

**PRESS RELEASE**

# Wiley Rein Secures Important Discovery Ruling in Lawsuit against Virginia Women's Prison

November 27, 2013

Wiley Rein secured an important victory regarding discovery in a pro bono case brought on behalf of prisoners at the Fluvanna Correctional Center for Women (FCCW). The lawsuit alleges that the Virginia Department of Corrections (VDOC) and its private, for-profit medical care contractor have violated the female inmates' constitutional rights by failing to provide adequate medical care.

Judge Norman K. Moon of the U.S. District Court for the Western District of Virginia granted Wiley Rein's motion to compel discovery in *Scott v. Clarke*, directing the VDOC to produce documents and awarding attorneys' fees to the plaintiffs under Rule 37. The defendants "did not remotely satisfy their burden" to demonstrate why the documents sought by the plaintiffs are not the proper subject of discovery, the judge said in a November 25 opinion.

Wiley Rein, along with the Legal Aid Justice Center of Charlottesville and the Washington Lawyers' Committee for Civil Rights and Urban Affairs, filed the class action lawsuit in July 2012. The complaint seeks significant improvements in basic medical care and correctional services for nearly 1,200 women serving sentences at FCCW. Substandard treatment and conditions have led to numerous life-threatening complications for the clients, significant pain and suffering, and even death.

Wiley Rein's pro bono team is led by Insurance and Litigation partner Theodore A. Howard. Associate Cori Lombard also was instrumental in persuading the court to compel discovery. Other Wiley Rein associates who have played key roles in the case include Rachel A. Alexander, Laura El-Sabaawi, Michael J. Gridley, Rachel K. Hunnicutt, Peter J. Jenkins, Mary Catherine Martin, Brandon J. Moss, Lori

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