

U.S. District Court
Eastern District of Virginia - (Alexandria)
CIVIL DOCKET FOR CASE #: 1:20-cv-00860-CMH-TCB

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Gary et al v. Virginia Department of Elections et al
Assigned to: District Judge Claude M. Hilton
Referred to: Magistrate Judge Theresa Carroll Buchanan
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 07/27/2020
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff

Carshena Gary

represented by **Zachary Scott DeVore**
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Plaintiff

Lori Scharff

represented by **Zachary Scott DeVore**
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Steven Michael Traubert
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Plaintiff

Regina Root

represented by **Zachary Scott DeVore**
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ATTORNEY TO BE NOTICED

Steven Michael Traubert
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ATTORNEY TO BE NOTICED

Plaintiff

Naim Muawia Abu-El Hawa

represented by **Zachary Scott DeVore**

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Steven Michael Traubert
(See above for address)
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Plaintiff

John Halverson

represented by **Zachary Scott DeVore**
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Steven Michael Traubert
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Plaintiff

National Federation of the Blind of Virginia

represented by **Zachary Scott DeVore**
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ATTORNEY TO BE NOTICED

Steven Michael Traubert
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ATTORNEY TO BE NOTICED

Plaintiff

American Council of the Blind of Virginia

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ATTORNEY TO BE NOTICED

Steven Michael Traubert
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Defendant

Virginia Department of Elections

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ATTORNEY TO BE NOTICED

Defendant

Christopher E. Piper
*Commissioner of the Virginia Department of
Election in his official capacity*

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Blaire Hawkins O'Brien
(See above for address)
ATTORNEY TO BE NOTICED

Ronald Nicholas Regnery
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Virginia Board of Elections

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Blaire Hawkins O'Brien
(See above for address)
ATTORNEY TO BE NOTICED

Ronald Nicholas Regnery

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Robert H. Brink

*Chair of the Virginia Board of Elections in
his official capacity*

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Blaire Hawkins O'Brien
(See above for address)
ATTORNEY TO BE NOTICED

Ronald Nicholas Regnery
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

John O'Bannon

*Vice Chair the Virginia Board of Election in
his official capacity*

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Blaire Hawkins O'Brien
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ATTORNEY TO BE NOTICED

Ronald Nicholas Regnery
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jamilah D LeCruise

*Secretary of the Virginia Board of Elections,
in her official capacity*

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Blaire Hawkins O'Brien
(See above for address)

ATTORNEY TO BE NOTICED**Ronald Nicholas Regnery**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/27/2020	1 R	Complaint against Virginia Department of Elections, Christopher Piper, Virginia Board of Elections, Robert H. Brink, John O'Bannon, Jamilah D. LeCruise (Filing fee \$ 400, receipt number 0422-7322040.), filed by Regina Root. (Attachments: # 1 Document filed in error and removed re Civil Cover Sheet, # 2 Civil Cover Sheet Additional Counsel pending pro hac vice, # 3 Affidavit Financial Disclosure ACB-VA, # 4 Affidavit Financial Disclosure NFBV)(Traubert, Steven) Modified text on 7/28/2020 (klau,). (Attachment 1 replaced on 7/28/2020) (klau,). Modified text on 7/28/2020 (klau,). (Entered: 07/27/2020)
07/28/2020		Initial Case Assignment to District Judge Claude M. Hilton and Magistrate Judge Theresa Carroll Buchanan. (klau,) (Entered: 07/28/2020)
07/28/2020		Notice of Correction re [1-1] Civil Cover Sheet, The filing user has been notified that document [1-1] is an incorrectly saved PDF fillable form and has been removed. The filing user was directed to refile the document.(klau,) (Entered: 07/28/2020)
07/28/2020		Notice of Correction re [1-3] [1-4] Financial Disclosure, The filing user has been notified to file financial disclosure separately for future filing. (klau,) (Entered: 07/28/2020)
07/28/2020	2	Civil Cover Sheet re 1 R Complaint,, <i>Proper PDF resubmission</i> by Regina Root. (Attachments: # 1 Supplement Additional Counsel)(Traubert, Steven) (Entered: 07/28/2020)
07/31/2020	3	NOTICE of Appearance by Zachary Scott DeVore on behalf of Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff (DeVore, Zachary) (Entered: 07/31/2020)
07/31/2020	4	First Motion to appear Pro Hac Vice by Kaitlin Banner and Certification of Local Counsel Steven M Traubert Filing fee \$ 75, receipt number 0422-7330355. by American Council of the Blind of Virginia. (Traubert, Steven) (Entered: 07/31/2020)
07/31/2020	5	Motion to appear Pro Hac Vice by Steven Paul Hollman and Certification of Local Counsel Steven M Traubert Filing fee \$ 75, receipt number 0422-7330381. by American Council of the Blind of Virginia, National Federation of the Blind of Virginia. (Traubert, Steven) (Entered: 07/31/2020)
07/31/2020	6	Motion to appear Pro Hac Vice by Margaret F Hart and Certification of Local Counsel Steven M Traubert Filing fee \$ 75, receipt number 0422-7330394. by American Council of the Blind of Virginia. (Traubert, Steven) (Entered: 07/31/2020)
07/31/2020	7	Motion to appear Pro Hac Vice by Abigail Alice Graber and Certification of Local Counsel Steven M Traubert Filing fee \$ 75, receipt number 0422-7330405. by American Council of the Blind of Virginia. (Traubert, Steven) (Entered: 07/31/2020)
07/31/2020	8	Motion to appear Pro Hac Vice by Eve Lynne Hill and Certification of Local Counsel Steven M Traubert Filing fee \$ 75, receipt number 0422-7330416. by National Federation of the Blind of Virginia. (Traubert, Steven) (Entered: 07/31/2020)

08/04/2020	9	WAIVER OF SERVICE Returned Executed, served on 7/31/20, answer due 9/29/20 by Carshena Gary. All Defendants. (DeVore, Zachary) Modified text on 8/5/2020 to add answer due date (klau,). (Entered: 08/04/2020)
08/05/2020	10	ORDER granting 5 Motion for Pro hac vice. Signed by District Judge Claude M. Hilton on 8/5/20. (klau,) (Entered: 08/05/2020)
08/05/2020	11	ORDER granting 6 Motion for Pro hac vice. Signed by District Judge Claude M. Hilton on 8/5/20. (klau,) (Entered: 08/05/2020)
08/05/2020	12	ORDER granting 4 Motion for Pro hac vice. Signed by District Judge Claude M. Hilton on 8/5/20. (klau,) (Entered: 08/05/2020)
08/05/2020	13	ORDER granting 8 Motion for Pro hac vice. Signed by District Judge Claude M. Hilton on 8/5/20. (klau,) (Entered: 08/05/2020)
08/05/2020	14	ORDER granting 7 Motion for Pro hac vice. Signed by District Judge Claude M. Hilton on 8/5/20. (klau,) (Entered: 08/05/2020)
08/07/2020	15	NOTICE by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff <i>of Appearance by Margaret Hart</i> (DeVore, Zachary) (Entered: 08/07/2020)
08/07/2020	16	NOTICE by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff <i>of appearance by Kailin Banner</i> (DeVore, Zachary) (Entered: 08/07/2020)
08/07/2020	17	NOTICE by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff <i>of appearance by Steven Hollman</i> (DeVore, Zachary) (Entered: 08/07/2020)
08/07/2020	18	NOTICE by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff <i>of appearance by Abigail Graber</i> (DeVore, Zachary) (Entered: 08/07/2020)
08/07/2020	19	NOTICE by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff <i>of appearance of Eve Hill</i> (DeVore, Zachary) (Entered: 08/07/2020)
08/10/2020	20	MOTION for Preliminary Injunction by Regina Root. (Attachments: # 1 Supplement Memorandum in Support, # 2 Proposed Order, # 3 Exhibit NFB VA Declaration, # 4 Exhibit ACB VA Declaration, # 5 Exhibit PI Gary Declaration, # 6 Exhibit PI Scharff Declaration, # 7 Exhibit PI Root Declaration, # 8 Exhibit PI Abu-El Hawa Declaration, # 9 Exhibit PI Halverson Declaration, # 10 Exhibit PI Gilbert Declaration)(Traubert, Steven) (Entered: 08/10/2020)
08/10/2020	21	Memorandum in Support re 20 MOTION for Preliminary Injunction filed by Regina Root. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit)(Traubert, Steven) (Entered: 08/10/2020)
08/11/2020	22	MOTION to Expedite <i>Unopposed</i> by National Federation of the Blind of Virginia. (Attachments: # 1 Proposed Order, # 2 Notice of Hearing)(Traubert, Steven) (Entered: 08/11/2020)
08/12/2020	23	ORDERED that Plaintiffs' unopposed motion (Dkt. 22) is GRANTED, it is further

		ORDERED as follows: (1) Defendants shall respond to Plaintiffs' Motion for Preliminary Injunction ("Motion") by Friday, August 21, 2020; (2) Plaintiffs shall file their reply, if any, by Wednesday, August 26, 2020; and (3) a hearing on this motion before the Honorable Claude Hilton shall be set for Friday, August 28, 2020 at 10:00 am. Signed by Magistrate Judge Theresa Carroll Buchanan on 08/12/2020. (jlan) (Entered: 08/12/2020)
08/12/2020		Set Deadline as to 20 MOTION for Preliminary Injunction. Motion Hearing set for 8/28/2020 at 10:00 AM in Alexandria Courtroom 800 before District Judge Claude M. Hilton. (jlan) (Entered: 08/12/2020)
08/12/2020	24	Motion to appear Pro Hac Vice by Natalia Maria Szlarb and Certification of Local Counsel Steven M Traubert Filing fee \$ 75, receipt number 0422-7349698. by Carshena Gary. (Traubert, Steven) (Entered: 08/12/2020)
08/19/2020	25	ORDER granting 24 Motion for Pro hac vice. Signed by District Judge Claude M. Hilton on 8/19/20. (klau,) (Entered: 08/20/2020)
08/21/2020	26	NOTICE by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff <i>of appearance Pro Hoc Vice by Natalia Szlarb</i> (DeVore, Zachary) (Entered: 08/21/2020)
08/21/2020	27	NOTICE of Appearance by Heather Hays Lockerman on behalf of Robert H. Brink, Jamilah D LeCruise, John O'Bannon, Christopher E. Piper, Virginia Board of Elections, Virginia Department of Elections (Lockerman, Heather) (Entered: 08/21/2020)
08/21/2020	28	NOTICE of Appearance by Carol Louise Lewis on behalf of Robert H. Brink, Jamilah D LeCruise, John O'Bannon, Christopher E. Piper, Virginia Board of Elections, Virginia Department of Elections (Lewis, Carol) (Entered: 08/21/2020)
08/21/2020		Notice of Correction re 26 NOTICE, The filing user has been notified to file a pro hac vice application and pay \$75.00 fee. (klau,) (Entered: 08/21/2020)
08/21/2020	29	NOTICE of Appearance by Blaire Hawkins O'Brien on behalf of Robert H. Brink, Jamilah D LeCruise, John O'Bannon, Christopher E. Piper, Virginia Board of Elections, Virginia Department of Elections (O'Brien, Blaire) (Entered: 08/21/2020)
08/21/2020	30	Opposition to 20 MOTION for Preliminary Injunction filed by Robert H. Brink, Jamilah D LeCruise, John O'Bannon, Christopher E. Piper, Virginia Board of Elections, Virginia Department of Elections. (Attachments: # 1 Exhibit Chris Piper Declaration, # 2 Exhibit James Heo Declaration)(Lewis, Carol) (Entered: 08/21/2020)
08/24/2020	31	MOTION for Electronic Device Application by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff. (Traubert, Steven) (Entered: 08/24/2020)
08/24/2020	32	Motion for use of Courtroom Technology re 31 MOTION for Electronic Device Application by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff. (Traubert, Steven) (Entered: 08/24/2020)
08/25/2020	33	NOTICE of Appearance by Ronald Nicholas Regnery on behalf of Robert H. Brink, Jamilah D LeCruise, John O'Bannon, Christopher E. Piper, Virginia Board of Elections, Virginia Department of Elections (Regnery, Ronald) (Entered: 08/25/2020)
08/26/2020	34	Motion for use of Courtroom Technology re 32 Motion for use of Courtroom Technology re 31 MOTION for Electronic Device Application <i>Remote Witness and</i>

		<i>Telephonic Hearing Access</i> by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff. (Traubert, Steven) (Entered: 08/26/2020)
08/26/2020	35	ORDER granting 31 Motion for Electronic Device Application; granting 32 Motion for use of courtroom technology. Signed by District Judge Claude M. Hilton on 8/26/20. (klau,) (Entered: 08/26/2020)
08/26/2020	36	REPLY to Response to Motion re 20 MOTION for Preliminary Injunction filed by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff. (Attachments: # 1 Exhibit Declaration of Belanger, # 2 Exhibit Declaration of Hill)(DeVore, Zachary) (Entered: 08/26/2020)
08/27/2020	37 R	Joint Motion for Entry of Partial Consent Judgment and Decree/SETTLEMENT AGREEMENT <i>Joint Proposal</i> by Naim Muawia Abu-El Hawa, American Council of the Blind of Virginia, Carshena Gary, John Halverson, National Federation of the Blind of Virginia, Regina Root, Lori Scharff. (Attachments: # 1 R Proposed Order)(Traubert, Steven) Modified text on 8/28/2020 to correct event. (klau,). (Entered: 08/27/2020)
08/28/2020	38 R	Minute Entry for proceedings held before District Judge Claude M. Hilton: Motion Hearing held on 08/28/2020. Appearance of Counsel. Plaintiffs 20 MOTION for Preliminary Injunction was withdrawn and order entered. (Court Reporter J. Egal)(jlan) (Entered: 08/28/2020)
08/28/2020	39 R	ORDER granting 37 R Joint Motion for Entry of Partial Consent Judgment (see order for details). Signed by District Judge Claude M. Hilton on 08/28/2020. (jlan) (Entered: 09/01/2020)
09/29/2020	40	ANSWER to Complaint by Robert H. Brink, Jamilah D LeCruise, John O'Bannon, Christopher E. Piper, Virginia Board of Elections, Virginia Department of Elections. (Lewis, Carol) (Entered: 09/29/2020)
10/22/2020	41	SCHEDULING ORDER: Initial Pretrial Conference set for 11/18/2020 at 11:00 AM in Alexandria Courtroom 500 before Magistrate Judge Theresa Carroll Buchanan. Discovery due by 2/12/2021. Final Pretrial Conference set for 2/18/2021 at 10:00 AM in Alexandria Courtroom 800 before District Judge Claude M. Hilton. Signed by District Judge Claude M. Hilton on 10/22/2020. (Attachments: # 1 Magistrate Consent Form, # 2 Pretrial Notice) (tran) Modified on 11/13/2020 VACATED per order dated 11/13/20 (klau,). (Entered: 10/22/2020)
11/13/2020	42	ORDER that the Court's Scheduling Order entered on October 22, 2020 is VACATED. Signed by District Judge Claude M. Hilton on 11/13/20. (klau,) (Entered: 11/13/2020)

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