

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

WILLIAM THORPE, *et al.*,

Plaintiffs,

v.

VIRGINIA
DEPARTMENT OF
CORRECTIONS, *et al.*,

ORDER

CASE NO. 2:20-cv-00007-JPJ-
PMS

This matter is before the court on the Defendants' Motion To Stay, (Docket Item No. 105) ("Motion"). Based on the arguments and representations contained in the Motion, the response, the reply and the surreply, the Motion is **GRANTED in part and DENIED in part**. The Motion is **DENIED** insofar as it seeks to stay all discovery in this matter pending the defendants' interlocutory appeal of the court's ruling on their qualified immunity defense. The court finds that judicial efficiency necessitates that discovery in this matter continue because claims for equitable relief against the defendants in their official capacities remain in this case. The Motion is **GRANTED** only insofar as to stay discovery on the issue of monetary damages against the individual defendants in their individual capacities.

The Clerk's Office shall provide a copy of this Order to all counsel of record.

ENTERED: July 23, 2021.

/s/ Pamela Meade Sargent

UNITED STATES MAGISTRATE JUDGE_