

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-2259

Granted Appeal Summary

Case

DAVID R. BRAUN v. QUANTADYN CORPORATION, ET AL.
(Record Number 190974)

From

The Circuit Court of Loudoun County; D. Fleming, Judge.

Counsel

Alan C. Bowden (Meyer & Bowden PLLC) and Michael E. Kinney (Turner & Kinney, A Professional Corporation) for appellant.

Robert A. DeRise (Arnold & Porter Kaye Scholer LLP) and William R. Fitzpatrick (Sevila, Saunders Huddleston & White) for appellees.

Assignments of Error

1. The circuit court failed to rule on Petitioner's argument, based on uncontroverted evidence, that this action commenced upon the submission of multiple signed Complaints to the Clerk's office on August 4, 2015.
2. The circuit court erroneously construed Va. Code § 8.01-271.1 not to apply to initial pleadings and, based on that erroneous construction, concluded that Petitioner's "only remedy was to file a properly signed complaint in a new action."
3. The circuit court erroneously construed Va. Code § 8.01-271.1 to require leave of court to correct the omission of a signature on a pleading.
4. The circuit court erred by concluding that Petitioner failed to demonstrate that his former counsel "promptly" cured the omission of a signature after it was called to his attention, as authorized by Va. Code § 8.01-271.1.
5. The circuit court erred by concluding that there was insufficient evidence to establish when the Complaint had been signed.