

SUPREME COURT OF VIRGINIA



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

Granted Appeal Summary

Case

KIMBERLEY LARAINÉ SCHMIDT, ET AL. v. BOBBY AARON DEEL
(Record Number 240264)

From

The Court of Appeals of Virginia.

Counsel

Robert J. Breimann (Street Law Firm, LLP) for appellants.

D. Allison Mullins, Esq. for appellee.

Assignments of Error

1. The COA erroneously found that the Trial Court did *not* enter judgement in favor of Mother and Child on their claims for breach of contract.
2. The COA erred in finding that the law of the case is governed solely by 20-108.1(B) of the 1950 Code of Virginia, as amended, rather than by a breach of the parties' contractual agreement as it applies to the relief requested.
3. The COA erred in failing to even consider the Child's Complaint for judgement filed by her Mother as "Next Friend" as a third-party beneficiary of the contract entered into by and between her parents, and failing to affirm the award of liquidated damages from the Trial Court upon the Father's repeated breaches of that contract.
4. The COA erred in failing to dismiss the Petition for Appeal when the Father failed to file a transcript or written statement of facts as is required by Rule 5A:8 of the Rules of the Supreme Court of Virginia.