

# SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING  
100 NORTH NINTH STREET  
RICHMOND, VIRGINIA 23219  
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## **Granted Appeal Summary**

### **Case**

ANN MICHELLE WHITE v. ANN ELIZABETH LLEWELLYN, ET AL.  
(Record Number 191599)

### **From**

The Circuit Court of Henrico County; R. Wallerstein, Jr., Judge.

### **Counsel**

E. Duncan Getchell, Jr., Scott C. Oostdyk, and Matthew D. Fender (McGuireWoods LLP) for appellant.

S. Miles Dumville, Alan D. Bart (Reed Smith LLP), and James Hill Wilson, Jr., for appellees.

### **Assignments of Error**

1. The trial court erred in ruling that once the plaintiff in a fraudulent conveyance case proves a “badge of fraud,” thus establishing a *prima facie* case, she nonetheless still retains the burden of proving fraudulent conveyance by clear and convincing evidence.
2. The trial court erred in ruling that Appellant did not present sufficient evidence to establish a right to a judgment against defendants for transferring real property from wife to husband to the detriment of plaintiff as judgment creditor of the wife.
3. The trial court erred in ruling that Appellee had presented sufficient evidence to earn a judgment dismissing in its entirety plaintiff’s case for fraudulent conveyance.
4. The trial court erred in failing to award Appellant her attorney’s fees pursuant to Va. Code §55.82.1.