
In the
Supreme Court of Virginia

Record No. 260397

GW ACQUISITION CO., LLC and GW ACQUISITION CO. I, LLC,
Petitioners – Defendants,

v.

KATY BURKE., *et al.*,
Respondents – Plaintiffs.

NOTICE OF WITHDRAWAL OF PETITION FOR APPEAL

From the Court of Appeals of Virginia
Record No. 2025-24-4

Robert W. Loftin (VSB No. 68377)
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*Counsel for GW Acquisition Co., LLC and
GW Acquisition Co. I, LLC*

July 2, 2026

NOTICE OF WITHDRAWAL OF PETITION FOR APPEAL

Pursuant to Rule 5:38, Petitioners GW Acquisition Co., LLC, and GW Acquisition Co. I, LLC (collectively, “GWA”), hereby respectfully give notice of withdrawal of their Petition for Appeal in this proceeding, Record No. 260397. A notice of withdrawal also is being filed this day in Record No. 260396. In support of this notice, GWA states as follows:

1. GWA is an affiliate of Quality Technology Services, LLC (“QTS”). The Commonwealth of Virginia has been a core part of QTS’s business for many years, investing billions of dollars in Northern Virginia and the Richmond region, including \$5 billion in Central Virginia alone. These operations contribute meaningful and ongoing economic benefits through local tax revenues, job creation, and direct investment in community priorities such as affordable housing, schools, infrastructure, and public services. QTS’s headquarters and both CEOs call Virginia home, reflecting a long-term alignment with the Commonwealth’s economic success and community priorities.

2. However, after careful consideration, QTS has made the decision to terminate the Digital Gateway project and withdraw its associated filings. The project advanced through years of planning, analysis, and public review, and was approved by the Prince William Board of County Supervisors following a rigorous process. As proposed, the project would have delivered significant infrastructure

investment to Prince William County, including tens of billions of dollars in capital investment, substantial annual local tax revenues to support public services, and thousands of long-term jobs.

3. QTS deeply appreciates the relationships it has built with community stakeholders throughout this process and remains grateful for the collaboration and dialogue that have shaped its engagement on the Digital Gateway project. The company will proceed with a responsible and orderly termination of project activities, consistent with its commitments and values as a company and community partner.

4. Pursuant to Rule 5:38(b), GWA certifies that this Record Number, and Record Number 260396, should be remanded to the Court of Appeals of Virginia so the Court of Appeals may vacate the stay it entered and continued during the pendency of proceedings in the Supreme Court of Virginia.

Dated: July 2, 2026

Respectfully submitted,

/s/ Robert W. Loftin

Robert W. Loftin (VSB No. 68377)
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*Counsel for GW Acquisition Co.,
LLC and GW Acquisition Co. I, LLC*

CERTIFICATE OF SERVICE

I certify that the foregoing complies with the requirements of the Rules, and I further certify as follows:

1. This Notice of Withdrawal of Petition for Appeal complies with the requirements of Rule 5:38.

2. The Parties to this action are as follows:

a. Petitioners/Defendants GW Acquisition Co. and GW Acquisition Co. I, LLC;

b. Defendant H&H Capital Acquisitions, LLC;

c. Defendant Prince William County Board of County Supervisors;
and

d. Respondents/Plaintiffs: (i) Katy Burke, (ii) Liam Burke, (iii) Carol Czarkowski, (iv) Wanda Sabin, and (v) the American Battlefield Trust.

3. Counsel for Petitioners/Defendants GW Acquisition Co. and GW Acquisition Co. I, LLC are:

Robert W. Loftin (VSB No. 68377)

John J. Woolard (VSB No. 92612)

Richard J. Batzler (VSB No. 95689)

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5. Counsel for Defendant Prince William County Board of County Supervisors are:

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6. Counsel for Respondents/Plaintiffs is:

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7. I certify that on July 2, 2026, I caused the foregoing to be sent via email
to the above counsel of record.

8. I also certify that on July 2, 2026, I caused the foregoing to be sent via email to:

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Counsel for Appellants/Plaintiffs in *Oak Valley Homeowners Ass'n, et al. v. Board of County Supervisors, Prince William County et al.*
(Record Nos. 1584-25-4, 1590-25-4, and 1592-25-4)

9. On July 2, 2026, I caused the foregoing to be filed and served electronically in the Clerk's Office of the Supreme Court of Virginia pursuant to the Rules of the Supreme Court of Virginia and the VACES Guidelines.

/s/ Robert W. Loftin

Robert W. Loftin