

VIRGINIA:  
IN THE CIRCUIT COURT FOR THE COUNTY OF ARLINGTON

HEATHER SAWYER,  
Petitioner,

v.

THE COMMONWEALTH OF VIRGINIA, et  
al.,

Respondents.

Case No. CL22-3027-00

ORDER

On January 25, 2023, this matter came before the Court on Petitioner's Petition for Injunctive and Mandamus Relief and Respondents' Demurrer.

Upon consideration of the pleadings, the written and oral arguments presented by counsel for the parties, and for the reasons stated by the Court on the record, the Court ordered that ~~Respondents produce to Petitioner all records responsive to the "General Communications Request" and the "Specific Communication Request."~~

*the demurrer is overruled and the Petitioner's granted.  
CPB  
ALS*

Whereupon, Respondents, by counsel, moved this Court to stay its Order to produce the disputed records to allow Respondents to file an appeal, ~~and argued that for Respondents' appeal rights to have any meaning, the responsive record cannot be produced pending appeal.~~

*CPB  
ALS*

It appearing to the Court proper to do so, it is hereby ORDERED that:

*overruling the demurrer and granting the Petitioner, thereby*

1. This Court's order ~~that Respondents produce to Petitioner all records responsive to the "General Communications Request" and the "Specific Communication Request"~~ is hereby stayed to allow Respondents to pursue their right of appeal.

*CPB  
ALS*

2. This stay will remain in effect until Respondents' appeal rights have been exhausted <sup>in all applicable courts of appeals ALS CPO</sup> or further order of this Court or any other appellate court of competent jurisdiction.

The Clerk is directed to send an electronic copy of this order to counsel of record.

Entered this 25<sup>th</sup> day of January of 2023.

  
Arlington Circuit Court Judge

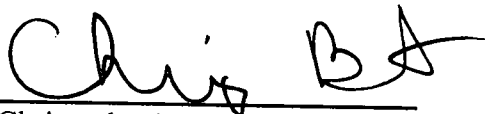
SEEN AND



Alia L. Smith (VSB No. 97465)  
Charles D. Tobin (VSB No. 88707)  
BALLARD SPAHR LLP  
1909 K Street, 12th Floor  
Washington, D.C. 20006-1157  
Tel.: (202) 661-2200; Fax: (202) 661-2299  
smithalia@ballardspahr.com

Rachel Baron (*pro hac vice*)  
AMERICAN OVERSIGHT  
1030 15th St., NW, Suite B255  
Washington, DC 20005  
Tel: (202) 897-2465; Fax: (202) 871-6523  
rachel.baron@americanoversight.org  
*Counsel for Petitioner*

SEEN AND



Christopher P. Bernhardt (VSB No. 80113)  
Assistant Attorney General  
Office of the Attorney General  
202 North Ninth Street  
Richmond, Virginia 23219  
(804) 371-0977 – Telephone  
(804) 371-0200 – Facsimile  
CBernhardt@oag.state.va.us  
*Counsel for Respondents*