

No. 23-ICA-155
(Consolidated with No. 23-ICA-154)

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IN THE INTERMEDIATE COURT OF APPEALS OF WEST VIRGINIA

**DAVID TENNANT, by and through
DEBORAH TENNANT, his guardian and conservator,
and YURI DMITRI POPOV,**

Defendants Below, Petitioners,

v.

LT REALTY UNLIMITED, LLC,

Plaintiff Below, Respondent.

BRIEF OF RESPONDENT LT REALTY UNLIMITED, LLC

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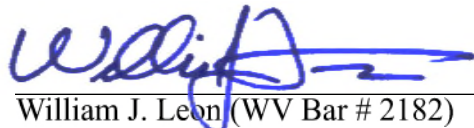
Counsel for Respondent LT Realty Unlimited, LLC

RESPONDENT'S BRIEF

This appeal has been consolidated with Case 23-ICA-154. The brief filed by Petitioners David Tennant and Yuri Popov acknowledges that “Petitioners’ arguments, and brief, are substantially similar to Northeast and Pachira petition in consolidated case, No. 23-ICA-154”. Petitioners’ brief, n.1. A comparison of the brief filed by Petitioners Northeast and Pachira and that filed by Tennant and Popov indicate that large portions of the briefs are identical.

Respondent has this day filed a brief in response to the Northeast-Pachira petition. Given that the Tennant-Popoff brief raises no issues that were not raised by the Northeast-Pachira petition and addressed by Respondent’s brief filed in response, and in order to avoid an unnecessary proliferation of pleadings, Respondent hereby incorporates by reference its brief filed on in response to the petition of Northeast and Pachira.

LT Realty, LLC,
Respondent, by counsel



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CERTIFICATE OF SERVICE

I certify that I served the attached Brief of Respondent LT Realty, LLC upon counsel for Petitioners listed below via File & Serve this 31st of August 2023.

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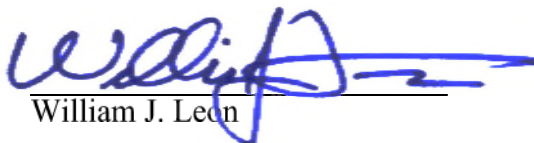
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