

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

**RICHARD E. DIXON,**  
**Petitioner,**

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)

**LAW NO. CL-2010-11537**

**VERSUS**

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**VIRGINIA COMMONWEALTH UNIVERSITY,**  
**PAM DiSALVO LEPLEY,**  
**Respondents.**

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**FINAL ORDER**


On September 2, 2010, the Court heard argument on the Petition for a Writ of Mandamus pursuant to Virginia Code Section § 2.2-3713 (1950, as amended). The Court has reviewed the Petition and Memorandum in Support of the Petition, the Response and Motion to Dismiss filed on behalf of the Respondents, the Agreed Stipulations of Fact, and the arguments of Counsel.

Upon further consideration, the Court **grants** the Petition for a Writ of Mandamus pursuant to Virginia Code Section § 2.2-3713 (1950, as amended) and specifically finds that the names, together with the home addresses and business addresses of the current members of the Board of Visitors of Virginia Commonwealth University are not exempt “personnel records” that are excluded from disclosure under VA Code Section § 2.2-3705.1 (1950, as amended) under the specific facts of this case. Respondent is **Ordered** to provide Petitioner the names, together with the home addresses and business addresses of the current members of the Board of Visitors of Virginia Commonwealth University within ten (10) days of the entry of this order.

The Court **declines** to award reasonable attorney’s fees and costs based upon the reliance of the public body on an opinion of the Attorney General that substantially supported the public body’s position pursuant to VA Code § 2.2-3713(D) (1950, as amended).

The Court further **declines** to award a civil penalty against Respondent and finds that the violation was not willfully and knowingly made pursuant to VA Code § 2.2-3714 (1950, as amended).

Entered on September 9, 2010.

A handwritten signature in black ink, appearing to read "Brett A. Kassabian", is written over a horizontal line.

JUDGE BRETT A. KASSABIAN

Compliance with Rule 1:13 is dispensed with by the Court at its discretion.