

**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

PLAINTIFFS' MOTION TO RECONSIDER THE COURT'S AUGUST 8, 2023 ORDER

Pursuant to Federal Rule of Civil Procedure 54(b), Plaintiffs William Thorpe, Frederick Hammer, Dmitry Khavkin, Gerald McNabb, Gary Wall, Vernon Brooks, Brian Cavitt, Derek Cornelison, Peter Mukuria, Steven Riddick, and Kevin Snodgress, respectfully move this Court for an order reconsidering its August 8, 2023 Order and (i) permit Mr. Mukuria to serve as the representative for the Constitutional Violation Injunction Class, and (ii) revise the definitions of the Disabilities Classes for the reasons set forth in the accompanying memorandum of law.

Dated: August 22, 2023

Respectfully submitted,

/s/ Megan A. Crowley

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Certificate of Service

I hereby certify that on the 22nd day of August, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all CM/ECF participants.

/s/ Megan A. Crowley