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September 29, 2017

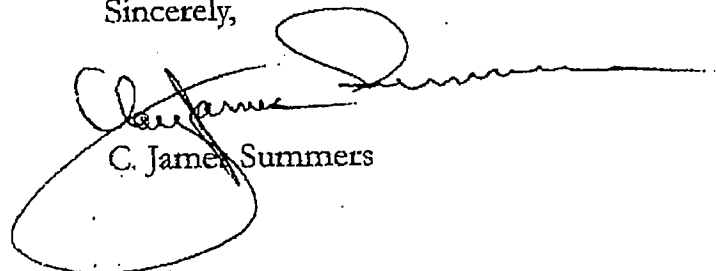
Jon R. Zug, Esq.  
Clerk, Albemarle County Circuit Court  
501 East Jefferson Street, Room 225  
Charlottesville, Virginia 22902

RE: John H. Birdsall et al. v. Foxfield Racing Association, Inc.

Dear Jon:

Please accept for filing the enclosed Defendants' Response To Plaintiffs' Motion For Leave To File Surreply In Opposition To Defendants' Motions To Dismiss And Demurrer. A copy is being forwarded with this letter to opposing counsel.

Sincerely,



C. James Summers

cc: William H. Hurd, Ashley L. Taylor, Stephen C. Piepgrass

VIRGINIA:

IN THE CIRCUIT COURT OF ALBEMARLE COUNTY

JOHN H. BIRDSALL et al.,

Plaintiffs,

v.

Case No. CL17-01

FOXFIELD RACING ASSOCIATION, INC.,  
et al.,

Defendants.


**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR LEAVE TO FILE  
SURREPLY IN OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS AND  
DEMURRER**

Defendants' do not oppose Plaintiffs' Motion for Leave to File SurReply in  
Opposition to Defendants' Motion to Dismiss and Demurrer.

FOXFIELD RACING ASSOCIATION, INC.  
By Counsel

*F. Douglas Ross*


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*Counsel for Defendant Thomas Dick*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of September 2017 a true copy of the foregoing was sent by first class mail postage prepaid and facsimile to the following:

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