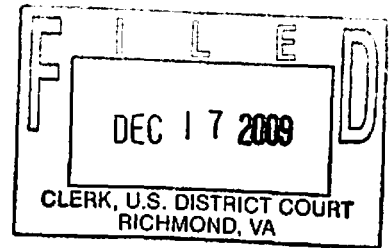


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



THE ARC OF VIRGINIA, INC.

Plaintiff,

v.

Civil No. 3:09cv686

TIMOTHY M. KAINE, et al.

Defendants.

ORDER

For the reasons set forth in the accompanying Memorandum Opinion, it is hereby ORDERED that the Defendant's MOTION TO DISMISS (Docket No. 10) is granted and the Plaintiff's MOTION FOR PRELIMINARY INJUNCTION (Docket No. 2) is denied. The dismissal is without prejudice.

It is so ORDERED.

_____/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: December 16, 2009