CLERKS OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED
September 08, 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 pretrial conference was held on August 26, 2026, at which trial procedural issues were considered. The Court has resolved such matters, as set forth herein, as well as advising counsel of other matter of procedure applicable to the trial. Accordingly, it is **ORDERED** as follows:

1. Responses to motions in limine and other pretrial motions, objections to witness/exhibits lists, and objections to counter destinations on deposition testimony are due September 8, 2026;

2. Movants' replies as to motions in limine and other pretrial motions are due September 15, 2026, and such motions will be decided by the Court without a hearing;

3. Proposed findings of fact are due from the parties following the trial and not before trial, on a date to be later determined by the Court and in conjunction with post-trial briefing;

4. The Clerk shall assign rooms in the Courthouse to counsel in the case for their use during trial and a reasonable period before the day of trial;

5. The defendant is permitted as requested to have a total of four state incarcerated witnesses, two per day, along with the use of the U.S. Marshal's holding cells in the Courthouse for such witnesses, as arranged by Supervising Deputy U.S. Marshal James Satterwhite;

6. Trial proceedings will not be held on October 12, 2026, which is a holiday, and will not be held on October 13, 2026, on which the Court has criminal matters that require precedence;

7. The parties shall make opening statements, which need not be lengthy;

8. Counsel must read into the record portions of deposition transcripts that have been admitted, unless reading is waived by the Court;

9. All witnesses, other than parties, will be excluded from the courtroom until called. Although the exclusion does not prevent counsel from talking with excluded witnesses during recesses about their expected testimony, there must be no disclosure of courtroom testimony given to the excluded witnesses by any person. Witnesses must be released from further attendance as soon as they are no longer needed. After testifying, a witness is deemed released unless counsel or the Court indicates that the witness is not so excused. Counsel must be prepared to present witnesses without undue delay;

10. Questions to witnesses and argument to the court must be made from the lectern. All objections and other remarks to the court must be made while standing. Objections must be succinct and limited, such as "objection, hearsay." If argument is

needed, the court will so indicate. Counsel should attempt to anticipate any evidentiary disputes and bring them to the attention of the court ahead of time;

11. Trial days will begin promptly at 9:00 a.m. and end at approximately 4:00 p.m. each day, with a luncheon break and breaks in the morning and afternoon; and

12. The Box.com (Box) file-sharing platform will be used in the trial of this case. Counsel will receive an invitation from Courtroom Deputy Clerk Felicia Clark, 276/628-5116, feliciac@vawd.uscourts.gov, providing additional information. All intended exhibits must be uploaded by the parties to Box no later than 5:00 p.m. three business days before the first day of trial. Plaintiffs will number their exhibits P1, etc., and defendants D1, etc. The Clerk shall transfer admitted exhibits from Box to the docket on CM/ECF. Refused exhibits shall also be transferred from Box to the docket, marked as refused. The parties must provide the Court with hard copies of all intended exhibits. If counsel wished a witness to view an exhibit, the exhibit shall be shown to the witness electronically if possible.

ENTER: September 8, 2026

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