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Virginia:

In the Circuit Court of the City of Richmond, John Marshall Courts Building

ROGER WINBORNE, GREGG MORRELL,
CHARLES HOLLIDAY, and JOHN DEHAVEN,

Petitioners,

v. Case No.: CH05-1168-4

THE VIRGINIA LOTTERY and
The Executive Director of the Virginia Lottery,

Respondents.

ORDER

On April 4, 2008, came the parties, by counsel, before the Court on the Motion for Partial Summary Judgment filed by Petitioners in the above-referenced action on November 20, 2007, and the Motion for Partial Judgment filed by Respondents, the Virginia Lottery and its Executive Director, on February 20, 2008. Having heard oral argument and reviewed the memoranda filed by counsel on behalf of the parties in support of and in response to the foregoing motions,

ADJUDGED, ORDERED AND DECREED that the Motion for Partial Summary Judgment filed by the Petitioners on November 20, 2007, is hereby DENIED; and

It is further ADJUDGED, ORDERED AND DECREED that the Motion for Partial Summary Judgment filed by the Respondents on February 20, 2008, is hereby GRANTED; and

Finding, upon request of counsel, that the Court's ruling on these motions is dispositive, and there is nothing further to be done in this case, it is therefore further ADJUDGED, ORDERED AND DECREED that the Petitioners' Petition in Chancery filed July 25, 2005, is hereby DENIED and FINAL JUDGMENT IS ENTERED ON BEHALF OF RESPONDENTS; and

This matter is ORDERED stricken from the docket and placed among the ended causes.

The Clerk is directed to send a certified copy of this ORDER to all counsel. This decision was announced in open court with all counsel present, and endorsements are waived pursuant to Rule 1:13.

ENTER: 5/5/08

Margaret P. Spencer, Judge

A Copy, Teste: BEVILL M. LEAN, CLERK

BY: D.C.