

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

WILLIAM THORPE, *et al.*,

Plaintiffs,

v.

VIRGINIA DEPARTMENT OF
CORRECTIONS, *et al.*,

Defendants.

Civil Case No. 2:20-cv-00007-JPJ-PMS

CLASS ACTION

**PLAINTIFFS' MOTION FOR LEAVE TO FILE A RESPONSE TO DEFENDANTS'
STATEMENT REGARDING PROPOSED CLASS REPRESENTATIVES AND NOTICE**

Plaintiffs William Thorpe, Frederick Hammer, Dmitry Khavkin, Gerald McNabb, Gary Wall, Vernon Brooks, Brian Cavitt, Derek Cornelison, Peter Mukuria, Steven Riddick, and Kevin Snodgrass, respectfully move this Court for an Order granting them leave to file a response to Defendants' Statement Regarding Proposed Class Representatives and Notice, ECF No. 313. Plaintiffs move for leave so that they may respond to Defendants' "renew[ed] . . . objection" to the Court's class certification order, which is procedurally improper, and to correct various misstatements and omissions in Defendants' statement. Plaintiffs have conferred with Defendants in good faith, but the parties were unable to reach agreement.

Dated: May 25, 2023

Respectfully submitted,

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