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SUPREME COURT OF VIRGINIA

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IN THE
Supreme Court of Virginia
AT RICHMOND

RECORD NO. 760222

MARY ELLEN THRASHER

Appellant

v.

SAMUEL H. THRASHER, et al

Appellee

SUPPLEMENT TO APPENDIX

Howard I. Legum, Esquire
Fine, Fine, Legum & Fine
720 Law Building
Granby & Plume Streets
Norfolk, Virginia

Counsel for Appellant

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ORDER ON REQUESTS FOR ADMISSIONS OF FACTS

Upon consideration of defendants' Request for Admissions and plaintiff's objections thereto on the ground that the facts requested are immaterial, a Pre-Trial Conference having been held on March 25, 1974, and defendants having moved for the entry of an order determining what facts requested to be admitted are deemed to be admitted pursuant to the provisions of Rule 4:11, it is ORDERED:

1. Plaintiff's objection to the materiality of the facts requested in paragraph 1 of defendants' Requests for Admissions is overruled. Plaintiff is ORDERED to file his answer to Requests for Admissions No. 1 within fourteen days.

2. The plaintiff's objection to the materiality of the facts requested in paragraph 2 of defendants' Requests for Admissions is overruled. The court finds that the answer of counsel for the plaintiff to this paragraph at the Pre-Trial Conference held on March 25, 1974, as shown in the transcript of the hearing does not comply with the requirements of Rule 4:11; accordingly the matters requested to be admitted in this paragraph are deemed to be admitted.

3. The plaintiff's objection to the materiality of the facts requested in paragraph 3 of defendants' Requests for Admissions is overruled. The Court finds that counsel for the plaintiff having admitted at the Pre-Trial Conference, the facts requested in this paragraph to be admitted, these facts are deemed to be admitted.

causes of Herbert M. Thrasher, Sr., et al v. Samuel H. Thrasher, Sr. et al, and Robert Earl Thrasher, et al v. Samuel Howard Thrasher, et al, on December 4, 1972, the fact that the decree was entered, and that the certified copy referred to in this paragraph of the Requests for Admissions is a true copy thereof, is deemed to be admitted.

8. The plaintiff's objection to the materiality of Requests for Admissions #8 is overruled. The defendants' objection to Supplemental Answers to Requests for Admission #8 is sustained. The complainant is ORDERED to answer this request within 14 days.

9. Request No. 9 was amended at the Pre-Trial Conference to read as follows:

"That within 12 months a complete liquidation of Greenbrier Farms, Incorporated has been accomplished and the assets of the corporation distributed to its stockholders."

The defendant having objected to Supplemental answers to Request for Admissions #9, the complainant is granted 14 days in which to make reasonable inquiry concerning the information requested and to file an answer in accordance with Rule 4:11 within 14 days.

To all of which action by the Court, the plaintiff, by counsel, objected and excepted.