

December 4, 2025 Update:

Hole in the Wall Waterfront Grill, LLC v. Mathews County Board of Supervisors and Ramona Wilson

- In an effort to minimize legal expenses and reach a resolution on the issues between the Hole in the Wall Waterfront Grill, LLC and Mathews County, both parties requested the assistance of a mediator and agreed that December 5, 2025 at 10:00AM would be the date for the mediation.

Subject: HITW v. Mathews County CL25000220-00
From: "Andrea Erard" <ae@andreaerard.com>
Sent: 10/23/25, 2:02:06 PM
To: "Lisa Holland" <lholland@vacourts.gov>
CC: "Norment, Thomas K., Jr." <thomas.norment@kaufcan.com>
Lisa,
I have just spoken with Mr. Norment. What is the process for obtaining an Order referring this matter to a retired judge for mediation? Mr. Norment and I both agree that this case would be best resolved between the parties.
Thank you, in advance, for your assistance.
Andrea Erard

Subject: RE: Request for Mediation
From: "Norment, Thomas K., Jr." <thomas.norment@kaufcan.com>
Sent: 10/28/25, 11:51:34 AM
To: "Andrea Erard" <ae@andreaerard.com>; "haulert@vacourts.gov" <haulert@vacourts.gov>
Thank you for reaching out to the Judge.

From: Andrea Erard <ae@andreaerard.com>
Sent: Wednesday, October 29, 2025 10:12 AM
To: Norment, Thomas K., Jr. <thomas.norment@kaufcan.com>
Subject: Meidation. (Please let me know as soon as possible.)
Do you have Dec. 5, 19 or 22 available? Start time would be 10AM and the mediation would occur in Colonial Heights.
Andrea

Subject: RE: Meidation. (Please let me know as soon as possible.)

From: "Norment, Thomas K., Jr."

<thomas.norment@kaufcan.com>

Sent: 10/29/25, 12:13:02 PM

To: "Andrea Erard" <ae@andreaerard.com>

Just got out of Court. I have Dec 5 and 19, if they work for you

[Thomas K. Norment Jr](#)

Of Counsel

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VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF MATHEWS

HOLE IN THE WALL WATERFRONT
GRILL, LLC,

Plaintiff,

v.

CL25000220-00

BOARD OF SUPERVISORS OF
MATHEWS COUNTY

and

RAMONA WILSON, COUNTY
ADMINISTRATOR,

Defendants.

ORDER OF DESIGNATION AND REFERRAL TO
SETTLEMENT CONFERENCE

The Court has determined that this matter, which is currently before the Court as a contested civil matter, is appropriate for referral to a Settlement Conference. It is hereby ORDERED that:

1. This matter is referred to a Settlement Conference, for which there will be no cost to the parties.
2. Pursuant to Virginia Code Section 17.1-105, the Honorable Timothy J. Hauler, Retired Judge of the Twelfth Judicial Circuit, and a qualified Judicial Settlement Conference Judge, is designated to conduct a Settlement Conference only, to assist the judges of the Ninth Judicial Circuit in the performance of their duties.
3. This matter is scheduled for a settlement conference on December 5, 2025 at 10:00 a.m. at the Colonial Heights Courts Building, Sherriff's Training Room (Room 258), 550 Boulevard, Colonial Heights, Virginia 23834-3743.
4. Counsel shall submit a confidential pre-conference brief of no more than five (5) pages and no later than five (5) days before the settlement conference, to the Settlement Judge.
5. Each party must provide a representative in person or by telephone who shall have final authority to settle the case.
6. The Court must be informed in writing if the dispute is resolved, forthwith.
7. Irrespective of this referral, this case has been set for return to the Court in

accordance with the Court's normal docketing procedures.

8. The Clerk is directed to mail a certified copy of this Order to the Judge Designate and to counsel of record.

ENTERED THIS 3rd DAY OF November, 2025.

JEFFREY W. SHAW, JUDGE

- Mr. Norment requested that the November 21, 2025 hearing be postponed as well as the mediation set for December 5, 2025.

Subject: HITW
From: "Norment, Thomas K., Jr." <thomas.norment@kaufcan.com>
Sent: 11/6/25, 9:53:31 AM
To: "Andrea Erard (ae@andreaerard.com)" <ae@andreaerard.com>

Andrea:

Sorry to be ignoring you but my client directed me to have no communication until after Tuesday's election.

I will call you in a few minutes but wanted to give you the "heads up" on my suggestions which will save time, money and aggravation:

1. Continue the Settlement Conference until the first of February.
2. Hold all of the pending court hearings and proceedings until the first of February.
3. Mac will pay one years rent on January 1, without prejudice to the County in any way,
4. Mac meet with Mathews accounting on reconciling any lingering financial issues other than septic and dump and haul/

The "landscape" has changed.

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- The County agreed to continue the hearing date in order to explore settlement (as referenced in the request for the continuance) and to minimize legal expenses.

Subject: Update

From: "Norment, Thomas K., Jr."

<thomas.norment@kaufcan.com>

Sent: 11/20/25, 2:09:40 PM

To: "Andrea Erard" <ae@andreaerard.com>

In meetings All day. But wanted you to know Mac is an absolute "NO" on settlement . It has raised some issues on our relationship. A Motion will need to be filed continuing the Settlement Conference.

Thomas K. Norment Jr

Of Counsel

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- On November 26, 2025 Mr. Norment requested that the Mathews Circuit Court enter an Order permitting him to withdraw as legal counsel to the Hole in the Wall Waterfront Grill, LLC

K&C KAUFMAN & CANOLES

Thomas K. Norment Jr.
(757) 259.3835
thomas.norment@kaufcan.com

November 26, 2025

VIA EMAIL: HAULER@VA.COURTS.GOV

HONORABLE JUDGE TIMOTHY J. HAULER

Re: Hole In The Wall Waterfront Grill, LLC v. Mathews County Board of Supervisors
Case No.: CL25000220-00
Settlement Conference: December 5, 2025, at 10:00 a.m.

Dear Judge Hauler:

This letter is to advise you Mr. Casale who is the owner of the Hole In The Wall Waterfront Grill, has advised me, and reconfirmed as of today, he wants to retain new counsel to handle this case. Consequently, I have filed the appropriate Motions to Withdraw from this case. Also, I have advised Ms. Andrea Erard, who is representing the County of Mathews.

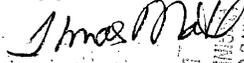
Mr. Casale has further advised me he will not participate in a settlement conference until he retains new counsel.

I apologize for any inconvenience this situation may have caused you.

I am enclosing a copy of my Motion and Order to Withdraw.

I wish you the best of upcoming holiday season.

Very truly yours,



Thomas K. Norment Jr.

2025 DEC -1 12:24
FILED
CLERK'S OFFICE
CIRCUIT COURT
GLOUCESTER COUNTY, VA

TKN/tnc

Enclosures: Motion and Order to Withdraw

Cc: Honorable Jeffrey W. Shaw (via regular mail: Gloucester Circuit Court Clerk's Office)

Andrea Erard, Esq. (via email: ae@andreaerard.com)

Michael A. Casale, c/o Hole In The Wall Waterfront Grill, LLC (via email: jaycee6@verizon.net)

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I ASK FOR THIS:

Israel Wall

Thomas K. Norment Jr. (VSB 13108)
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(757) 259.3800 Telephone
(888) 360.9092 Facsimile
thomas.norment@kaufcan.com

- According to Judge Shaw's assistant, Lisa Holland, before the Court can enter an Order allowing Mr. Norment to withdraw as counsel, Mr. Norment must obtain the signature of his client.

----- Forwarded Message -----

From "Lisa Holland" <lholland@vacourts.gov>
To "Cioffi, Tara N." <tara.cioffi@kaufcan.com>; "Elizabeth Anne Brown" <ebrown@vacourts.gov>
Cc "Andrea Erard" <ae@andreaerard.com>; "Tina C. Babcock" <tc@babcockmoore.com>; "Lisa Holland" <lholland@vacourts.gov>
Date 12/1/2025 10:12:28 AM
Subject RE: HITW - CL25-233 - Motion and Order to Withdraw

Judge Shaw said that the client and Ms. Erard and opposing counsel needs to endorse the orders.

Otherwise he needs to schedule a hearing with notice.

Lisa Holland
Judicial Administrative Assistant to
Judge Jeffrey W. Shaw
Gloucester Circuit Court
P.O. Box 576
Gloucester, VA 23061
804-693-1358 - phone
804-693-1755 – fax
Email: Lholland@vacourts.gov

Note: The Gloucester and Mathews Circuit Court Clerk's Offices do not accept facsimiles for civil or criminal matters. Filings will only be accepted by mail or in person.

The Court requires original wet signatures on all orders (no electronic, fax, scan, stamp or copy) and list all parties (no 'et al').

- Mr. Casale will not endorse the Order permitting Mr. Norment to withdraw as counsel.

Subject: RE: Designation Order - Mathews Case: Hole in the Wall Waterfront Grill, LLC V. Board of Supervisors of Mathews County, et al. CL25-220

From: "Norment, Thomas K., Jr." <thomas.norment@kaufcan.com>

Sent: 12/2/25, 3:49:59 PM

To: "Norment, Thomas K., Jr." <tknorment@kaufcan.com>; "Timothy J. Hauler"

<haulert@vacourts.gov>; "Lisa Holland"

<lholland@vacourts.gov>; "Andrea Erard" <ae@andreaerard.com>

CC: "Elizabeth Anne Brown" <ebrown@vacourts.gov>; "Melanie Leigh Jarvis"

<mjarvis@vacourts.gov>; "Melissa Rose Mateyko"

<mmateyko@vacourts.gov>;

"Vallin Jenkins" <vjenkins@vacourts.gov>

Just reconfirming that Mr. Casale of Hole In The Wall has discharged me and is seeking substitute counsel which as of today he has not retained.

Further I received a copy of an email from the Court today he will NOT participate in any Settlement

Discussions until he retains new counsel.

I had previously submitted proposed Orders of withdrawal which I had asked Mr. Casale to endorse and acknowledge which he respectfully declined.

Consequent, I must resubmit Orders with endorsement of all counsel and Mr. Casale which we will redistribute in the morning.

I apologize for any and all inconvenience with this unfortunately development.

Thomas K. Norment Jr

Of Counsel

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- According to Judge Shaw's assistant, Lisa Holland, Mr. Norment has to request a Court hearing for the Order allowing him to withdraw as counsel to be entered in the absence of an endorsement from the Hole in the Wall Waterfront Grill, LLC.

Subject: RE: Designation Order - Mathews Case: Hole in the Wall Waterfront Grill, LLC

V. Board of Supervisors of Mathews County, et al. CL25-220

From: "Lisa Holland" <lholland@vacourts.gov>

Sent: 12/2/25, 4:08:38 PM

To: "Norment, Thomas K., Jr." <thomas.norment@kaufcan.com>;

"Norment,

Thomas K., Jr." <tknorment@kaufcan.com>; "Timothy J. Hauler"

<haulert@vacourts.gov>; "Andrea Erard"

<ae@andreaerard.com>

CC: "Elizabeth Anne Brown" <ebrown@vacourts.gov>; "Melanie

Leigh Jarvis"

<mjarvis@vacourts.gov>; "Melissa Rose Mateyko"

<mmateyko@vacourts.gov>;

"Vallin Jenkins" <vjenkins@vacourts.gov>; "Lisa Holland"

<lholland@vacourts.gov>

If Mr. Casale will not endorse the withdraw you will need to schedule a hearing.

Thank you

Lisa

Lisa Holland

Judicial Administrative Assistant to

Judge Jeffrey W. Shaw

Gloucester Circuit Court

P.O. Box 576

Gloucester, VA 23061

804-693-1358 - phone

804-693-1755 – fax

Email: Lholland@vacourts.gov

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do not accept facsimiles for civil

or criminal matters. Filings will only be accepted by mail or in
person.

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electronic, fax, scan, stamp or copy)
and list all parties (no 'et al').

- On December 3, 2025 the County Attorney and Mr. Norment were notified that the mediation scheduled for December 5, 2025 would be scheduled for a later date once the Hole in the Wall Waterfront Grill, LLC retains new counsel.

Subject: RE: Designation Order - Mathews Case: Hole in the Wall Waterfront Grill, LLC
V. Board of Supervisors of Mathews County, et al. CL25-220

From: "Timothy J. Hauler" <haulert@vacourts.gov>

Sent: 12/3/25, 2:22:40 PM

To: "Norment, Thomas K., Jr." <thomas.norment@kaufcan.com>; "Norment, Thomas K., Jr." <tknorment@kaufcan.com>; "Lisa Holland" <lholland@vacourts.gov>; "Andrea Erard" <ae@andreaerard.com>

CC: "Elizabeth Anne Brown" <ebrown@vacourts.gov>; "Melanie Leigh Jarvis" <mjarvis@vacourts.gov>; "Melissa Rose Mateyko" <mmateyko@vacourts.gov>; "Vallin Jenkins" <vjenkins@vacourts.gov>

Dear Counsel:

There appearing to be irreconcilable differences between MR Norment and the Plaintiff in this cause and both of whom have expressed an intent to absent themselves from the JSC scheduled for 12-5-2025, I believe it prudent to cancel the matter to future date. When all Parties have acquired Counsel, please contact me directly to schedule a mutually convenient date and time.

Yours very truly,

T. J. Hauler
Judge (Retired), 12th Judicial Circuit

- Mr. Norment is still the attorney for the Hole in the Wall Waterfront Grill, LLC because the Hole in the Wall Waterfront Grill has not endorsed the Order permitting Mr. Norment to withdraw as counsel.
- Mr. Norment cannot be removed as counsel with an Order of Substitution, because the Hole in the Wall Waterfront Grill, LLC has not identified its new attorney. (An Order of Substitution would not require a signature from the Hole in the Wall Waterfront Grill, LLC.)

•

Subject: Settlement Conference: Mathews County and Hole In The Wall December 5, 2025, at 10:00 am

From: "Norment, Thomas K., Jr." <thomas.norment@kaufcan.com>

Sent: 12/3/25, 10:32:08 AM

To: "Timothy J. Hauler" <haulert@vacourts.gov>

CC: "Andrea Erard (ae@andreaerard.com)" <ae@andreaerard.com>

Sir:

I apologize for the string of emails on this troublesome matter.

The Settlement Conference is set for December 5, 2025.

As I previously shared with you, Mr. Casale is the primary owner of the Hole In The Wall . He has unequivocally expressed his intention to retain new counsel and does not want me involved in this matter any further. He has declined to communicate with me for weeks, and has only been talking with the managing partner of Kaufman & Canoles regarding retaining and transitioning to new counsel which I am advised as of this email has not been concluded.

I previously sent him Orders of withdrawal on this case and two other pending matters. He declined to endorse the Orders. I have been advised by the Clerk's Office via the Judge unless they receive an Order of Substitution or Withdrawal endorsed by Mr. Casal a hearing would be required which obviously cannot happen in the next two days.

I just want to confirm that the Settlement Conference has been continued pending new counsel becoming involved in the case. But, I am being abundantly cautious as I do not want to be disrespectful of you or the underlying Court Order which only ordered a settlement conference and not a specific which I am presumptuously assuming gives your Honor the authority to continue the matter.

I have no ability to prepare for a Settlement Conference and I am advised Mr. Casale has informed the Clerk's Office he will NOT participate in any Settlement Conference until he retains a new attorney.

In conclusion I just want to confirm the Settlement Conference is continued generally pending new counsel.

Of course I have been in communicating with MS Erard who understands the current dilemma. Thank you for your courtesies,

Thomas K. Norment Jr
Of Counsel

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thomas.norment@kaufcan.com

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