ASSIGNMENTS OF ERROR

A. The Circuit Court granted the defendant's Motion for Summary Judgment, applying the defendant's policy exclusion and ruling that defendant owes Mr. Christy none of its $10,000.00 medical expense coverage. Circuit Court Letter Opinion dated April 29, 2010. Plaintiff's objection to this ruling is preserved by Plaintiff's Motion to Re-Consider and by counsel's endorsement to the Circuit Court's August 12 Final Order.

B. The Circuit Court did not grant the Plaintiff's Motion for Summary Judgment. The Circuit Court should have ruled that defendant's policy exclusion applied only "to the extent" and in the amount that workers compensation benefits were payable. Circuit Court Letter Opinion dated April 29, 2010. Plaintiff's objection to this ruling is preserved by the plaintiff's Motion to Re-consider and by counsel's endorsement to the Circuit Court's August 12 Final Order.

C. The Circuit Court did not grant the Plaintiff's Motion to Re-consider. The Circuit Court should have ruled the defendant's policy exclusion applied only "to the extent" and in the amount that workers compensation benefits were payable. Circuit Court Letter Opinion dated July 28, 2010. Plaintiff's objection to this ruling is preserved by counsel's endorsement to the Circuit Court's August 12 Final Order.

D. The Circuit Court should have ruled that Virginia Code § 38.2-2201-A.3.b. does not apply to the March 24, 2006 Johnston Memorial Hospital bill, in the amount of $6,172.00 which bill was previously the subject of litigation and which was paid pursuant to settlement of that litigation. Plaintiff's objection to this ruling is preserved by Plaintiff's Motion to Re-consider and by counsel's endorsement to the Circuit Court's August 12 Final Order.