

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

TATI ABU KING, *et al.*,
Plaintiffs,

v.

Civil Action No. 3:23cv408

JOHN O'BANNON, in his official
capacity as Chairman of the State Board
of Elections for the Commonwealth of
Virginia, *et al.*,
Defendants.

ORDER

This matter comes before the Court on its own initiative. On October 23, 2025, the Court held a hearing on two motions to exclude testimony, a motion for class certification, and cross motions for summary judgment. (*See* ECF Nos. 143, 145, 147, 149, 151.) At the hearing, the Court heard extended argument on the definition of “felonies at common” and the feasibility of injunctive relief in this case.

To aid the Court in deciding these issues, the parties SHALL file briefs that address (A) what crimes are disqualifying felonies at common law and (B) what form an injunction should take in this case. Specifically, the parties should define “felonies at common law” and offer a list of disqualifying modern felonies. Further, the parties should consider whether an injunction should provide only forward-looking relief or something more.

Further, the Court SETS the following briefing schedule:

The plaintiffs SHALL file their brief by **Thursday, November 6, 2025**.

The defendants SHALL file their brief by **Thursday, November 20, 2025**.

Finally, the plaintiffs SHALL reply to the defendants’ brief by **Thursday, December 4, 2025**.

