

# SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING  
100 NORTH NINTH STREET  
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## **Granted Appeal Summary**

### **Case**

JOHN FASUSI v. GABY TOUMA  
(Record Number 180642)

### **From**

The Circuit Court of Fairfax County; D. Schell, Judge.

### **Counsel**

Thomas R. Breeden (Thomas R. Breeden, P.C.) for appellant.

Jacqueline A. Kramer (Westlake Legal Group) for appellee.

### **Assignments of Error**

1. The Trial Court erred in ruling that if an attorney does not have a written retainer agreement with his client, his actions in representing that client in court and arbitration are a nullity.
2. The Trial Court erred in ruling that no attorney was representing Gaby Touma in his personal capacity until November 14, 2017.
3. The Trial Court erred in ruling that Attorney Mahdavi did not have actual or apparent authority to file a motion to compel arbitration.
4. The Trial Court erred in ruling that Attorney Mahdavi's filing of the Motion to Compel Arbitration on behalf of Gaby Touma was not an agreement to arbitrate.
5. The Trial Court erred in ruling that Gaby Touma was not bound by the Motion to Compel Arbitration filed on his behalf by Attorney Mahdavi.
6. The Trial Court erred in ruling that Gaby Touma was not bound by the Order to Compel Arbitration entered by the Court.
7. The Trial Court erred in ruling that the McCammon Group Agreement to Arbitrate was not signed with actual or apparent authority.

8. The Trial Court erred in ruling that Gaby Touma was not bound by the McCammon Group Agreement to Arbitrate.

9. The Trial Court erred in ruling that there was no arbitration agreement with Gaby Touma.

10. The Trial Court erred in ruling that, under Virginia Code § 8.01-581.010, the time for filing a motion to vacate an arbitration award does not begin upon delivery of the Arbitration Award to counsel for a party, but rather only upon delivery to the party personally.

11. The Trial Court erred in ruling that the objection to the entry of the arbitration award was timely filed under Virginia Code § 8.01-581.010.

12. The Trial Court erred in refusing to confirm the Arbitration Award as to Gaby Touma.