

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF FREDERICKSBURG

E.D. COLE BUILDING, L.L.C. )

and )

LOCAL HOLDINGS, L.L.C., )

Petitioners, )

v. )

Case No.: CL19-951

COUNCIL OF THE CITY )

OF FREDERICKSBURG, )

And )

CITY OF FREDERICKSBURG )

Defendants. )

**ORDER**

On February 10, 2020, the parties appeared, by counsel, before this Court, on Defendants’ Motion for Summary Judgment and Petitioners’ Cross-Motion for Summary Judgment, and upon Petitioners’ withdrawal of their Cross-Motion for Summary Judgment on the issue of standing.

Upon consideration of the pleadings, the evidence, the briefs, and the arguments presented, and for the reasons more fully stated in the Court’s letter opinion dated February 14, 2020, which is incorporated herein and attached hereto, the Court concludes that the Defendants’ Motion for Summary Judgment should be sustained, and the Petitioners’ Cross-Motion should be denied.<sup>1</sup>

It is therefore **ADJUDGED, ORDERED, AND DECREED** that Defendants’ Motion for Summary Judgment is **SUSTAINED**; Petitioners’ Cross-Motion for Summary

---

<sup>1</sup> The reference to an action by the City Council on June 19, 2019, at page 2 of the letter opinion, is amended to read “On June 11, 2019.” Additionally, on page 2 of the letter opinion, the reference to a motion for partial summary judgment by the defendants is amended to strike the word “partial,” and the reference to summary judgment by the petitioners is amended to read “partial summary judgment by the petitioners.”

Judgment is DENIED; and the Court AFFIRMS the decision of the Fredericksburg City Council in adopting Resolution 19-100.

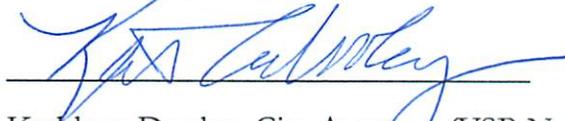
This matter shall be closed and filed among the ended causes.

ENTER: \_\_\_\_\_

DATE: \_\_\_\_\_

I ask for this Order:

CITY OF FREDERICKSBURG, VIRGINIA  
FREDERICKSBURG CITY COUNCIL



Kathleen Dooley, City Attorney (VSB No. 25725)  
Dori Martin, Assistant City Attorney (VSB No. 84956)  
City of Fredericksburg  
601 Caroline Street  
Suite 200B  
Fredericksburg, VA 22404  
540-372-1020 - Phone  
kdooley@fredericksburgva.gov  
demartin@fredericksburgva.gov

George A. Somerville (VSB No. 22419)  
Saemi Murphy (VSB No.73281)  
Harman Claytor Corrigan & Wellman  
Post Office Box 70280  
Richmond, VA 23255  
(804) 747-5200 (Telephone)  
(804) 747-6085 (Facsimile)  
gsomerville@hccw.com  
smurphy@hccw.com

*Counsel for City of Fredericksburg, Virginia and Fredericksburg City Council*

SEEN *and excepted to in all respects*  
E.D. COLE BUILDING, L.L.C.  
LOCAL HOLDINGS, L.L.C.



Joseph Peter Drennan  
218 North Lee Street  
Third Floor  
Alexandria, Virginia 22314-2631  
Telephone: (703) 519-3773  
Telecopier: (703) 997-2591  
[joseph@josephpeterdrennan.com](mailto:joseph@josephpeterdrennan.com)  
Virginia State Bar No. 23894  
*Counsel for Petitioners*