

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

MAR 15 2011

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

VIRGINIA POLYTECHNIC INSTITUTE)
AND STATE UNIVERSITY,)

Plaintiff,)

v.)

HOKIE REAL ESTATE, INC.,)

Defendant.)

Civil Action No. 7:10CV00466

ORDER

By: Hon. Glen E. Conrad
Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ORDERED

as follows:

1. The defendant's motion to dismiss is **DENIED**; and
2. The plaintiff's motion for preliminary injunction is **DENIED**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to all counsel of record.

ENTER: This 15th day of March, 2011.

[Signature]

Chief United States District Judge