

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF WINCHESTER

PATRICK HYLAND, et al.,)	
)	
Plaintiffs,)	
v.)	Case No. CL24000025-00
)	
THE CITY OF WINCHESTER, et al.,)	
)	
Defendants.)	

ORDER

THIS MATTER was before the court on May 30, 2024 for a hearing on Defendants’ Demurrer and Plea in Bar and Plaintiffs’ Motion for a Temporary Injunction. The parties appeared, by counsel, at which time counsel for Defendants requested that the court reschedule the hearing on the Motion for a Temporary Injunction on the grounds that Plaintiffs’ reply brief, which was due on May 23, 2024, was not received by defense counsel until May 28, 2024, leaving inadequate time to prepare to address the issues related to the Motion for a Temporary Injunction.

At the aforesaid hearing, Defendants advised that they had no objection to an order precluding enforcement of Winchester City Code § 16-34(c)(1) as against the parking garages identified in the Complaint, until such time as the court conducts a hearing on the Motion for a Temporary Injunction.

After a discussion between the court and all counsel, it was agreed, as follows:

1. The hearing on the Demurrer and Plea in Bar is continued.
2. There is no need for a hearing on Plaintiffs’ Motion for a Temporary Injunction, because Defendants agree to refrain from enforcement of Winchester City Code § 16-34(c)(1) as

against the parking garages identified in the Complaint, until such time as the court enters a final order in this matter.

Based on the above, the court orders as follows:

1. The hearing on Defendants' Demurrer and Plea in bar shall be held on October 28, 2024 at 9:00 a.m., for two (2) hours;

2. Defendants are forbidden from enforcement of Winchester City Code § 16-34(c)(1) as against the parking garages identified in the Complaint, until such time as the court enters a final order in this matter.


ENTERED this 11 day of June, 2024.



JUDGE

SEEN AND AGREED:

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