

**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 *IN LIMINE* TO
PRECLUDE DEFENDANT FROM ARGUING THE AFFIRMATIVE DEFENSES OF
UNDUE BURDEN AND FUNDAMENTAL ALTERATION**

Plaintiffs, by and through undersigned counsel, hereby move this Court to preclude Defendant from arguing or presenting evidence at trial concerning the affirmative defenses of undue burden and fundamental alteration due to Defendant's non-compliance with the relevant federal regulations. The grounds for requesting this relief are set forth in the accompanying Memorandum.

Dated: May 6, 2024

Respectfully submitted,

/s/ Samantha Westrum

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of May 2024, I filed the foregoing electronically 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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I hereby certify that I will mail the foregoing document by U.S. Mail and electronic mail to the following non-filing user:

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