

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
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Granted Appeal Summary

Case

MONTALLA, LLC v. COMMONWEALTH OF VIRGINIA, ET AL.
(Record Number 230365)

From

The Court of Appeals of Virginia.

Counsel

Thomas A. Coulter and Brian Stolarz (Norton Rose Fulbright US LLP) and Robert W. Loftin (McGuireWoods LLP) for appellant.

David P. Corrigan, Jeremy D. Capps, Blaire H. O'Brien (Harman, Claytor, Corrigan & Wellman) and Chandra D. Lantz (Office of the Attorney General) for appellees.

Assignments of Error

1. The Court of Appeals erred by affirming the Circuit Court's decision to sustain Respondents' Plea in Bar of Sovereign immunity, dismissing Counts I, II and III.
2. The Court of Appeals erred by affirming the Circuit Court's dismissal of Counts IV (material breach) and V (unconstitutional regulatory taking). The Court of Appeals also wrongly applied Respondents' Plea in Bar to Counts IV and V.