

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

JAMAL A. MORTON, individually and	)	
on behalf of all other similarly situated,	)	
	)	
Plaintiff,	)	
	)	Case No. 3:20-cv-0109
v.	)	
	)	
UNITED STATES VIRGIN ISLANDS,	)	
The Honorable ALBERT BRYAN, JR.,	)	
in his official capacity as the Governor	)	
of the United States Virgin Islands,	)	
JOEL A. LEE, in his official capacity as	)	
the Director of the Bureau of	)	
Internal Revenue, CLARINA	)	
MODEST ELLIOT, in her official	)	
capacity as the Commissioner of	)	
the Department of Finance,	)	
	)	
Defendants.	)	
	)	

ORDER

THIS MATTER came before the Court for a hearing on Plaintiff's Motion for Preliminary Injunction (ECF No. 5) on November 24, 2020, and a status conference on December 7, 2020. During the December 7, 2020 status conference, the Court tentatively scheduled the continuation of the preliminary injunction hearing to Thursday, December 10, 2020, at 10:00 a.m., to be held by video conferencing. On December 7, 2020, the Defendants filed a motion seeking to continue the continuation of the preliminary injunction hearing to December 14 or 15, 2020, due to the unavailability of Director Joel Lee. Defendants represent that Plaintiff does not oppose the continuance.

After careful consideration and review, it is hereby

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ORDERED that the preliminary injunction hearing in this matter is **CONTINUED** to Monday, December 14, 2020, at 10:00 a.m., via video teleconference (“VTC”); it is further

ORDERED that the parties shall submit any exhibits they intend to introduce into evidence to the Clerk’s Office by no later than Friday, December 11, 2020, at 2:00 p.m.; it is further

ORDERED that the parties **SHALL** be prepared to argue the Court’s jurisdiction based on the Plaintiff’s standing to file this case; it is further

ORDERED that, to the extent that the Plaintiff seeks to subpoena Attorney Smalls, Chief Counsel of the Virgin Islands Bureau of Internal Revenue, and Defendants believe the subject of her testimony may be quashed under the attorney work-product doctrine, Defendants **SHALL** file a brief immediately upon the issuance of the subpoena; it is further

ORDERED that the Court will provide the parties with VTC connection information in advance of the hearing; and it is further

ORDERED that the public may access the audio of the hearing in this matter by calling 1-888-251-2909 and entering access code 5157509#.

Dated: December 9, 2020

/s/ Robert A. Molloy
ROBERT A. MOLLOY
District Judge