

# 1998 RECONVENED SESSION

ENROLLED

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER

*An Act for the relief of Richard M. Nalwasky.*

[H 164]

Approved

Whereas, Richard M. Nalwasky purchased a 1994 Toyota Land Cruiser (the vehicle) from Hugh B. Casey for \$37,000; and

Whereas, in order to purchase the vehicle, Mr. Nalwasky secured a loan with terms provided for a \$700 per month note; and

Whereas, at the time of the purchase Hugh B. Casey was an employee of Peninsula Motor Cars, Inc., t/a Casey Honda/BMW (Casey Honda/BMW); and

Whereas, Hugh B. Casey had purchased the vehicle from an individual named Carlos Reese through an "accommodation sale" arranged through Casey Honda/BMW; and

Whereas, the title history of the vehicle indicates that vehicle was purchased from Mr. Reese by Casey Honda/BMW; and

Whereas, in February 1996, the vehicle was confiscated by the Virginia State Police and it was subsequently determined that the vehicle had been stolen from the state of Maryland; and

Whereas, despite the confiscation, Mr. Nalwasky remains liable for the note; and

Whereas, Mr. Nalwasky subsequently was awarded a judgment in the amount of \$38,816 against Hugh B. Casey in the circuit court of Virginia Beach; and

Whereas, Mr. Nalwasky has been unable to recover the judgment and the interest that has accrued on it since the award; and

Whereas, Mr. Nalwasky has no other means to obtain relief except by action of this body; now, therefore,

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

**1. § 1.** *That there is hereby allocated from the Motor Vehicle Transaction Recovery Fund the sum of \$15,000 for the relief of Richard M. Nalwasky. This sum shall be paid by check issued by the State Treasurer on a warrant issued by the Comptroller, upon execution by Richard M. Nalwasky of a release of all claims he may have against the Commonwealth or any of its political subdivisions or their officers, employees, or agents. In addition, Mr. Nalwasky shall assign to the Motor Vehicle Dealer Board the amount of \$15,000 from the judgment he has obtained against Mr. Casey.*

**2. That an emergency exists and this act is in force from its passage.**

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