

SHENANDOAH TO THE SHORELINE, KEEPING YOU CONNECTED.



Facebook



Twitter



Instagram



LinkedIn

- | | |
|---------------------------------------|-------------------------------|
| 2 Summer Intern Spotlight | 5 Cocktails and Conversations |
| 3 VAB Radio Roundtable | 6 Ford Harrison Legal Article |
| 4 Congressman Morgan Griffith Meeting | 7 P1+ Seller Success Program |
| 4 Share Your Stories | 8 VAB Job Bank |

UPCOMING EVENTS

September 12-13, 2024

VAB Board Retreat
Farmington Country Club | Charlottesville, VA

September 17, 2024

VAB Regional Meeting (Charlottesville)
Common House | Charlottesville, VA

October 24-25, 2024

VAB Best of the Best Session
Residence Inn | Charlottesville, VA

October 29, 2024

VAB Small Market Radio Roundtable
Omni Hotel | Charlottesville, VA

November 19, 2024

VAB Regional Meeting (Richmond)
Bartizan | Glen Allen, VA

December 3, 2024

VAB Regional Meeting (Abingdon)
Martha Washington Inn | Abingdon, VA

December 4, 2024

VAB Regional Meeting (Roanoke)
202 Social House | Roanoke, VA

March 4-6, 2025

NAB State Leadership Conference | Washington, DC

June 19-21, 2025

VAB 88th Annual Summer Convention
Marriott Oceanfront Hotel | Virginia Beach, VA

CHAIR
Michael Clark
WLQM-FM/WJZU-AM
Franklin, VA

CHAIR ELECT
Kym Grinnage
WWBT-TV
Richmond, VA

SECRETARY/TREASURER
Mark Kurtz
CBS19/WCAV-TV/WVAW-TV
Charlottesville, VA

PAST CHAIR
Carol Ward
WAVY-TV/WVBT-TV
Portsmouth, VA

ASSOCIATE ADVISORY
Vacant

PRESIDENT & CEO
Douglas F. Easter
Charlottesville, VA

Districts 1, 2 & 4
Carol Commander
Saga Communications
Chesapeake, VA

Adam Chase
WTKR-TV
Norfolk, VA

Kathy Yevak
WSKY-TV
Hampton, VA

Districts 3 & 7
Stephen Hayes
WTVR-TV
Richmond, VA

Jayne Swain
Virginia Public Media
Richmond, VA

District 5
George Kayes
WSET-TV
Lynchburg, VA
Garrett Klingel
Charlottesville Radio Group
Charlottesville, VA

Districts 6 & 9
Jaimie Leon
WSLS-TV
Roanoke, VA

Barbara Sewell
Three Rivers Media
Wytheville, VA

Districts 8, 10 & 11
Todd Bernstein
WJLA-TV
Arlington, VA

SUMMER INTERN SPOTLIGHT



Deric Allen

Interned at WFIR-AM, Roanoke, VA



"My internship here has been full of interesting experiences and learning opportunities. I'm glad I was able to cut my teeth a little bit by experimenting and finding out where I can be my best self in the media industry. This internship has me looking forward to any future endeavors I may pursue, and has inspired me to work harder."

Emma Underwood

Interned at WSET ABC13, Lynchburg, VA



"WSET has shown me so much guidance, and everyone here has shown me endless amounts of support which I am forever grateful for. All of the reporters instantly took me under their wing and showed me the ins and outs of the news industry and have shown me tools and tricks to become the best reporter and news employee I can become in my future career. I was instantly treated like an employee of their company and no one ever made me feel as if I was less than them in any way and they were understanding of the fact that I am still a student and that I am ultimately here to learn. Scott Nichols has been an amazing manager and news director and constantly made sure not only myself, but the other interns were taken care of and felt comfortable at the station. Everyone here wants me to succeed, and did everything they could to help make that happen.

Spending a whole summer in the news room and as a full-time intern will forever be the most beneficial thing I have ever done as I have learned so much. I am so extremely grateful for this opportunity I was given through the VAB and WSET."

VAB RADIO ROUNDTABLE

TUESDAY, OCTOBER 29TH

9:30 am - 3:00 pm
OMNI HOTEL

212 RIDGE MCINTIRE RD
CHARLOTTESVILLE

Winning Sales Strategies for Today's Local Media

Kelli Frieler
Founder & CEO, Vibrant Impact

Group Discussion Topics

Content/Programming (Broadcast & Digital)

Sales/Commerce (Broadcast & Digital)

Open Ideas & Discussion Sharing

*Join us for a networking dinner
on Monday evening!
Overnight accommodations available.*



VIRGINIA ASSOCIATION OF BROADCASTERS
SEND YOUR RSVP TO LAURA.LAKE@EASTERASSOCIATES.COM

250 WEST MAIN STREET, SUITE 100, CHARLOTTESVILLE VA 22902
434.977.3716 | VABONLINE.COM

Share Your Stories!

We want to know what your station(s) have been up to lately as well to be able to share our members photos and stories.

Do you have any standout employees, exciting new projects you're taking on, community service initiatives, or other future big plans?

We want to share your stories on VAB's social media pages (Facebook, LinkedIn, X, and Instagram). Some might even make their way into the news. It's a great chance to put a spotlight on the good work happening in our industry.

Please take a moment to fill out this Survey Form to let us know! We're genuinely excited to hear from you and to share the diverse and impactful stories from the VAB community.

[CLICK HERE](#)

TO FILL OUT THE SURVEY

CONGRESSMAN MORGAN GRIFFITH MEETING

VAB members and staff met with Congressman Morgan Griffith on Monday, August 26th to discuss critical issues potentially affecting broadcasters. Thank you to Congressman Griffith for his time and continuous support for our industry and his local community!





COCKTAILS & CONVERSATIONS

The VAB would like to invite you to join us for an update regarding your Association and its activities as well as a social hour to get to know other broadcasters in your market!

Tuesday, September 17th
5:30 p.m. - 7:00 p.m.

Common House
(Vinegar Hall North)
206 W. Market Street
Charlottesville, VA

Tuesday, November 19th
5:30 p.m. - 7:00 p.m.

Bartizan
(White Oak Room)
4035 Whittall Way
Henrico, VA

Tuesday, December 3rd
5:30 p.m. - 7:00 p.m.

Martha Washington Inn
(Edith Wilson Room)
150 W. Main Street
Abingdon, VA

Wednesday, December 4th
5:30 p.m. - 7:00 p.m.

202 Social House
(Speakeasy)
202 Market Street SE
Roanoke, VA

We look forward to seeing you!

Please RSVP, for any of the events (please indicate which location), to Laura Lake at (434) 326-9813 or laura.lake@easterassociates.com

U.S. SUPREME COURT UNANIMOUSLY HOLDS A COURT HAS NO DISCRETION TO DISMISS A LAWSUIT ONCE IT COMPELS A CASE TO ARBITRATION

By Anessa Abrams and James D. Handley

Recently, the U.S. Supreme Court decided *Smith v. Spizzirri*, holding that federal district courts have no discretion under Section 3 of the Federal Arbitration Act (“FAA”) to dismiss a case once the district court has determined that the claims properly belong in arbitration. The decision clarifies a longstanding dispute as to whether a district court must issue a stay pending arbitration or dismiss the case outright.

Background:

The FAA sets forth procedures for enforcing arbitration agreements in federal district court. Specifically, the FAA provides that, when a dispute is subject to arbitration, the court “shall on application of one of the parties stay the trial of the action until such arbitration has been had in accordance with the terms of the agreement.” 9 U.S.C. § 3. Various courts have interpreted Section 3 as providing a district court with discretion to determine whether it could dismiss the case or issue a stay.

In *Smith*, a group of delivery drivers sued their employers, alleging they had been misclassified as independent contractors so the employers could avoid paying minimum wage, overtime, and other mandatory benefits under Arizona and federal law. The employers removed the suit from state to federal district court, and then filed a motion to compel arbitration and dismiss the suit. The drivers conceded their claims were subject to arbitration but disputed the district court’s authority to dismiss the suit. Instead, the drivers contended that Section 3 of the FAA required the district court to stay the action pending arbitration rather than dismissing it entirely.

The district court ultimately determined, partly based on other district court decisions in the Ninth Circuit, that it had the discretion to dismiss the case. Accordingly, it compelled the parties to arbitration and dismissed the suit without prejudice. The Ninth Circuit Court of Appeals affirmed—like the district court, it noted other Ninth Circuit precedent had recognized that a district court had the discretion to dismiss a suit.

The Supreme Court Decision:

The Supreme Court unanimously held that district courts have no discretion under Section 3 of the FAA to dismiss a case; under the plain language of Section 3 of the FAA, the district courts must issue a stay pending arbitration. The Court noted that “[t]he statute’s use of the word ‘shall’ creates an obligation impervious to judicial discretion.” Although the employers had argued that “stay” means only that the district court must stop parallel in-court litigation, which they insisted could be achieved through dismissal, the Supreme Court disagreed. It observed that the employers’ attempt to read “stay” to include “dismiss” cannot be reconciled “with the

surrounding statutory text, which anticipates that the parties can return to federal court if arbitration breaks down or fails to resolve the dispute.” The Supreme Court thus reversed and remanded the Ninth Circuit’s opinion.

Considerations For Virginia Employers:

The Supreme Court’s decision raises procedural considerations for employers. Before, parties may have received a court dismissal and proceeded to arbitration where they concluded the matter. For example, certain wage and hour lawsuits require court approval of settlements, and securing a dismissal of the underlying lawsuit before arbitration was advantageous to avoid court oversight of the settlement. Now, parties must keep in mind that the district court case is only stayed – and not closed – even if arbitration is concluded. In other words, parties must ensure that any settlement or resolution of the arbitration matter includes a dismissal of the underlying suit, and that dismissal of the suit is actually secured.

The decision raises another important consideration—the appealability of the district court’s order. The FAA prohibits an interlocutory (non-final) appeal of an order directing arbitration to proceed by the party opposing arbitration who desires to remain in court. See 9 U.S.C. § 16(b)(2). Because district courts now must issue a stay instead of dismissing the case outright, the party opposing arbitration is no longer able to obtain a final appealable order in the form of a dismissal. This means that parties will be unable to obtain appellate review of the district court’s determination as to whether a case is subject to arbitration until after the arbitration is concluded, the stay has been lifted, and the district court dismisses the case. Parties should carefully review their arbitration agreements before deciding to pursue or oppose arbitration.

If you have any questions regarding arbitration agreements, please contact Anessa Abrams, partner in our Washington, DC office, or Max Bernas, counsel in our Atlanta, Georgia office at (404) 888-3884, or by email at aabrams@fordharrison.com or kmbernas@fordharrison.com.



SELLER SUCCESS PROGRAM

ENROLL TODAY

Take your seller from
“Rookie to Ready”
in just 7 weeks!



Next Session Begins
September 16th



Seller Success Program Limited Grants Available

Is your station ready to supercharge its sales team? P1 Plus, the industry-leading sales onboarding training program, is now offering a limited number of grants funded by the VAB.

This exclusive opportunity will equip your new hires (or those with less than 2 years of media sales experience) with the skills and confidence to excel in their career. By enrolling your seller, you're not just investing in training but securing a competitive edge for your station.

Here's what makes P1 Plus a dream come true for managers:

- **Structured for Success:** Average 15-30 minutes of daily training, on-the-go videos, and weekly coaching sessions with industry expert Speed Marriott.
- **Real-World Training:** Hands-on assignments put their learning into action.
- **Association-Funded Grant:** As a member of the VAB, your station is eligible for a grant covering the full cost of the program (valued at \$685).

Don't miss out on this chance to elevate your team's sales performance at no cost to your station. Classes start on Monday, September 16th. Start the enrollment process to get your seller approved for the P1 Plus program today!

How to Submit to the VAB Job Bank

Jobs that are printed in the newsletter are pulled directly from the online Job Bank.

- Go to www.vabonline.com. Login with your user name and password. Be sure to include your station ID or company name, information on how the applicant can apply and where to send the applications materials.

Welcome to the VAB Job Bank. Listed below are the latest job opportunities offered by the VAB Members.

Media Advisor Norfolk, VA	Full Time	Sales	Saga Communications	8/30/2024
Kg2 Afternoon On-Air Talent Roanoke, VA	Full Time	On Air	WXLK-FM	8/28/2024
Top Sales Pro Wanted Immediately Newport / Morristown / Sevierville, TN	Full Time	Sales	Bristol Broadcasting Company	8/28/2024
Radio Traffic/Data Entry Professional Wanted Tri-Cities, TN/VA	Full Time	Business / Admin	Bristol Broadcasting Company	8/28/2024
Full Time Announcer Kingsport, TN	Full Time	Sales	Holston Valley Broadcasting	8/26/2024
MMJ/Reporter Norfolk, VA	Full Time	News	CW 27	8/21/2024
Anchor / MMJ Norfolk, VA	Full Time	News	CW 27	8/21/2024
Newscast Director Lynchburg, VA	Full Time	Production	WSET-TV	8/16/2024
On-Air Personality (Morning Co-Host) Fredericksburg, VA	Full Time	On Air	Alpha Media	8/16/2024
Marketing Associate Lynchburg, VA	Full Time	Sales	WSET-TV	8/14/2024
Sales & Marketing Consultant Lynchburg, VA	Full Time	Sales	WSET-TV	8/14/2024
Promo Administrator Norfolk, VA	Hourly	Promotion	WSET-TV	8/5/2024
Programmer Charlottesville, VA	Full Time	Business / Admin	Monticello Media LLC	7/29/2024
Multimedia Advertising Sales Executive Roanoke, VA	Full Time	Sales	WFXR-TV	7/26/2024
Media Executive Roanoke, VA	Full Time	Sales	WDBJ-TV	7/26/2024
TV Photojournalist Portsmouth, VA	Full Time	News	Nexstar Broadcasting Inc.	7/23/2024
Meteorologist Roanoke, VA	Full Time	News	WDBJ-TV	7/19/2024
Sales & Marketing Consultant Richmond, VA	Full Time	Sales	WSET-TV	7/18/2024