VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF POWHATAN

LINDA BELL, and DAVID W. BELL, Plaintiffs, v. N. LESLIE SAUNDERS, JR., ESQ., PERSONAL REPRESENTATIVE, EXECUTOR, AND TRUSTEE OF THE ESTATE OF EDWARD J. BELL, SR. Defendant.	)))))))))))))))	CASE NO: CL07-0000-144-00

ORDER

On this day, came the plaintiffs, Linda Bell and David W. Bell, and the defendant, N. Leslie Saunders, Jr., Executor and Trustee of the Estate of Edward J. Bell, Sr., by counsel, who each filed their memorandum in support and in opposition to the Demurrer of the defendant to the plaintiffs' Complaint filed herein.

Upon consideration whereof, the Court finds that the Complaint filed against N. Leslie Saunders, Jr., Executor and Trustee of the Estate of Edward J. Bell, Sr. fails to state such facts upon which the relief demanded may be granted and therefore should be dismissed.

Wherefore, the Court ORDERS that the Demurrer of the defendant is sustained and that the Complaint filed against him be and is hereby dismissed.

~~The Court further imposes on the plaintiffs and their attorney, Denis C. Englisby, Esquire, jointly and severally, sanctions in the amount of attorney's fees of $4,900.00 and cost of $20.35.~~

Nothing further remaining to be done herein, it is ORDERED that this matter be stricken from the docket of the Court.

ENTER: JAN 2, 2008

Judge

I ask for this:

, p.d.

N. Leslie Saunders, Jr.
SAUNDERS, CARY & PATTERSON
9100 Arboretum Parkway, Suite 300
Richmond, Virginia 23236-3400
Telephone: (804) 330-3350
Facsimile: (804) 330-3811

A COPY:
Teste: WILLIAM E. MAXEY, JR., Clerk
By Kathryn C. Powers Deputy Clerk
Kathryn C. Powers

WILLIAM E. MAXEY, JR., CLERK
Circuit Court-County of Powhatan
P. O. Box 37
Powhatan, Virginia 23139

Seen and objected to: Exceptions noted August 1:13

, p.q.

Denis C. Englisby
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nls/bell est/estate ads linda and david bell –3/ order

ASSIGNMENT OF ERROR

1. The court erred in sustaining the defendant's demurrer.