

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
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Granted Appeal Summary

Case

COVE POINT LNG, LP v. MATTAWOMAN ENERGY, LLC
(Record Number 240751)

From

The Court of Appeals of Virginia.

Counsel

Robert W. Loftin, Jonathan T. Blank, Kathryn M. Barber, and Elizabeth M. Thomas (pro hac vice) (McGuireWoods LLP) for appellant.

Anand Ramana (Vedder Price, P.C.) for appellee.

Assignments of Error

1. The Court of Appeals failed to consider the entirety of the Record and erred in holding that the trial court abused its discretion by preventing Mattawoman from pursuing discovery on its affirmative defenses when Mattawoman was given a reasonable opportunity to do so.
2. The Court of Appeals erred in how it interpreted and applied this Court's precedents in *Rakes v. Fulcher*, 210 Va. 542 (1970), *Dick Kelly Enters. v. City of Norfolk*, 243 Va. 373 (1992), *O'Brian v. Langley School*, 256 Va. 547 (1998), *Nizan v. Wells Fargo Bank Minn. N.A.*, 274 Va. 481 (2007), and *Va. Fuel Corp. v. Lambert Coal Co.*, 291 Va. 89 (2016), as well as Rule 4:1.
3. The Court of Appeals erred in failing to determine whether the trial court correctly granted summary judgment for Cove Point and denied summary judgment to Mattawoman.

Assignment of Cross-Error

1. Whether the Court of Appeals erred when it failed to analyze and conclude that the 2019 Service Agreement was unenforceable because Cove Point severed Mattawoman's essential rights before either party's performance.