

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

**THE NATIONAL FEDERATION
OF THE BLIND OF VIRGINIA, *et al.*,**

Plaintiffs,

Case No. 3:23-cv-127-HEH

v.

**VIRGINIA DEPARTMENT OF
CORRECTIONS, *et al.*,**

Defendants.

**PLAINTIFFS' MOTION TO STRIKE DEFENDANT'S
PROPOSED EXPERT DR. JEFFREY BEARD**

Plaintiffs, by and through undersigned counsel, hereby move to exclude the testimony and evidence of Defendant Virginia Department of Corrections' proffered expert Dr. Jeffrey Beard. Because Dr. Beard's report violates the standards governing expert materials under Federal Rule of Evidence 702 and *Daubert*, this Court should exercise its gatekeeper function and exclude his expert report and his testimony at trial.

As set forth in the accompanying Memorandum In Support of Plaintiffs' Motion to Exclude Defendants' Proposed Expert Dr. Jeffrey Beard and its supporting exhibits, Plaintiffs respectfully request this Court to find Dr. Beard unqualified, find his "opinions" inadmissible, and exclude both his report and proffered testimony at trial.

Dated: April 19, 2024

Respectfully submitted,

/s/ Eve L. Hill

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CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of April, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (“NEF”) to the following:

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Counsel for Defendants Barry Marano, Chadwick Dotson, Officer D. Smith, and the Virginia Department of Corrections

I hereby certify that I will mail the foregoing document by U.S. Mail to the following non-filing user:

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