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VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

ASSURANCE DATA, INC.	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action: 2012-11528
	)	
JOHN MALYEVAC	)	
	)	
Defendant.	)	
	)	

cc TA 8/27/12

ORDER

HAVING considered the pleadings filed and arguments made in Court, it is

ORDERED that Defendant's Demurrer as to Plaintiff's Complaint is SUSTAINED, and this matter is;

DISMISSED, with prejudice.

ENTERED this 27 day of August, 2012.

Judge, Fairfax County Circuit Court Judge

WE ASK FOR THIS:

Christopher T. Craig, Esquire
Virginia Bar #36983
Cook, Craig & Francuzenko, PLLC
3050 Chain Bridge Road, Suite 200
(703) 865-7480 - telephone
(703) 434-3510 - facsimile
Counsel for Defendant

SEEN AND OBJECTED TO:

OBJECTION TO COURT'S RULING ON THE GROUNDS STATED IN OUR ARGUMENT; OBJECTION TO COURT'S RULING THAT CONTRACT PROVISION IS UNENFORCEABLE AS A MATTER OF LAW; OBJECTION TO DISMISSAL WITH PREJUDICE WITHOUT LEAVE TO AMEND; OBJECTION TO RULING ON GROUNDS SET FORTH IN PLAINTIFF'S MEMORANDUM OF LAW; OBJECTION TO COURT'S RULING THAT DEFENDANT'S OBJECTION IS CAPTURABLE THROUGH A DEMURRER; OBJECTION TO COURT'S RULING THAT COMPLAINT INCORPORATING COMBINED EQUITABLE & LEGAL RELIEF & FAILS TO STATE A CAUSE OF A CLAIM UPON RELIEF CAN BE GRANTED; OBJECTION TO COURT'S RULING THAT ABROGATES OPPORTUNITY FOR PLAINTIFF TO PUT ON EVIDENCE OF CONTRACT'S PROVISIONS VALIDITY.

John P. Snider, Esquire
Virginia Bar #17949
C. Dean Latsios, Esquire
Virginia Bar #17350
Matthews, Snider & Fitzner
4161 Chain Bridge Road
Fairfax, Virginia 22030

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ASSIGNMENTS OF ERROR

1. The court erred in sustaining, *on the merits*, the defendant's objection to the enforceability of the non competition and non solicitation paragraphs of the parties' Agreement, raised through a demurrer, and dismissing the complaint with prejudice.

2. In the Alternative: The court's Order of August 27, 2012, sustaining the defendant's demurrer, *in its entirety*, without leave to amend, and dismissing the *entire* complaint with prejudice, erroneously foreclosed plaintiff's right to pursue its legal remedies against the defendant for improper use of and failure to return confidential information.

3. In the Alternative: The court abused its discretion in denying plaintiff leave to amend its complaint to allow plaintiff to pursue its legal remedies against the defendant for improper use of and failure to return confidential information.