

VIRGINIA:

BEFORE THE VIRGINIA SUPREME COURT
APPEAL FROM THE STATE CORPORATION COMMISSION
At Richmond

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DOUGLAS ROBERT JOHNSON))
))
Appellant))
))
v.)	Record No. 091703
)	SCC Case No. CLK-2009-00014
))
VIRGINIA STATE))
CORPORATION COMMISSION))
))
and))
))
FLUVANNA COUNTY BOARD OF))
SUPERVISORS))
))
and))
))
LOUISA COUNTY BOARD OF))
SUPERVISORS))
))
and))
))
JAMES RIVER WATER))
AUTHORITY))
))
Appellees))
))
))
<hr/>))

OBJECTION TO MOTION TO DISMISS

COMES NOW your Appellant, Douglas R. Johnson, pro se,

and sets forth the following as his Objection to Motion to Dismiss his appeal from the order of the State Corporation Commission dated April 21, 2009 that issued a Certificate of Incorporation for the James River Water Authority; and deem the Certificate of Incorporation of the James River Water Authority void *ab initio*; as follows:

Posting of Bond

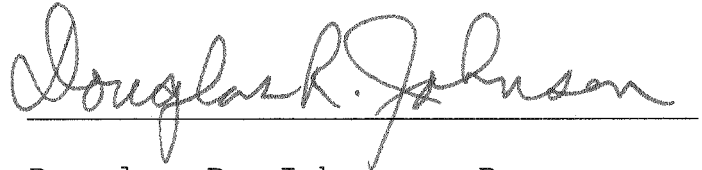
1. The Bond was delivered to the Commission on October 23, 2009 as shown in Exhibit A.

Assignment of Error

2. The assignment of error was also filed on October 23, 2009 as paragraph 9 of Johnson's Motion to Increase Record which says:

9. The basic logic is that the Articles need to conform to law, specifically the law the filing is done under, namely the Virginia Water Authority Act. That law says that for the Articles to conform to law they need to be acted on by the Fluvanna BOS and the Louisa BOS. The error this appeal is based on started at the Fluvanna BOS when they failed to act on a citizen petition calling for a referendum. While that action is disputed, it is still the main error. That error was brought forward by concealing the dispute from the Commission and by using the filing as a attempt to flee the jurisdiction of the court.

Wherefore Appellant, Douglas R. Johnson, pro se,
respectfully moves the Court deny the Motion to Dismiss.

A handwritten signature in cursive script that reads "Douglas R. Johnson". The signature is written in black ink and is positioned above a horizontal line.

Douglas R. Johnson, Pro se

DOUGLAS R. JOHNSON, PRO SE
571 Long Acre Road
Palmyra, VA 22963
(434) 286-6984 fax (206) 600-6984

CERTIFICATE OF SERVICE

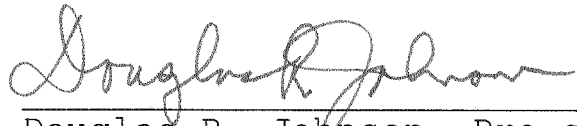
I hereby certify that a true copy of this document was mailed the 9TH day of November, 2009, to:

Frederick W. Payne, Esquire 434-977-4507
Fluvanna County Attorney
414 East Jefferson Street
Charlottesville, VA 22902
Counsel for Respondent Fluvanna County Board of Supervisors

Gregory Hoffmann, Esquire 540-967-4582
County Attorney for Louisa County
PO Box 160
1 Woolfolk Avenue
Louisa, VA 23093.
Counsel for Respondent Louisa County Board of Supervisors

Robert L. Hodges, Esquire 804-775-7513
McGuire Woods
James River Water Authority
One James Center
901 East Cary St.
Richmond, VA 23219-4030
Counsel for Respondent James River Water Authority

Jonathan B. Orne, Esquire 804-371-9671
Office of General Counsel
State Corporation Commission
Tyler Building, 10th Floor
1300 East Main Street
Richmond, VA 23219
Counsel for State Corporation Commission



Douglas R. Johnson, Pro se

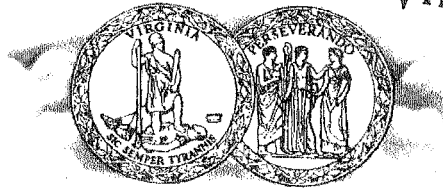
DOUGLAS R. JOHNSON, PRO SE

571 Long Acre Road

Palmyra, VA 22963

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COMMONWEALTH OF VIRGINIA



MARK C. CHRISTIE
COMMISSIONER

JAMES C. DIMITRI
COMMISSIONER

JUDITH WILLIAMS JAGDMANN
COMMISSIONER

JOEL H. PECK
CLERK OF THE COMMISSION
P.O. BOX 1197
RICHMOND, VIRGINIA 23218-1197

STATE CORPORATION COMMISSION
Office of the Clerk

October 23, 2009

Douglas Robert Johnson
571 Long Acre Road
Palmyra, VA 22963

009374

Re: Incorporation of James River Water Authority

SCC Case No. CLK-2009-00014 - Record No. 091703

Dear Mr. Johnson:

This is to acknowledge receipt of an Appeal bond with Surety in the amount of five hundred dollars (\$500.00), received October 23, 2009, in the above-styled case.

Sincerely,

Sherman L. McLaughlin, Jr.
Senior Commission Bailiff

DOCUMENT CONTROL

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CLERK'S OFFICE

c: Honorable Patricia L. Harrington
Clerk, Supreme Court of Virginia

EXHIBIT "A"

Form 8. Bond for Costs Alone - Required by Supreme Court on Appeal of Right From State Corporation Commission.

KNOW ALL MEN BY THESE PRESENTS, That I, Douglas Robert Johnson, principal, and CASHIER'S CHECK, surety, are held and firmly bound unto the State Corporation Commission, the County of Fluvanna, the County of Louisa, and the James River Water Authority, appellees, in the sum of Five Hundred Dollars (\$500.00) to the payment of which we bind ourselves, our heirs, successors, personal representatives and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such that:

Whereas the Supreme Court of Virginia on the 13th day of October, 2009, awarded an appeal from a final order entered in Case No. 091703 under the style of CLK-2009-00014 by the State Corporation Commission of Virginia, on the 21st day of April, 2009, on the condition that appellant Douglas Robert Johnson or someone for him, file an appeal bond with sufficient security in the clerk's office of the State Corporation Commission, in the penalty of Five Hundred Dollars (\$500.00) within fifteen (15) days of the date of the certificate of appeal, with condition as the law directs;

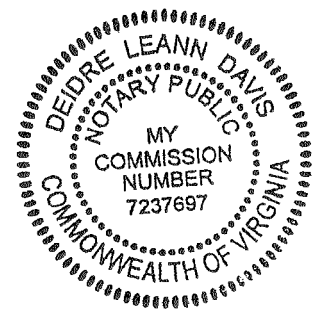
Now, therefore, if Douglas Robert Johnson, appellant, shall pay all damages, costs, and fees which may be awarded against him in the Supreme Court, then this obligation shall be void, otherwise to remain in full force and virtue.

In witness whereof, the said Douglas Robert Johnson, principal, and CASHIER CHECK, surety, have hereunto set their hands and seals, this 23 day of October, 2009.

Douglas Robert Johnson (SEAL)

_____ (SEAL)

State of Virginia
County of Fluvanna



The foregoing instrument was acknowledged before me this 23 day of October, 2009, by Douglas Robert Johnson

Notary Public

Deidre Leann Davis

My commission expires: January 31, 2013

CLERK'S OFFICE
2009 OCT 23 PM 2:50
DOCUMENT 091703

