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FILE NO: 37100.010095

By Hand

The Hon. R. Terrence Ney
Judges' Chambers
Circuit Court of Fairfax County
4110 Chain Bridge Road
Fairfax, Virginia 22030

Fairfax County Water Authority v. City of Falls Church

Fairfax County Circuit Court
Case No. 2008-16114

Dear Judge Ney:

You have asked the parties to consider whether to waive a jury trial in this case. On August 13, 2009, counsel for the City of Falls Church agreed to do so. Fairfax Water likewise agrees.

Thank you for hearing this case.

Very truly yours,

Stuart A. Raphael

cc: John E. Foster, Esq. (by e-mail and mail)
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