

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

VIRGINIA COALITION FOR)	
IMMIGRANT RIGHTS, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Civil Action No. 1:24-cv-1778 (PTG/WBP)
)	
SUSAN BEALS,)	
<i>in her official capacity as Virginia</i>)	
<i>Commissioner of Elections, et al.,</i>)	
<i>Defendants.</i>)	
)	

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Civil Action No. 1:24-cv-1807 (PTG/WBP)
)	
COMMONWEALTH OF VIRGINIA, <i>et al.</i> ,)	
<i>Defendants.</i>)	
)	
)	

ORDER

This matter is before the Court on Plaintiffs Virginia Coalition for Immigrant Rights, et al.'s Request for an Evidentiary Hearing on Plaintiffs' Motion for Preliminary Injunction (Dkt. 63). Plaintiffs indicate that they are prepared to call or subpoena certain witnesses who are tasked with administering the Purge Program or with personal or expert knowledge related to the Purge Project. Dkt. 63 at 1-2.

Rule 65(d) does not necessarily require an evidentiary hearing. On a preliminary injunction, the moving party bears the burden of providing a sufficient factual basis by offering some proof beyond the unverified allegations in the pleadings. *See Imagine Medispa, LLC v.*

Transformations, Inc., 999 F. Supp. 2d 862, 869 (S.D. W.Va. 2014). That said, if there are genuine issues of material fact raised in opposition to a motion for a preliminary injunction, an evidentiary hearing is required. *Id.* In this case, Defendants have yet to file their Opposition to Plaintiffs' Motion for Preliminary Injunction. To the extent that Defendants dispute Plaintiffs' evidence or that Plaintiffs need to rely on evidence that is not presented otherwise in the record, the Court is prepared to conduct an evidentiary hearing. Accordingly, it is hereby

ORDERED that, to the extent that it is necessary, the Court will conduct an evidentiary hearing on October 24, 2024, at the currently scheduled time for the hearing on Plaintiffs' Motion for Preliminary Injunction.

Entered this 18th day of October, 2024.
Alexandria, Virginia



Patricia Tolliver Giles
United States District Judge