

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

**Latasha Holloway, et al.,**

**Plaintiffs,**

**v.**

**City of Virginia Beach, et al.,**

**Defendants.**

**Civil Action No. 2:18-cv-0069**

---

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

COME NOW the Defendants, City of Virginia Beach, Virginia Beach City Council, Louis Jones, James Wood, Jessica Abbott, Aaron Rouse, Robert Dyer, Barbara Henley, Michael Berlucchi, John Moss, Guy Tower, Sabrina Wooten, Rosemary Wilson, all in their official capacity as members of the Virginia Beach City Council, Tom Leahy, in his official capacity as Acting City Manager, and Donna Patterson, in her official capacity as Director of Elections/General Registrar for the City of Virginia Beach (collectively "Defendants"), by counsel, and hereby file their Motion for Summary Judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure on the grounds that the Plaintiffs lack the necessary evidence to support essential elements of the Plaintiffs' case and Defendants are entitled to judgment as a matter of law. The reasons and grounds supporting this Motion for Summary Judgment are more specifically set forth in the accompanying Memorandum of Law.

WHEREFORE, Defendants respectfully move this Court to enter an Order granting this Motion and dismissing Plaintiff's Amended Complaint against them with prejudice, and for such other and further relief as the Court deems appropriate.

Respectfully submitted,

CITY OF VIRGINIA BEACH, et al.

By: \_\_\_\_\_/s/\_\_\_\_\_  
Of Counsel

**Mark D. Stiles** (VSB No. 30683)  
City Attorney  
**Christopher S. Boynton** (VSB No. 38501)  
Deputy City Attorney  
**Gerald L. Harris** (VSB No. 80446)  
Associate City Attorney  
**Joseph M. Kurt** (VSB No. 90854)  
Assistant City Attorney  
*Attorneys for the City of Virginia Beach*  
Office of the City Attorney  
Municipal Center, Building One  
2401 Courthouse Drive  
Virginia Beach, Virginia 23456  
(757) 385-4531 (Office)  
(757) 385-5687 (Facsimile)  
[mstiles@vbgov.com](mailto:mstiles@vbgov.com)  
[cboynton@vbgov.com](mailto:cboynton@vbgov.com)  
[glharris@vbgov.com](mailto:glharris@vbgov.com)  
[jkurt@vbgov.com](mailto:jkurt@vbgov.com)

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of October 2019, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

**Joseph Gerald Hebert**  
**Danielle Marie Lang**  
**Paul March Smith**  
**Annabelle Harless**  
**Ruth Merewyn Greenwood**  
Campaign Legal Center  
1411 K Street, NW  
Suite 1400  
Washington, DC 20005  
(202) 736-2200 (telephone)  
(202) 736-2222 (facsimile)  
[ghebert@campaignlegal.org](mailto:ghebert@campaignlegal.org)  
[dlang@campaignlegal.org](mailto:dlang@campaignlegal.org)  
[psmith@campaignlegal.org](mailto:psmith@campaignlegal.org)  
[aharless@campaignlegal.org](mailto:aharless@campaignlegal.org)  
[rgreenwood@campaignlegal.org](mailto:rgreenwood@campaignlegal.org)

\_\_\_\_\_/s/  
Gerald L. Harris

**Mark D. Stiles** (VSB No. 30683)  
City Attorney  
**Christopher S. Boynton** (VSB No. 38501)  
Deputy City Attorney  
**Gerald L. Harris** (VSB No. 80446)  
Associate City Attorney  
**Joseph M. Kurt**  
Assistant City Attorney (VSB No. 90854)  
*Attorneys for the City of Virginia Beach*  
Office of the City Attorney  
Municipal Center, Building One, Room 260  
2401 Courthouse Drive  
Virginia Beach, Virginia 23456  
(757) 385-8803 (Office)  
(757) 385-5687 (Facsimile)  
[mstiles@vbgov.com](mailto:mstiles@vbgov.com)  
[cboynton@vbgov.com](mailto:cboynton@vbgov.com)  
[glharris@vbgov.com](mailto:glharris@vbgov.com)  
[jkurt@vbgov.com](mailto:jkurt@vbgov.com)