

# SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING  
100 NORTH NINTH STREET  
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## **Granted Appeal Summary**

### **Case**

LA BELLA DONA SKIN CARE, INC. v. BELLE FEMME ENTERPRISES, LLC, ET AL.  
(Record Number 181017)

### **From**

The Circuit Court of Chesterfield County; F. Rockwell, III, Judge.

### **Counsel**

James S. Kurz (Redmon, Peyton & Braswell, LLP) for appellant.

Benjamin S. Tyree (Coates and Davenport, P.C.) and William D. Bayliss and Joseph E. Blackburn, III (Williams Mullen) for appellees.

### **Assignment of Error**

1. The Circuit Court erred when, on remand from this Court, it by-passed trial and on a Defendant's pre-trial motion dismissed LBD's Successor Liability count after this Court has reversed the Circuit Court for application of the wrong standard of proof.
2. The Circuit Court erred when it found that the transaction that shifted the Bon Air's asset from Bon Air through Ayers & Stolte, P.C. to Belle Femme was a bona fide, arm's-length transaction despite (i) the undisputed evidence that the most valuable assets of the new entity passed from Bon Air through the law firm to Belle Femme for no consideration, and (ii) the array of the sordid facts of the contested transaction.