

**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 CERTIFICATION OF APPEALABILITY

COME NOW the Defendants, by counsel, and respectfully move this Court to certify an appeal on a controlling question of law pursuant to 28 U.S.C. § 1292(b)—either by entry of a new Order or by amending its March 11, 2020 Order to include a certification as prescribed by 28 U.S.C. § 1292(b).

Counsel for Defendants certify that they have spoken to Counsel for Plaintiffs about this motion by telephone and electronic mail prior to filing, and Plaintiffs oppose this Motion.

WHEREFORE, for all the reasons set forth in the accompanying memorandum of law, Defendants respectfully request that the Court certify an appeal on a controlling question of law pursuant to 28 U.S.C. § 1292(b)—either by entry of a new Order or by amending its March 11, 2020 Order to include a certification as prescribed by 28 U.S.C. § 1292(b)—and for such other relief as the Court deems necessary or appropriate under the circumstances.

Respectfully submitted,

CITY OF VIRGINIA BEACH, et al.

/s/ Gerald L. Harris
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CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of March 2020, 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:

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