

# SUPREME COURT OF VIRGINIA



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

## **Granted Appeal Summary**

### **Case**

LISHA BRYANT-SHANNON v. HAMPTON ROADS COMMUNITY ACTION PROGRAM, INC.

(Record Number 200153)

### **From**

The Circuit Court of the City of Newport News; W. Savage, Judge Designate.

### **Counsel**

Chester Smith (Smith Law Group, PLLC) for appellant.

Joseph F. Verser (Heath, Overbey, Verser & Old, P.L.C.) for appellee.

### **Assignments of Error**

1. The Trial Court erred in granting the Defendant Hampton Roads Community Action Program's (HRCAP's) Demurrer and in holding that the statements HRCAP Interim Executive Director Tina Vick made in the September 14, 2015 Disciplinary Action form against the Plaintiff Lisha Bryant-Shannon (Shannon) were not defamatory, despite Vick's false accusations that Shannon had abused her paid vacation-sick leave, violated HRCAP e-mail policy, and improperly treated salaried employees as hourly ones in violation of federal labor law.
3. The Trial Court erred in granting HRCAP's Special Plea of Absolute Privilege, since a VEC hearing is not a judicial proceeding, Futrell's defamatory statements falsely accusing Shannon of "stealing" HRCAP e-mails do not constitute information to be "used" in support of any cause of action based on the breach of a separate duty or obligation, and Vick later republished these statements to a third party.