

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

WESLEY C. SMITH,

Plaintiff,

v.

ROGER D. VANDERHYE,

Defendant.

Case No. CL 2006-0007859

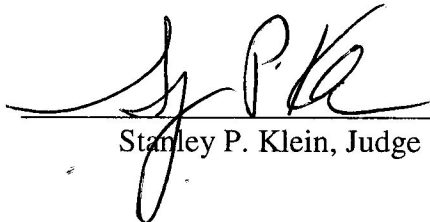
ORDER

THIS MATTER came before the Court on the Demurrer of Defendant Roger D. Vanderhye, and upon consideration of the Demurrer and oral argument, and for the reasons stated from the bench, it is hereby

ORDERED that: The demurrer is sustained, and counts 1, 2, 3, 4, 5, 6, 8, and 10 are dismissed with prejudice. Counts 7 and 9 are dismissed with leave to amend. Plaintiff shall have 30 days to file amended counts 7 and 9. Any demurrer to those amended counts shall be heard by the undersigned Judge.

ENTER.

September 8, 2006.


Stanley P. Klein, Judge

Dated: September 8, 2006

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No 84V 9/11/06

