

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

ALAN SCHINTZIUS et al.,  
Plaintiffs,

v.

Civil Action Nos. 3:16-cv-00741-JAG

J. KIRK SHOWALTER et al.,  
Defendants.

**ORDER**

This matter comes before the Court on the plaintiffs' motion for temporary restraining order. (Dk. No. 6.) For the reasons stated from the bench at the hearing held on September 12, 2016, the Court DENIES the motion.

The Court SETS this case for trial without a jury on **September 15, 2016, at 9:00 a.m.** The Court further ORDERS as follows:

- By **September 12, 2016, at 5:00 p.m.**, the plaintiffs shall provide the defendants with a list of information needed to prepare for trial. The defendants must file any objections to disclosure of the requested information by **September 13, 2016, at 12:00 p.m.** Subject to the Court's ruling on any objections, the defendants must disclose all information by **September 14, 2016, at 9:00 a.m.**
- The defendants shall file answers to the plaintiffs' complaint by **September 13, 2016, at 12:00 p.m.**
- The parties need not file witness or exhibit lists prior to trial.
- At trial, the parties may rely upon affidavits or other evidence filed in support of or response to the plaintiffs' motion for temporary restraining order.

- Counsel shall provide the Court with four (4) copies of exhibits on the day of trial, one for the judge, one for the courtroom clerk, one for the law clerk, and one for the witness. If more than ten (10) in number or more than twenty (20) total pages, the exhibits shall be bound in a notebook.
- The courtroom is equipped with screens for the viewing of evidence. Monitors are located on counsel tables, on the bench, and in the jury box. The courtroom has a document viewer that displays documents on the monitors; the parties may use the document viewer. Please visit the following website for complete information on the Court's evidence presentation system and technology:

[http://www.vaed.uscourts.gov/resources/Court%20Technology/evidence\\_presentation\\_systems.htm](http://www.vaed.uscourts.gov/resources/Court%20Technology/evidence_presentation_systems.htm)

The courtroom is equipped to allow the parties to use personal laptop computers to aid in displaying evidence at trial. The Court does not provide computers for the use of parties. Before bringing a computer into the courthouse, counsel must request permission to do so by submitting the Request to Use the Court's Evidence Presentation System and Request for Authorization to bring in electronic device(s), which are attached to this Order. Counsel should confer with the deputy clerk to conduct a test of the courtroom technology before trial.


Counsel can no longer bring cellphones into the courthouse without a signed authorization form. By **September 14, 2016, at 2:00 p.m.**, counsel should submit the above-referenced authorization form requesting permission to bring any cellphones or other electronic devices into the Court. While in the courthouse, telephones and calendars shall be turned off (not on silent or vibrate modes), except when in use on matters related to the case.

Finally, the Court DIRECTS the Clerk to docket the demurrer, (No. 3:16-cv-00740-JAG, Dk. Nos. 1-5), and the special plea in laches, (No. 3:16-cv-00740-JAG, Dk. Nos. 1-6), filed by some of the defendants in state court as motions to dismiss. The parties should be prepared to argue these motions at the bench trial.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: September 12, 2016  
Richmond, VA

/s/   
John A. Gibney, Jr.  
United States District Judge