IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

THE NATIONAL FEDERATION OF THE BLIND OF VIRGINIA, *et al.*,	)	
Plaintiffs,	)	
v.	)	Civil Action No. 3:23-cv-127–HEH
VIRGINIA DEPARTMENT OF CORRECTIONS, *et al.*,	)	
Defendants.	)	

ORDER
(Granting in Part Motions to Dismiss and Ordering Plaintiffs to Amend)

THIS MATTER is before the Court on Defendants' Motions to Dismiss (ECF Nos. 42, 46, 57). Upon due consideration and for the reasons stated in the accompanying Memorandum Opinion, the Motions to Dismiss are Granted in Part as specified below:

1. The VDOC Defendants' Motion to Dismiss for lack of standing is DENIED;
2. The VDOC Defendants' Motion to Dismiss pursuant to Federal Rules of Civil Procedure 8 and 10 is DENIED;
3. The VDOC Defendants' Motion to Dismiss Counts I, II, III, and IV is DENIED;
4. VitalCore's Motion to Dismiss Counts VII and VIII is GRANTED;
5. Dr. Gupta's Motion to Dismiss Count VIII is DENIED;
6. The VDOC Defendants' Motion to Dismiss Count X is GRANTED;
7. VitalCore's Motion to Dismiss Counts XI and XII are GRANTED; and
8. Dr. Gupta's Motion to Dismiss Count XII is GRANTED.

This Court ORDERS Plaintiffs to file an amended complaint, no longer than thirty (30) pages, addressing the remaining Counts within twenty-one (21) days of the entry of this Order. Defendants shall have ten (10) days thereafter to file a responsive pleading.

The Clerk is DIRECTED to send a copy of this Order and the accompanying Memorandum Order to all counsel of record.

It is so ORDERED.

/s/
Henry E. Hudson
Senior United States District Judge

Date: Oct. 16, 2023
Richmond, Virginia