



FOURTH JUDICIAL CIRCUIT OF VIRGINIA
CIRCUIT COURT OF THE CITY OF NORFOLK

KAREN J. BURRELL
JUDGE

100 ST. PAUL'S BOULEVARD
NORFOLK, VIRGINIA 23510

June 12, 2009

Michael P. Cotter, Esq.
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**RE: Danny Murrill and Debra Murrill v. Brian R. Dinning and
Sommer C. Dinning**
Civil Docket No.: CL08-5447

Dear Counsel:

As you both are aware, on May 21, 2009, the Court, by agreement of the parties, engaged in a telephone conference with the two of you to resolve the defendant's Motion to Terminate Deposition and for Protective Order. The Court, without objection, reviewed a copy of the relevant transcript attached to defendant's motion, heard the respective arguments of counsel and determined that Mr. Roper acted in an inappropriate, intolerable and unprofessional manner during the course of the deposition. Accordingly, the Court Ordered that he conduct himself in a professional manner and refrain from engaging in any further personal attacks and making gratuitous and ancillary comments having no bearing on the issues in this case. The Court's findings and ruling were clearly and concisely communicated to both of you.

Since making my ruling and directing that Mr. Cotter prepare and circulate a consistent Order, the Court has received several items of correspondence from the two of you. The Court finds it unnecessary to comment on the correspondence as, unfortunately, it speaks for itself.

The Court has reviewed the respective Orders submitted by counsel and finds that Mr. Cotter's Order is wholly consistent with the Court's findings and ruling as articulated during the May 21, 2009, telephone conference. As such, it is that Order that will be entered by the Court with endorsement of Plaintiff's counsel dispensed with pursuant to Virginia Supreme Court Rule 1:13.

No additional evidence is needed and the Court declines to have a hearing on the issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen J. Burrell". The signature is written in a cursive style with a large initial "K" and "B".

Karen J. Burrell
Circuit Court Judge

KJB/agd