

SUPREME COURT OF VIRGINIA



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

Granted Appeal Summary

Case

CITY OF RICHMOND v. NEW IRISH, LLC, D/B/A SINE IRISH PUB
(Record Number 181226)

From

The Circuit Court of the City of Richmond; G. Rupe, Judge.

Counsel

Richard E. Hill, Jr. (Office of the City Attorney) for appellant.

Wm. Tyler Shands and Carter T. Keeney (Carter & Shands, P.C.) for appellee.

Assignments of Error

1. The trial court erred in ruling that the indemnification clause was limited to “injury to the police officer and possible workman compensation issues.”
2. The trial court further erred in ruling that because Officer Allen was acting as a police officer at the time of the incident and not as an employee who was under the control of the Appellee with respect to those police powers, the indemnification clause cannot be enforced against Appellee.
3. If the case turns on Officer Allen’s capacity at the time of the underlying incident, the trial court also erred by deciding a disputed issue on Demurrer.