cc: Barbara Williams
Curtis Hairston
David Harless
Stephen Busch
William Harty
John Jessee
Brent Brown