

2000 SESSION

INTRODUCED

002143836

HOUSE BILL NO. 809

Offered January 21, 2000

*A BILL to amend and reenact § 8.01-420 of the Code of Virginia, relating to use of depositions as a basis for motion for summary judgment or a motion to strike evidence.*

Patrons—McDonnell, Harris and McClure

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 8.01-420 of the Code of Virginia is amended and reenacted as follows:**

§ 8.01-420. Depositions as basis for motion for summary judgment or to strike evidence.

No motion ~~for summary judgment or~~ to strike the evidence shall be sustained when based in whole or in part upon any discovery depositions under Rule 4:5, unless all parties to the suit or action shall agree that such deposition may be so used. *However, a motion for summary judgment may be based, in whole or in part, upon pleadings, depositions, answers to interrogatories, admissions on file, or affidavits.*

INTRODUCED

HB809