

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

Bruce Lee Irle,	)
Administrator of the Estate of	)
Harry Lee Irle,	)
	)
Plaintiff,	)
	)
v.	)
	)
INOVA HEALTH SYSTEM FOUNDATION	)
Et al.	)
	)
Defendants.	)

Law No. CL-2018-11276

THIS MATTER comes before the Court this 2<sup>nd</sup> day of August 2019, upon Defendant Beverly Enterprises – Virginia Inc’s Plea in Bar and Motion to Stay Proceedings, which relief is based on Plaintiff’s execution of a purported mandatory arbitration provision at the time he was admitted to the Defendant’s nursing facility.

Upon consideration of the pleadings, memoranda and submissions of the Parties, the Court finds that the mandatory arbitration provision is unenforceable, as it was not executed by the patient Harry Lee Irle, or his lawful power of attorney at the time, Bruce L. Irle.

Defendant’s Motion for a Protective Order from answering discovery is denied for the same reason.

The clerk shall provide a certified copy of this order to all counsel of record.


8/2/19  
Date

  
Hon. Penney S. Azcarate


Penney S. Azcarate

No Exec


We ask for this:

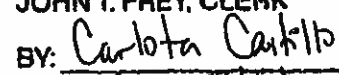
  
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A COPY TESTE:  
JOHN T. FREY, CLERK  
BY:   
Deputy Clerk  
Date: 02/13/2019  
Original retained in the office of  
the Clerk of the Circuit Court of  
Fairfax County, Virginia