

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

LATASHA HOLLOWAY, GEORGIA
ALLEN, CARLOS PAGÁN, and NICOLE
BOEHM,

Plaintiffs,

v.

CITY OF VIRGINIA BEACH, CITY OF
VIRGINIA BEACH CITY COUNCIL,
DAVID HUTCHESON, BARBARA
HENLEY, MICHAEL BERLUCCHI,
AMELIA ROSS-HAMMOND, ROSEMARY
WILSON, WORTH REMICK, CALVERN
JACKSON-GREEN, STACY CUMMINGS,
JOSHUA SCHULMAN, JENNIFER ROUSE,
BOBBY DYER, in their official capacity as
members of the Virginia Beach City Council,
PATRICK DUHANEY, in his official capacity
as City Manager, and CHRISTINE LEWIS, in
her official capacity as Director of
Elections/General Registrar for the City of
Virginia Beach,

Defendants.

**PLAINTIFFS' MOTION
TO ADD PARTIES**

Civil Action No. 2:18-cv-0069

Plaintiffs, pursuant to Fed. R. Civ. P. 15(a), respectfully move for leave to amend their complaint to add Carlos Pagán and Nicole Boehm as plaintiffs. Carlos Pagán is a Latino voter who lives in Virginia Beach, Virginia. Mr. Pagán resides in City Council District 7 in the 10-1 Plan. The 10-1 Plan provides Mr. Pagán with an equal opportunity to elect candidates of choice to the City Council. Mr. Pagán intends to vote in future elections. Nicole Boehm is a Filipino, Mexican American voter who lives in Virginia Beach, Virginia. Ms. Boehm resides in City Council District 7 in the 10-1 Plan. The 10-1 Plan provides Ms. Boehm with an equal opportunity to elect candidates of choice to the City Council. Ms. Boehm intends to vote in future elections.

Under 15(a)(2), a party may amend its pleading with the court’s leave, and “[t]he court should freely give leave when justice so requires.” *See Foman v. Davis*, 371 U.S. 178, 182 (1962). “Leave to amend a pleading should be denied only when the amendment would be prejudicial to the opposing party, there has been bad faith on the part of the moving party, or the amendment would have been futile.” *Laber v. Harvey*, 438 F.3d 404, 426 (4th Cir. 2006) (quoting *Johnson v. Oroweat Foods Co.*, 785 F.2d 503, 509 (4th Cir. 1986)). This Court has already recognized that justice requires permitting Plaintiffs to amend their pleadings in its July 8, 2025 Order granting Plaintiffs “leave to file any pleadings they deem appropriate to vindicate the rights of the citizens of Virginia Beach.” ECF No. 338 at 14. The addition of Mr. Pagán and Ms. Boehm will not prejudice Defendants, there has been no bad faith by Plaintiffs, and the amendment will not be futile.

Plaintiffs respectfully request that the Court grant this Motion

Dated: August 7, 2025

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of August 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing to the following:

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ORDER GRANTING PLAINTIFFS' MOTION TO ADD PARTIES

THIS MATTER is before the Court on Plaintiffs' Motion to Add Parties, ECF No. 339, filed pursuant to Fed. R. Civ. P. 15(a). Upon consideration of the Motion and finding good cause shown, it is hereby ORDERED that Plaintiffs' Motion to Add Parties is GRANTED.

IT IS SO ORDERED.

DATED: _____

Raymond Alvin Jackson
Senior United States District Judge