CLERKS OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED
March 04, 2026
LAURA A. AUSTIN, CLERK
BY: s/ FELICIA CLARK
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

WILLIAM THORPE, et al.,	)	
	)	
Plaintiffs,	)	Case No. 2:20CV00007
	)	
v.	)	**ORDER**
	)	
VIRGINIA DEPARTMENT OF CORRECTIONS, et al.,	)	JUDGE JAMES P. JONES
	)	
	)	
Defendants.	)	

A status conference was held on March 2, 2026. Accordingly, it is **ORDERED** as follows:

1. The nonjury trial is scheduled for no more than 15 trial days, beginning October 5, 2026, through October 23, 2026;
2. Plaintiffs' proposed class notice plan and designated class representatives, Dkt. No. 471, are APPROVED;
3. The parties shall confer and seek to agree to admission of exhibits and other trial stipulations and procedures that will save trial time. The Court prefers the reading at trial of permitted deposition testimony, but exceptions are permitted where the testimony is brief and uncontested. Deposition testimony is to be avoided where issues of credibility are involved in which in-person testimony would better aid the Court in

determining the facts. Plaintiffs shall advise the Court as early as feasible prior to trial of their intent for specific in-person and remote testimony by incarcerated witnesses, to allow the necessary arrangements;

4. The Court grants leave to Plaintiffs to serve one Rule 30(b)(6) deposition notice limited to any material changes in the subject Step-Down Program and its policies, practices, and conditions of confinement. This notice shall not include more than ten requests for production and ten interrogatories. If necessary, the parties should provide supplemental expert reports and rebuttal expert reports;
5. The Court adopts the Plaintiffs' proposed event deadlines as set forth in Dkt. No. 520-1; and
6. Defendants are granted leave to present the trial testimony of Defendant A. David Robinson by *de bene esse* deposition. Plaintiffs may submit the witness's prior deposition testimony, subject to objections.

ENTER: March 4, 2026

/s/ JAMES P. JONES
Senior United States District Judge