

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

HARRY W. PRYDE and KAREN W. PRYDE,  
Co-Administrators of the Estate of Julia  
Kathleen Pryde, deceased,

Plaintiffs,

v.

Case No. CL-2009-5671

JOHN W. THYDEN, Administrator of  
the Estate of Seung-Hui Cho, deceased,  
*et al.*,

Defendants.

**SPECIAL PLEA OF SOVEREIGN IMMUNITY AND DEMURRER**  
**OF DEFENDANTS CATHYE BETZEL, Psy.D.,**  
**SHERRY LYNCH CONRAD, CHRISTOPHER FLYNN,**  
**ROBERT MILLER, Ed.D., and SANDRA WARD**

NOW COME Defendants Cathye Betzel, Psy.D., Sherry Lynch Conrad, Christopher Flynn, Robert Miller, Ed.D., and Sandra Ward, by counsel, and pursuant to the Rules of the Supreme Court of Virginia, state as follows for their Special Plea of Sovereign Immunity and Demurrer:

1. These defendants owed no legal duty to plaintiff's decedent with regard to third party criminal acts.
2. These Defendants cannot be held liable by virtue of the public duty doctrine.
3. These Defendants cannot be held liable for simple negligence by virtue of the doctrine of sovereign immunity.

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CLERK OF CIRCUIT COURT  
FAIRFAX COUNTY

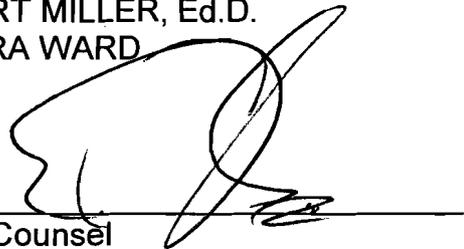
4. The facts alleged in the Complaint, as a matter of law, cannot support a claim of gross negligence against any of these defendants.

WHEREFORE, these Defendants pray that the Court sustain their Special Plea of Sovereign Immunity and Demurrer, dismiss the Complaint with prejudice, and grant such other relief as the Court may deem appropriate.

CATHYE BETZEL, Psy.D.  
SHERRY LYNCH CONRAD  
CHRISTOPHER FLYNN  
ROBERT MILLER, Ed.D.  
SANDRA WARD

By:

Counsel



Edward J. McNelis III (VSB #34003)  
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[JMcChesney@RawlsMcNelis.com](mailto:JMcChesney@RawlsMcNelis.com)  
*Counsel for Defendants Cathye Betzel, Psy.D.,  
Sherry Lynch Conrad, Christopher Flynn,  
Robert Miller, Ed.D., Maisha Marie Smith  
and Sandra Ward*

Certificate of Service

I hereby certify that on this 22<sup>nd</sup> day of May, 2009, I transmitted a true and correct copy of the foregoing to:

Robert T. Hall  
Hall, Sickels, Frei & Mims, P.C.  
12120 Sunset Hills Road, Suite 150  
Reston, VA 20190

John W. Thyden  
4601 Willard Ave.  
Chevy Chase, MD 20815

Mike F. Melis  
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900 East Main Street  
Richmond, VA 23219

Jim H. Guynn, Jr.  
Elizabeth K. Dillon  
Adam G. Swann  
Guynn, Memmer & Dillon, P.C.  
415 S. College Avenue  
Salem, VA 24153

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned to the right of the contact information for Guynn, Memmer & Dillon, P.C.

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Co-Administrators of the Estate of Julia  
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Plaintiffs,

v.

Case No. CL-2009-5671

JOHN W. THYDEN, Administrator of  
the Estate of Seung-Hui Cho, deceased,  
*et al.*,

Defendants.

**DEFENDANT SHERRY LYNCH CONRAD'S OBJECTION TO VENUE  
AND MOTION TO TRANSFER VENUE**

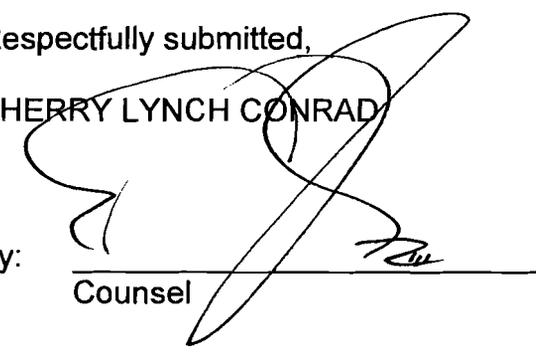
NOW COMES Defendant Sherry Lynch Conrad, by counsel, and hereby objects to venue in this Court and respectfully requests this Court to transfer to the Circuit Court for the County of Montgomery. This Defendant hereby adopts the arguments and authorities set forth in the memoranda previously filed by other defendants in this matter.

Respectfully submitted,

SHERRY LYNCH CONRAD

By:

Counsel



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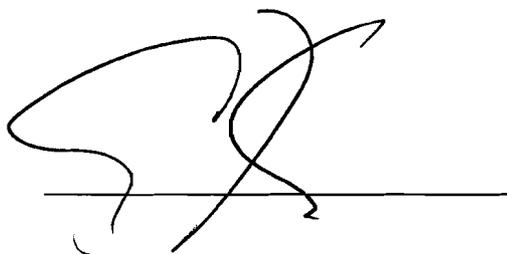
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