

SUPREME COURT OF VIRGINIA



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

Case

DAVID A. BRUSH, ET AL. v. LAKE LIFE LLC, ET AL.
(Record Number 200152)

From

The Circuit Court of Bedford County; J. Updike, Jr., Judge.

Counsel

James I. Gilbert, IV, Michael A. Cleary, and Adam Law Miller (Gilbert, Bird, Sharpes & Robinson, LLP) for appellant.

Henry C. Devening for appellee.

Assignments of Error

1. The circuit court erred in its ruling on demurrer that declaratory and injunctive relief were impossible to award due to unspecified restrictions in the Declaration being void for vagueness when the applicable restrictions sought to be enforced were clear and unambiguous and because relief was adequately pleaded.
2. The circuit court erred by dismissing the Amended Complaint without leave to amend because any insufficient allegation or proof about respondents' acts or omissions relative to the Declaration's restrictions could have been clarified with amendment or proven at trial.