

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

)	
FEDERAL ENERGY REGULATORY)	
COMMISSION,)	
)	
Plaintiff,)	Civil Action No. 3:15-cv-00452-MHL-MRC
v.)	
)	
POWHATAN ENERGY FUND, LLC,)	
)	
Defendant.)	
)	

**DEFENDANT POWHATAN ENERGY FUND, LLC’S POSITION STATEMENT
REGARDING ITS AFFIRMATIVE DEFENSE OF UNCLEAN HANDS AND
INEQUITABLE CONDUCT**

COMES NOW, Defendant Powhatan Energy Fund, LLC (“Powhatan”), and files this position statement in response to the Court’s Order of February 1, 2022 (ECF No. 299), and states as follows:

1. Powhatan withdraws its Fifteenth Affirmative Defense, “FERC’s claims are barred because of inequitable conduct and unclean hands”, in its entirety. (ECF No. 145 at 29).

Dated: February 7, 2022

Respectfully Submitted,

/s/ Jeffrey Brundage
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CERTIFICATE OF SERVICE

I certify that on February 7, 2022, I filed the foregoing with the Court's CM/ECF system, which caused a copy to be served on counsel of record for all parties to this action.

/s/ Jeffrey Brundage
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