

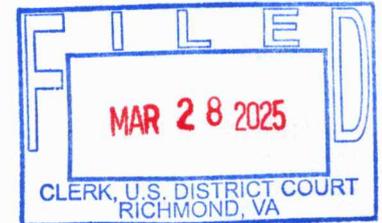
**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**POWHATAN COUNTY PUBLIC SCHOOLS,**

Plaintiff,

v.

Civil Action No. 3:24-cv-874



**MR. TODD SKINGER, PARENT;**

and

**DR. KANDISE LUCAS, BA, MSED, RBT, FFT, PHD, QMHP**

**COMPANION-ADVOCATE**

Defendants.

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**DEFENDANTS' OBJECTION TO PLAINTIFF'S EMERGENCY MOTION FOR  
PRELIMINARY INJUNCTION**

**I. FACTUAL BACKGROUND**

Defendants Todd Skinger and Dr. Kandise Lucas, appearing pro se, hereby jointly object to the Plaintiff Powhatan County School Board's (PCSB) Emergency Motion for Preliminary Injunction filed on March 26, 2025. Plaintiff's motion constitutes a clear violation of the

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., misrepresents material facts to the Court, and was initiated without the consent of the school board—raising serious procedural and ethical concerns. The requested emergency injunction is without merit and should be denied. Powhatan County Public Schools and Sands Anderson Law Firm's actions have consistently violated district, federal, and state laws, including the Individuals with Disabilities Education Act (IDEA), Freedom of Information Act (FOIA), Virginia Code, and HIPAA protections, leading to egregious harm to H.S. and their family.

The school district's actions—ranging from unauthorized legal actions to the obstruction of parental involvement and interference with educational rights—are in direct violation of IDEA, HIPAA, and the Virginia Code. Additionally, Sands Anderson Law Firm has overstepped its boundaries by improperly asserting rights to access confidential medical, educational, and mental health records, which were not within the scope of their client agreement.

Moreover, this lawsuit and the motion at hand are part of an escalating pattern of retaliation against Defendants, amounting to Level Three of the Retaliation Triangle. PCSB and its improperly outsourced attorneys at Sands Anderson, including Matthew Green, have engaged in a consistent pattern of misconduct, which includes:

1. **Fraudulently Concealing Critical Medical Documentation:** This includes Dr. Talibi's certification for homebound services and Therapist Kauffman's mental health recommendations.

2. **Knowingly Misrepresenting the Parent's Request for Home-Based Instruction:** Lead Teacher Stefanie Rivere falsely claimed that the parent did not request such instruction.
3. **Violating H.S.'s Right to a Free Appropriate Public Education (FAPE):** PCSB has violated IDEA, Section 504, and the ADA by failing to provide the required services.
4. **Filing Fraudulent Truancy Complaints:** PCSB has filed truancy complaints against a medically fragile child in violation of federal disability protections.
5. **Withholding Educational and Medical Records:** This has obstructed parental rights and due process.
6. **Engaging in Retaliatory Litigation:** This includes the fraudulent December 2024 SLAPP suit initiated by Superintendent Beth Tiegen and Sands Anderson Attorney Matthew Green to harass and silence a parent and advocate.
7. **Abusing the Judicial Process:** Sands Anderson's ongoing misrepresentations and obstructionist tactics have disrupted due process and harmed the educational rights of the family.
8. **Defying Multiple Directives:** These include directives from the Virginia Department of Education in June and August 2023, Administrative Hearing Officer Carl Schmidt in

January 2024, Judge Robert Payne's federal court order in August 2024, and Magistrate Judge Summer Speight's order in September 2024.

#### **9. Filing Repeated Legal Actions Does Not Constitute Vexatious Litigation**

Courts have long held that filing repeated legal actions in response to ongoing violations does not constitute vexatious litigation (*Hicks v. Miranda*, 422 U.S. 332 (1975)). Rather, it is a response to persistent unlawful conduct by the violating party—Powhatan County Public Schools (PCPS)—which continues to infringe upon the rights of H.S. and obstructs her access to the medical and educational services to which she is entitled under federal law. The Plaintiff's use of multiple legal actions reflects a pattern of abuse and retaliation against the rights of children with disabilities and their advocates, not vexatious litigation. The ongoing violations perpetrated by PCPS underscore the need for persistent legal action to ensure compliance with IDEA and other applicable protections.

#### **A. Plaintiff's Requested Injunction Violates the Exhaustion Doctrine**

The IDEA mandates exhaustion of administrative remedies before judicial intervention can be sought (*Fry v. Napoleon Cmty. Sch.*, 580 U.S. 154 (2017)). The Plaintiff's request to preemptively halt ongoing due process proceedings violates this well-established requirement. Courts have consistently rejected attempts to block IDEA complaints before they have been fully adjudicated (*Doe v. Arizona Dep't of Educ.*, 111 F.3d 678 (9th Cir. 1997)). Plaintiff's request is particularly egregious as:

1. PCPS has not allowed the due process complaints to proceed to resolution, meaning no administrative record exists and the required administrative remedies have not been exhausted.
2. The complaints involve ongoing violations of H.S.'s educational rights, and the exhaustion requirement is mandatory to ensure that the administrative process is given a chance to resolve these issues before federal court intervention.

Therefore, Plaintiff's request for an injunction is legally impermissible and must be denied.

Additionally, PCSB employees, including Superintendent Beth Tiegen and Lynn Prince, have actively participated in this fraudulent scheme by aiding in the concealment of critical records and obstructing lawful parental advocacy.

**WHEREFORE**, Defendants request that this Court:

1. **Deny Plaintiff's Emergency Motion for Preliminary Injunction in its entirety;**
2. **Find that Plaintiff's counsel violated Rule 3.3 by making false statements in its December 2024 filing;**
3. **Dismiss the lawsuit as an improper SLAPP suit, filed without school board approval;**

4. **Grant any further relief this Court deems just and appropriate.**

The PCSB's motion is nothing more than an attempt to evade accountability for its continued violations of IDEA, the ADA, and Section 504. PCSB has engaged in systemic procedural and substantive violations, including, but not limited to:

- **Fraudulent Concealment of Medical Directives** – PCSB, through its counsel at Sands Anderson and Hearing Officer Tiegen, continues to fraudulently conceal the medical homebound directives of Dr. Talibi from H.S.'s IEP Team and the courts.
- **Retaliation Against Advocates and Parents** – The Plaintiff's motion seeks to silence and penalize Defendants for exercising their statutory rights under IDEA, which provides for the right to file due process complaints when a local educational agency fails to provide a Free Appropriate Public Education ("FAPE").
- **Deliberate Indifference to Medical Emergencies** – As recently as March 25, 2025, H.S. suffered a debilitating panic attack at school, requiring immediate pickup. The school nurse, Nurse Short, failed to document or communicate the medical incident to the family, further demonstrating PCSB's reckless disregard for the student's safety and well-being.

## II. LEGAL STANDARD

A preliminary injunction is an extraordinary remedy that should only be granted upon the movant's clear demonstration of:

- A likelihood of success on the merits;
- Irreparable harm in the absence of relief;
- The balance of equities favoring the movant; and
- That the injunction serves the public interest.

*Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). PCSB fails to meet any of these factors.

### **III. ARGUMENT**

#### **A. Plaintiff Cannot Show a Likelihood of Success on the Merits**

PCSB's claims rely on mischaracterizations and legal misapplications:

1. **No Legal Basis to Prevent Due Process Filings** – IDEA explicitly allows parents and advocates to file due process complaints when a school district violates a student's rights. There is no legal precedent for forcing a parent or advocate to withdraw complaints, and the relief PCSB seeks is a direct violation of procedural safeguards under 20 U.S.C. § 1415.

2. **Plaintiff's Own Misconduct Warrants Continued Legal Action** – PCSB misrepresents the basis of the complaints. The additional due process filings arise from ongoing and distinct violations, including:

- Continued failure to provide FAPE
- Refusal to acknowledge medical documentation
- Obstruction of procedural rights under IDEA

3. Each due process complaint is legally and factually supported. PCSB cannot claim harassment when it continues to violate federal law.

#### **B. Plaintiff Fails to Demonstrate Irreparable Harm**

PCSB alleges that responding to due process complaints constitutes “irreparable harm.”

However:

1. **Administrative Burden Does Not Constitute Irreparable Harm** – Participating in due process proceedings is a legal requirement for school districts under IDEA. *Schaffer v. Weast*, 546 U.S. 49, 60 (2005).

**2. Harm to the Student Outweighs Any Burden on PCSB** – H.S. continues to suffer significant harm due to PCSB’s noncompliance, including:

- Psychological distress from unsafe school conditions
- Medical neglect and lack of required accommodations
- Repeated procedural violations obstructing access to FAPE

**C. The Balance of Equities and Public Interest Weigh Against an Injunction**

**1. Equitable Relief Cannot Be Granted to Shield a Party from Its Own Misconduct** – PCSB seeks an injunction not to prevent harm, but to silence legitimate legal challenges to its ongoing IDEA violations. The balance of equities favors Defendants, who are acting in the best interest of a vulnerable child.

**2. Public Interest Favors Enforcement of Disability Rights** – Granting the injunction would set a dangerous precedent, discouraging parents and advocates from holding school districts accountable. The public interest lies in ensuring compliance with federal disability laws, not in insulating school districts from legal scrutiny.

**D. Parents Have a Right to File Multiple Due Process Complaints to Address Systemic Violations**

Under IDEA, parents have an explicit right to file due process complaints whenever a school district fails to provide a Free Appropriate Public Education (FAPE)—particularly in cases of ongoing, systemic violations. Courts have repeatedly upheld this right:

- **D.B. v. Esposito**, 675 F.3d 26 (1st Cir. 2012) – Held that the IDEA does not limit the number of due process complaints that may be filed, especially where new violations continue to occur or a school district remains noncompliant with prior orders.
- **Nichaus v. Huppenthal**, 233 F. Supp. 3d 1076 (D. Ariz. 2017) – Confirmed that parents can file multiple due process complaints where school systems fail to implement prior corrective actions or new issues arise that impact the child's educational rights.
- **M.S. v. Marple Newtown Sch. Dist.**, 635 F. App'x 79 (3d Cir. 2015) – Found that requiring parents to seek court approval before filing new due process complaints was a direct violation of their IDEA rights, as due process hearings must remain an accessible administrative remedy.

#### **E. PCSB Seeks an Unlawful Restriction on Due Process Rights**

The requested injunction seeks to prevent the Defendants from filing further due process complaints without first obtaining court approval. However, IDEA explicitly prohibits such a restriction, as it would limit access to procedural safeguards meant to protect children with disabilities (20 U.S.C. § 1415(b)(6), (k)).

Courts have repeatedly rejected school district attempts to bar parents from filing multiple due process complaints, recognizing that new violations, noncompliance, or retaliation necessitate

new filings. By requesting the Court to terminate pending due process hearings, PCSB is seeking to interfere with federally mandated administrative procedures, violating 20 U.S.C. § 1415(i)(2).

#### **F. Ongoing Harm to H.S. Due to School District Noncompliance**

PCSB falsely asserts that multiple due process filings are "duplicative," when in reality, each complaint addresses distinct, ongoing violations. Specifically:

- H.S. remains unable to attend school consistently due to medical necessity, as determined by Dr. Talibi on February 5, 2024; requiring that medical homebound instruction be included as an educational placement option to address her chronic illness flare ups that have tripled since January 2025; when she was court-ordered to return to school in person against medical and mental health directives by Judge Theresa Royall.
- **Listen to Dr. Talibi's 5/21/24 medical directive** that Katie Matheney disregarded: [Link to Audio](#)
- Judge Theresa Royall defied medical directives by ordering in-person placement without medical clearance, leading to a severe deterioration in H.S.'s mental health, including increasing panic attacks.
- The school district's refusal to comply with medically necessary homebound/home-based instruction continues to cause irreparable harm.
- **Denial of Due Process Rights Would Cause Irreparable Harm to H.S.**

The irreparable harm standard weighs heavily against granting Plaintiff's request. Denial

of legally mandated educational services and accommodations for children with disabilities has been found to cause irreparable harm (New York v. United States Dep't of Educ., 903 F.3d 520 (2d Cir. 2018)). Granting the Plaintiff's injunction would:

1. Deprive H.S. of urgent medical and educational accommodations that are necessary to address her ongoing needs.
2. Allow PCPS to continue violating federal law without accountability.
3. Set a dangerous precedent by preemptively blocking IDEA due process rights, undermining the protections that these laws afford children with disabilities and their families.

In contrast, PCPS faces no legitimate harm by being required to comply with federal law and IDEA regulations. The only "burden" cited by the Plaintiff is the inconvenience of being held accountable for its repeated violations. This does not meet the legal standard for irreparable harm, and therefore, the requested injunction should be denied.

- **Conspiracy to Deprive H.S. of Rights for Unjust Enrichment**

The actions of Powhatan County Public Schools, Sands Anderson, and their co-conspirators reflect a deliberate and sustained effort to deprive H.S. of her federally protected rights to medical and educational accommodations. This pattern of obstruction and bad faith litigation aims to delay and avoid the legal consequences of these violations while unjustly enriching the parties involved. This conduct constitutes a conspiracy to deprive H.S. of her rights under IDEA, Section 504, and other applicable laws. By

requesting an injunction to block H.S.'s due process claims, the Plaintiff seeks to perpetuate this unlawful conduct without regard for H.S.'s rights or the long-term harm it causes.

### **G. BAD-FAITH LITIGATION AND SANCTIONS**

Plaintiff's abuse of the judicial process warrants sanctions under Rule 11 of the Federal Rules of Civil Procedure. The Plaintiff has engaged in actions that include:

1. **Knowingly Filing False Claims and Misrepresenting Evidence to the Court:** The motion for an injunction is based on misstatements and material omissions meant to mislead the Court.
2. **Engaging in Litigation to Harass and Retaliate Against a Student's Advocate:** The Plaintiff's actions are retaliatory in nature and aim to punish and silence Defendants, who are advocating for the rights of a student with disabilities.
3. **Fraudulently Concealing Critical Medical Evidence to Obstruct Due Process:** The Plaintiff has concealed critical documentation, including Dr. Talibi's certification for homebound services and Therapist Kauffman's mental health recommendations, in violation of federal law.

In light of these egregious actions, Defendants request that the Court impose sanctions against PCPS and Sands Anderson, including:

- **Monetary Sanctions:** For bad-faith litigation tactics, including the fraudulent filing of motions and misleading the Court.
- **An Order Compelling the Immediate Disclosure of All Concealed Records:** To ensure that all relevant evidence is made available and that Defendants can fully exercise their rights.
- **An Injunction Preventing Further Obstruction of Homebound Services:** To ensure compliance with medical directives and prevent further harm to H.S.
- **Dismissal of Plaintiff's Claims with Prejudice:** Due to the clear abuse of process and failure to adhere to legal obligations.

#### **H. A. Sands Anderson's Violations of Client Agreement**

Sands Anderson was contracted to provide **limited legal services** for PCPS but has overstepped the scope of the client agreement in a manner that has caused significant harm. Specifically:

1. **Unauthorized Access to Confidential Records:** Sands Anderson attorneys improperly accessed student records—both educational and medical—without the necessary consent from parents or guardians, violating both **IDEA (20 U.S.C. § 1415)** and **HIPAA**. The school district's improper involvement in this matter further exacerbates the violation.
2. **Obstruction of Advocacy:** Sands Anderson's actions, including interference with the IEP team and hindrance of parental involvement, have obstructed **H.S.**'s ability to advocate

effectively for their child, undermining the fundamental rights guaranteed under IDEA. By blocking the parent's access to records and interfering with special education procedures, Sands Anderson has violated the provisions of IDEA, which guarantees the right to **participate meaningfully in the development of their child's education plan.**

- **PCPS's Violation of IDEA and Related Laws**

1. **Compulsory Attendance Violations:** H.S. was found exempt from compulsory attendance under **Virginia Code 22.1-254(j)** due to mental illness on April 16, 2024 by the Powhatan County J and D Court. PCPS's continued enforcement of attendance policies, including the issuance of truancy-related documents and criminal charges, directly violates H.S.'s IDEA rights. This repeated failure to consider H.S.'s mental health needs constitutes a denial of **FAPE** (Free and Appropriate Public Education), as required by **IDEA (34 C.F.R. § 300.101)**.
2. **Failure to Convene a Manifestation Determination Review:** In violation of **IDEA (20 U.S.C. § 1415(k))**, PCPS and Sands Anderson failed to convene a **Manifestation Determination Review** (MDR) before subjecting H.S. to criminal truancy charges. The lack of an MDR further demonstrates the school's disregard for **H.S. or her father's** educational rights under federal law.
3. **Sands Anderson's Overreach and Unauthorized Legal Actions**

Sands Anderson has unlawfully imposed itself in matters outside of its contractual responsibilities, specifically by initiating excessive billable hour-generating and retaliatory litigation; including **SLAPP lawsuits** filed against **the Halvorsens, Skingers, and Dr. Lucas**. These lawsuits were filed **without consent** from the school board, constituting an **abuse of process** and a violation of **Virginia's Anti-SLAPP statutes**. Additionally, Sands Anderson's involvement in these matters was unauthorized under their client agreement with PCPS.

- **Sands Anderson's Intrusion Into Special Education and Legal Overreach**

Sands Anderson, by asserting an unfounded legal right to interfere with **H.S.**'s access to special education services and involvement in the IEP process, has violated not only the **IDEA** but also **Virginia Code 22.1-254** and related confidentiality provisions. The law is clear: only **qualified, licensed individuals** are authorized to make determinations about special education programming and placements. Sands Anderson's actions—especially its unauthorized interference in daily educational decisions and its wrongful assertion of authority to manage records—are both illegal and unethical.

- **Failure to Provide Due Process Protections**

The actions taken by PCPS and Sands Anderson have systematically **denied due process protections** guaranteed under federal law, including the right to participate in the educational decision-making process. The failure to adhere to **IDEA procedural safeguards**, including providing adequate access to records, timely responses to requests, and conducting required reviews (such as MDRs), reflects a systemic disregard for the legal rights of parents and children with disabilities.

- **Obstruction of Parental Rights and Advocate Representation**

PCPS, through the actions of Sands Anderson, has infringed upon the **parental rights** to advocate for their child under **IDEA (20 U.S.C. § 1415)**. Parents have the right to **meaningfully participate** in the decision-making process, and any obstruction of this right is a direct violation of IDEA. Furthermore, Sands Anderson's interference with the efforts of Dr. Lucas to advocate for the **H.S.** family constitutes unlawful obstruction of the **advocate's professional rights** to provide counseling and education services.

- **Harm Caused by Sands Anderson's Actions**

The harm caused by Sands Anderson's unauthorized actions, including interference with IEP teams and violating confidentiality protections, is significant. The wrongful actions have led to unnecessary legal expenses, delays in educational programming, emotional distress, and undue hardship on **H.S.** and their family. These actions must be rectified through the remedies outlined below.

#### **IV. REMEDIES SOUGHT**

1. Immediate Termination of Sands Anderson's Contract: Due to egregious violations of the client agreement and legal overreach.
2. Full Refund of Billable Hours: Incurred for unauthorized legal actions, including the SLAPP lawsuits, returned to taxpayers.

3. Dismissal of the Halvorsen/Lucas and Skinger/Lucas SLAPP Lawsuits: Filed by Sands Anderson on behalf of PCPS without school board consent.
4. Promotion of H.S. to Seventh Grade: *without further obstruction.*
5. Payment of A.H.'s Past-Due Tuition: To Believe N U Academy immediately,*without further obstruction.*
6. Injunction Against Sands Anderson: Prohibiting them from engaging in unauthorized legal actions related to special education.
7. Appointment of Independent Special Education Case Managers: For H.S. and A.H. at public expense *without further obstruction.*
8. Revocation of Licenses for Sands Anderson Attorneys and PCPS Officials: Involved in obstructing the rights of the family.
9. Financial Compensation of \$300,000/Each: To Dr. Lucas, the Skingers, and the Halvorsens for damages resulting from Sands Anderson's unlawful actions.

## V. CONCLUSION

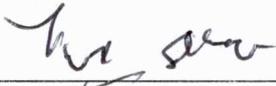
For the reasons stated above, Defendants respectfully request that the Court **DENY Plaintiff's Emergency Motion for Preliminary Injunction in its entirety.** PCSB has failed to demonstrate

a likelihood of success on the merits, irreparable harm, a favorable balance of equities, or that an injunction would serve the public interest.

In addition, restricting IDEA Due Process rights would be like silencing whistleblowers in a corrupt system. Imagine a corporate whistleblower who uncovers widespread fraud, safety violations, and unethical behavior in a company. Laws exist to protect the whistleblower's right to report wrongdoing without retaliation. However, if that company were allowed to block or restrict the whistleblower from filing complaints—or worse, punish them for speaking out—the entire system of accountability would collapse.

Similarly, the IDEA grants parents and advocates the unrestricted right to file due process complaints when a school fails to provide a child with disabilities the education they are entitled to by law. Schools and their attorneys (such as Sands Anderson) attempting to limit, punish, or obstruct these filings are engaging in the same kind of cover-up and retaliation that a corrupt corporation would use against a whistleblower. Just as restricting a whistleblower enables fraud to continue unchecked, restricting the right to due process enables school districts to violate special education laws without consequence—at the direct expense of vulnerable children.

Respectfully submitted,

Co-Defendant Todd Skinger, Parent, Pro Se:  \_\_\_\_\_ Date: 3/28/25

Co-Defendant Dr. Kandise Lucas, Advocate, Pro Se:  \_\_\_\_\_ Date: 3/28/25

**\*Exhibits, from 2/5/24 to 3/28/25 included; as grounds for each due process**

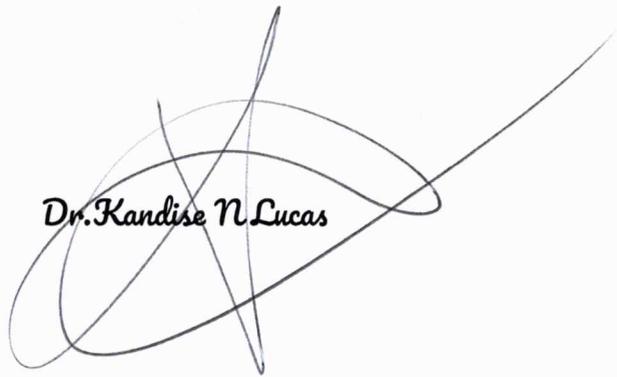
- 1) Dr. Talibi's medical certifications and medical excuses that continue to be fraudulently concealed**
- 2) Sands Anderson and PCSB's February 2022 Client Agreement**
- 3) November 16, 2024 email communication from Magistrate Summer Spieght regarding H. S. and PCPS/Sands Anderson's obstruction of medically necessary homebound instruction.**

**CERTIFICATE OF SERVICE**

I hereby certify on this the 28th day of March, 2025 that I will transmit the motion above to the following parties via email:

1)Clerk of the Court (hand delivered)  
701 East Broad Street  
Richmond, VA 23219

Matthew D. Green (VSB No. 46913)  
Laura Maughan (VSB No. 87798)  
Sands Anderson PC  
919 East Main Street, Suite 2300 (23219)  
P.O. Box 1998  
Richmond, VA 23218-1998  
Telephone: (804) 648-1636  
Facsimile: (804) 783-7291  
mgreen@sandsanderson.com  
lmaughan@sandsanderson.com  
Counsel for Powhatan County School Board



*Dr. Kandise N. Lucas*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
[Richmond Division]**

**POWHATAN COUNTY PUBLIC SCHOOLS,**

Plaintiff,

v.

Civil Action No. 3:24-cv-874

**MR. TODD SKINGER, PARENT;**

and

**DR. KANDISE LUCAS, BA, MSED, RBT, FFT, PHD, QMHP**

**COMPANION-ADVOCATE**

Defendants

**LOCAL RULE 83.1 (N) CERTIFICATION**

I declare under penalty of perjury that: No attorney has prepared or assisted in the preparation of

**DEFENDANTS' OBJECTION TO PLAINTIFF'S EMERGENCY MOTION FOR  
PRELIMINARY INJUNCTION**

**Name of Pro Se Party (Print or Type):** Dr. Kandise N. Lucas

**Signature of Pro Se Party:** \_\_\_\_\_

**Executed on:** March 28, 2025

OR The following attorney(s) prepared or assisted me in preparation of

\_\_\_\_\_.

(Title of Document) \_\_\_\_\_

(Name of Attorney) \_\_\_\_\_

(Address of Attorney) \_\_\_\_\_

(Telephone Number of Attorney) Prepared, or assisted in the preparation of, this document.

\_\_\_\_\_

(Name of Pro Se Party (Print or Type) \_\_\_\_\_

Signature of Pro Se Party Executed on: \_\_\_\_\_ (Date)

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
[Richmond Division]**

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Civil Action No. 3:24-cv-874

**MR. TODD SKINGER, PARENT;**

and

**DR. KANDISE LUCAS, BA, MSED, RBT, FFT, PHD, QMHP**

**COMPANION-ADVOCATE**

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PRELIMINARY INJUNCTION**

**Name of Pro Se Party (Print or Type):** Mr. Todd Skinger

**Signature of Pro Se Party:**  \_\_\_\_\_

**Executed on:** March 28, 2025

OR The following attorney(s) prepared or assisted me in preparation of

\_\_\_\_\_.

(Title of Document) \_\_\_\_\_

(Name of Attorney) \_\_\_\_\_

(Address of Attorney) \_\_\_\_\_

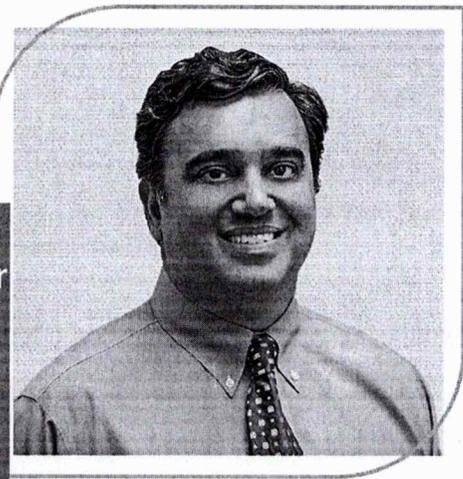
(Telephone Number of Attorney) Prepared, or assisted in the preparation of, this document.

\_\_\_\_\_

(Name of Pro Se Party (Print or Type) \_\_\_\_\_

Signature of Pro Se Party Executed on: \_\_\_\_\_(Date)

# Azhar Talibi



WESTCHESTER Commons | Old Jahnke Road | Harbour  
COMMONS Pointe

OLD  
JAHNKE ROAD REQUEST AN APPOINTMENT

HARBOUR REQUEST AN APPOINTMENT



Azhar Talibi, MD, FAAP, is a compassionate physician who joined Commonwealth Pediatrics in 2002. He has a background in healthcare with a solid educational foundation, including a Bachelor of Arts in Anthropology from the University of Florida. Driven by a passion for learning, he pursued a Master of Arts in Archaeology at the University of Florida in 1993. He earned his Doctor of Medicine from Virginia Commonwealth University, complementing his training with an internship and residency at a hospital, also in 2002.

Dr. Talibi's specialization in pediatrics was a natural progression by his love of working with children and the privilege of watching their growth from infancy through their thriving years into adolescence and young adulthood. His favorite aspect of his role as a pediatrician is multifaceted—from helping new parents navigate the sometimes overwhelming early months and years to being a constant presence as families evolve and children grow. He values the connections he forms with families and strives to provide them with the same care he would offer to his own children.

Outside of work, Dr. Talibi enjoys sports, IPAs and spending time with his dog, Toby (and family, too). A Toronto, Canada native, he appreciates that Richmond is a relatively big city with small-town charm.



**Accessibility**

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Commonwealth Pediatrics  
7023 Old Jahnke Road  
Richmond, VA 23225  
(804) 320-1353  
(804) 320-6636

RETURN TO WORK/SCHOOL

3/27/2025

~~Mailey Skinger~~ was seen in our office on 3/27/2025 accompanied  
by Todd Skinger

She may return to work/school on 3 / 27 / 25. Physical limitations include: Please excuse early dismissal on 3/25, absence on 3/26 and tardiness on 3/27/25. In the future, please give her medicine for panic attacks as long as she states she has not already had it that day.

*A. Talibi, MD*

Provider Signature

Provider Name

Azhar A. Talibi MD

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3/28/25, 1:59 PM

2:12

LTE

Inbox

2 Messages



Azhar Talibi

1:06 PM

To: Kandise Lucas >



**Re: [REDACTED] Is NOT Released By Dr. Talibi To Return To School.. (Since 2/5/24)**

To confirm, I have not released [REDACTED] to return to school due to ongoing issues with her health. These include her prior diagnosis of anxiety, as well as the current school not being a safe environment for [REDACTED] (please refer to prior episodes on bullying from students, traumatic events such as arresting Dr. Lukas on school grounds in front of [REDACTED] during a panic attack, and non-compliance by school personnel regarding her health plan for her anxiety).

Azhar Talibi, MD

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Kandise Lucas

Yesterday

Dr. Talibi, You have repeatedly and clearl...





**Commonwealth Pediatrics**  
7023 Old Jahnke Road  
Richmond, VA 23225  
(804) 320-1353  
(804) 320-6636

**RETURN TO WORK/SCHOOL**

3/27/2025

~~Haley Skinger~~ was seen in our office on 3/27/2025 accompanied  
by Todd Skinger

Please excuse early dismissal on 3/25, absence on 3/26 and tardiness on 3/27/25. Due to her anxiety, she may need to go home early today. In the future, please give ~~Haley~~ her medicine for panic attacks as long as she states she has not already had it that day. Please continue to check her blood pressure when she has a panic attack and needs to come to the nurse's office. Her normal blood pressures are 100-120/ 60-80.

*A. Talibi, MD*

Provider Signature

Provider Name

Azhar A. Talibi MD



Commonwealth Pediatrics  
7023 Old Jahnke Road  
Richmond, VA 23225  
(804) 320-1353  
(804) 320-6636

RETURN TO WORK/SCHOOL

8/23/2024

~~Hayden~~ was seen in our office on 8/23/2024 accompanied  
by: \_\_\_\_\_ Dad \_\_\_\_\_

\_\_\_\_ Please excuse absences from 8/19/24 to 8/30/24. The date of return may be determined by her progress with Homebound services. \_\_\_\_\_

*A. Talibi, MD*

Azhar A. Talibi MD

Provider Signature

Provider Name



Commonwealth Pediatrics  
7023 Old Jahnke Road  
Richmond, VA 23225  
(804) 320-1353  
(804) 320-6636

RETURN TO WORK/SCHOOL

8/23/2024

~~Haley~~ was seen in our office on 8/23/2024 accompanied  
by: \_\_\_\_\_ Dad \_\_\_\_\_

\_\_\_\_ Please excuse absences from 8/19/24 to 8/30/24. The date of return may be determined by her progress with Homebound  
services. \_\_\_\_\_

*A. Talibi, MD*

Azhar A. Talibi MD

Provider Signature

Provider Name



Commonwealth Pediatrics  
7023 Old Jahnke Road  
Richmond, VA 23225  
(804) 320-1353  
(804) 320-6636

RETURN TO WORK/SCHOOL

8/23/2024

~~Nancy Skinder~~ was seen in our office on 8/23/2024 accompanied  
by: \_\_\_\_\_ Dad \_\_\_\_\_

\_\_\_\_ Please excuse absences from 8/19/24 to 8/30/24. The date of return may be determined by her progress with Homebound  
services. \_\_\_\_\_

*A. Talibi, MD*

Provider Signature

Provider Name

Azhar A. Talibi MD

11:01

LTE

X Dr.Talib2.29.24Excuse



15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

2/29/2024

~~\_\_\_\_\_~~inger  
Patient Date of Birth: 10/9/2010

To Whom it May Concern,

~~\_\_\_\_\_~~ has been on medication for anxiety (sertraline) since 9/25/2023. Her anxiety had been fairly manageable but worsened significantly after she experienced what has been reported to me as inappropriate sexually-mediated contact with a teacher at her school. Her anxiety has been significantly worse over the past few weeks starting on or about 2/16/24 and she feels unsafe at her current school. As a result, I have added a new medication (hydroxyzine) to be taken on an as-needed basis starting on 2/21/24.

Sincerely,

*A. Talib, MD*

Provider Signature

Azhar A. Talibi MD

developmental coordination disorder.

**2. The strengths of the student;**

Alex has not attended PCPS school since November 2021. He was placed by his parents in a private day school for a portion of the 2023-2024 school year. As reported by Believe-N-U, Alex very often comes to class prepared, performs class/homework assignments, stays on task until assignment is completed, and is attentive and cooperative.

**3. The academic, developmental, and functional needs of the student;**

Alex has not attended PCPS school since November 2021. As reported by Believe-N-U, Alex has received all A's in his classes.

**4. The concerns of the parent(s) for enhancing the education of their child;**

TO be updated at the IEP held on May 1, 2024...

**5. The communication needs of the student;**

When last enrolled in PCPS, Alex received weekly speech services to address his communication and conversation needs in social situations.

**6. The student's needs for benchmarks or short-term objectives;**

Benchmarks or short term objectives are not needed for the development of appropriate IEP goals.

11:01

LTE

X Dr.TalibMedCertification



APPENDIX B

#219881 X2

HOMEBOUND INSTRUCTION  
MEDICAL CERTIFICATION OF NEED

Homebound instruction shall be made available to students who are **confined** at home or in a health care facility for periods that would prevent normal school attendance (8VAC20-131-180). The term "**confined at home or in a health care facility**" means the student is unable to participate in the normal day-to-day activities typically expected during school attendance; and, absences from home are infrequent, for periods of relatively short duration, or to receive health care treatment. Students receiving homebound instruction may not work or participate in extra-curricular activities, non-academic activities (such as field trips), or community activities unless these activities are specifically outlined in the student's medical plan of care or the Individualized Education Program (if applicable).

To be completed by the licensed physician or licensed clinical psychologist providing care to the student for the condition for which the services are requested.\*

1. Name of Student: ~~XXXXXXXXXX~~

2. Name of School: \_\_\_\_\_ Grade: \_\_\_\_\_

3. Nature and extent of illness: *Ability, Depression, Head and hand injury s/p motor vehicle accident*

4. Date of examination or diagnosis of this illness: *9/21/23, 10/9/23, 11/19/23, 10/27/23, 11/30/23*

5. Is the student confined at home or in a health care facility?  YES  NO

6. Is the illness/treatment intermittent in nature (e.g., sickle cell anemia, chemotherapy for childhood cancer)?  YES  NO

7. Could this child attend school if accommodations are made by the school?  YES  NO  
If yes, please list the accommodations required. If no, please explain. *School has not been able to provide a safe and supportive environment for Bailey, nor shown support for her safety needs.*

8. Estimated date of return to school: *4/12/24*

9. Explain ongoing treatment and/or therapy being provided: *Cognitive behavioral therapy and counseling, medication management*

10. Frequency of treatment: *weekly and additional support as needed*

Signature of Licensed Physician/Clinical Psychologist: *[Signature]* Date: *2/12/24*

Print Physician/Psychologist Name: *Azam TALIB, MD*

Commonwealth Pediatrics  
15400 WC Commons Way  
Mclothian, VA 23118  
Phone: 804-549-5405  
Fax: 804-579-9602

Telephone Number: \_\_\_\_\_

Office Address: \_\_\_\_\_ City, State and Zip Code: \_\_\_\_\_

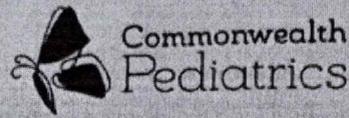
(OVER)

11:01

LTE



Dr.TalibFaxToPCPSMiddleSc...



Date: 2/28/24

To: Powhatan Middle School

From: WC Commonwealth peds



Fax: 804-598-5720

Subject: H. Skinger

Message:

See attached



Total # of Pages (including cover sheet): 3

CONFIDENTIALITY STATEMENT

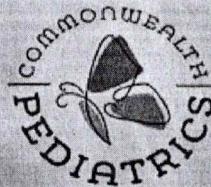
The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to which it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender listed above and destroy the document.

11:00

LTE



Dr.TalibExcuse2.8.24



Westchester Commons - Commonwealth Pediatrics  
15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

RETURN TO WORK/SCHOOL

2/8/2024

~~\_\_\_\_\_~~ has been under my care for anxiety.

~~\_\_\_\_\_~~ may return to work/school on 2 / 12 / 24 with the following

Restrictions : may return to school with her normal and expected accommodations for anxiety and panic attacks.

Please excuse absences from 2/5 to 2/9/24

*A. Talib, MD*

Provider Signature

Azhar A. Talibi MD

8:55

LTE



Dr.Talib 2.28.24



15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

2/26/2024

Re: ~~\_\_\_\_\_~~  
Patient: ~~\_\_\_\_\_~~ 2/12

To Whom it May Concern,

Please excuse absences from 2/12 to 3/1/24. Hailey may need to miss more school as she is in the process of applying for Homebound instruction. Any delay in getting the proper documentation to the school is the fault of my office. We were supposed to fax the Homebound form to Powhatan Middle School, but I do not see any documentation that this was done. The form will be included with this note.

Sincerely,

*A. Talibi, MD*

Provider Signature

Azhar A. Talibi MD

8:55

5G

X Dr.Talib2.29.24Excuse



15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

2/29/2024

~~\_\_\_\_\_~~  
Patient Date of Birth: 10/9/2010

To Whom it May Concern,

~~\_\_\_\_\_~~ has been on medication for anxiety (sertraline) since 9/25/2023. Her anxiety had been fairly manageable but worsened significantly after she experienced what has been reported to me as inappropriate sexually-mediated contact with a teacher at her school. Her anxiety has been significantly worse over the past few weeks starting on or about 2/16/24 and she feels unsafe at her current school. As a result, I have added a new medication (hydroxyzine) to be taken on an as-needed basis starting on 2/21/24.

Sincerely,

*A. Talib; MD*

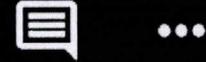
Provider Signature

Azhar A. Talibi MD

8:53

LTE

X image000000.jpg



15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

2/28/2024

~~Re: [Redacted]~~  
~~Patient: [Redacted]~~

To Whom it May Concern,

Please excuse absences from 2/12 to 3/1/24. [Redacted] may need to miss more school as she is in the process of applying for Homebound instruction. Any delay in getting the proper documentation to the school is the fault of my office. We were supposed to fax the Homebound form to Powhatan Middle School, but I do not see any documentation that this was done. The form will be included with this note.

Sincerely,

*A. Talibi, MD*

Provider Signature

Azhar A. Talibi MD

Patient Date of Birth: 3/7/2012

To Whom it May Concern,

Please excuse absences from 2/12 to 3/1/24. ~~Hailey~~ may need to miss more school as she is in the process of applying for Homebound instruction. Any delay in getting the proper documentation to the school is the fault of my office. We were supposed to fax the Homebound form to Powhatan Middle School, but I do not see any documentation that this was done. The form will be included with this note.

Sincerely,

*A. Talibi, MD*

Provider Signature

Azhar A. Talibi MD

Inbox Powhatan Middle Scho...  
Found in iCloud Inbox

**Todd Skinger**  
To: Kandise Lucas > 2/27/24

More from the school

----- Forwarded message -----  
From: **Courtney Jarman**  
<pmssmessenger@powhatan.k12.va.us>  
Date: Tue, Feb 27, 2024, 12:50 PM  
Subject: Powhatan Middle School Attendance  
To: <toddskinger@gmail.com>

This is an email from the attendance office at Powhatan Middle School to inform you that ~~Hailey Skinger~~ has been reported absent today 2/27/2024. Please contact the attendance office at 804 - 362 - 2500, extension 1114, or respond to this email. Please be sure to include a reason for the absence in your reply, to have the absence excused.

Thank you and have a nice day!

Jenise Overton  
Attendance Secretary

Inbox Powhatan Middle Scho...  
Found in iCloud Inbox

through in it and an egregious lack of empathy on the behalf of the administration they're working towards putting Hailey and I and Harper by default all in financial ruin putting me in jail which would mean that they would be creating child endangerment for Harper and Hailey

----- Forwarded message -----  
From: **Courtney Jarman**  
<pmssmessenger@powhatan.k12.va.us>  
Date: Mon, Feb 26, 2024, 10:50 AM  
Subject: Powhatan Middle School Attendance  
To: <toddskinger@gmail.com>

This is an email from the attendance office at Powhatan Middle School to inform you that ~~Hailey Skinger~~ has been reported absent today 2/26/2024. Please contact the attendance office at 804 - 362 - 2500, extension 1114, or respond to this email. Please be sure to include a reason for the absence in your reply, to have the absence excused.

Thank you and have a nice day!

Jenise Overton  
Attendance Secretary

Inbox  
To: Kandise Lucas >

**Fwd: Powhatan Middle School Attendance Hailey Skinger**

Another notice about Hailey

----- Forwarded message -----  
From: **Courtney Jarman**  
<pmssmessenger@powhatan.k12.va.us>  
Date: Thu, Feb 22, 2024, 10:50 AM  
Subject: Powhatan Middle School Attendance  
To: <toddskinger@gmail.com>

This is an email from the attendance office at Powhatan Middle School to inform you that ~~Hailey Skinger~~ has been reported absent today 2/22/2024. Please contact the attendance office at 804 - 362 - 2500, extension 1114, or respond to this email. Please be sure to include a reason for the absence in your reply, to have the absence excused.

Thank you and have a nice day!

Jenise Overton  
Attendance Secretary

Inbox  
To: Kandise Lucas >

**Todd Skinger**  
To: Kandise Lucas > 2/20/24

**Fwd: Powhatan Middle School Attendance**

----- Forwarded message -----  
From: **Courtney Jarman**  
<pmssmessenger@powhatan.k12.va.us>  
Date: Tue, Feb 20, 2024, 10:50 AM  
Subject: Powhatan Middle School Attendance  
To: <toddskinger@gmail.com>

This is an email from the attendance office at Powhatan Middle School to inform you that ~~Hailey Skinger~~ has been reported absent today 2/20/2024. Please contact the attendance office at 804 - 362 - 2500, extension 1114, or respond to this email. Please be sure to include a reason for the absence in your reply, to have the absence excused.

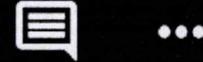
Thank you and have a nice day!

Jenise Overton  
Attendance Secretary

8:55



X Dr.Talib 2.28.24



15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

2/28/2024

Re: ~~\_\_\_\_\_~~ 2012

To Whom it May Concern,

Please excuse absences from 2/12 to 3/1/24. ~~\_\_\_\_\_~~ may need to miss more school as she is in the process of applying for Homebound instruction. Any delay in getting the proper documentation to the school is the fault of my office. We were supposed to fax the Homebound form to Powhatan Middle School, but I do not see any documentation that this was done. The form will be included with this note.

Sincerely,

*A. Talibi, MD*

Provider Signature

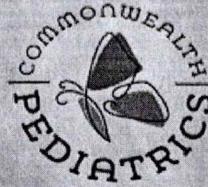
Azhar A. Talibi MD

8:52

5G



Dr.TalibExcuse2.8.24



Westchester Commons - Commonwealth Pediatrics  
16400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

RETURN TO WORK/SCHOOL

~~\_\_\_\_\_~~ has been under my care for anxiety.

~~\_\_\_\_\_~~ may return to work/school on 2 / 12 / 24 with the following

Restrictions - may return to school with her normal and expected accommodations for anxiety and panic attacks.

Please excuse absences from 2/5 to 2/9/24

*A. Talib, MD*

Provider Signature

Azhar A. Talibi MD

8:53

LTE



Dr.Talib 2.28.24



15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

2/28/2024

Re: ~~\_\_\_\_\_~~  
Patient ID: ~~\_\_\_\_\_~~ 3/7/2012

To Whom it May Concern,

Please excuse absences from 2/12 to 3/1/24 ~~\_\_\_\_\_~~ may need to miss more school as she is in the process of applying for Homebound instruction. Any delay in getting the proper documentation to the school is the fault of my office. We were supposed to fax the Homebound form to Powhatan Middle School, but I do not see any documentation that this was done. The form will be included with this note.

Sincerely,

Provider Signature

Azhar A. Talibi MD

10:19



3 Messages

< Inbox

Attendance Plan Need -...



School Board Chair Taylor and Vice Chair Hurt,

WE ARE OUTRAGED...SEE:

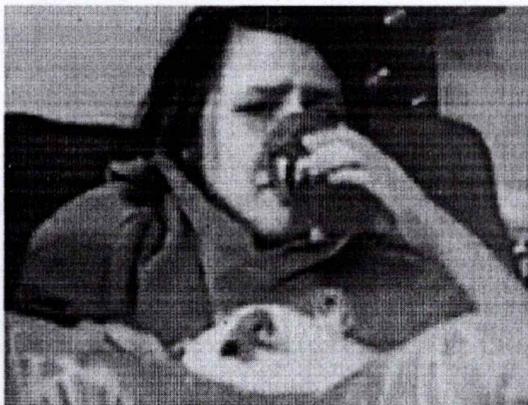
2/5/24, 2pm "Safety Plan" meeting that was arranged by our Student's private mental health provider, NOT Powhatan Public Schools. AP Socha arrived and triggered our student into a full blown panic attack. He did not leave on his own when requested to do so by our Student, who courageously advocated for her own SAFE PLACE.

Our family will require a "no contact" order regarding AP Socha. This audio recording is horrific!



6054754700-403630-1648

Audio Recording



APPENDIX B

#219881 XA

HOMEBOUND INSTRUCTION  
MEDICAL CERTIFICATION OF NEED

Homebound instruction shall be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance (8VAC20-131-180). The term "confined at home or in a health care facility" means the student is unable to participate in the normal day-to-day activities typically expected during school attendance; and, absences from home are infrequent, for periods of relatively short duration, or to receive health care treatment. Students receiving homebound instruction may not work or participate in extra-curricular activities, non-academic activities (such as field trips), or community activities unless these activities are specifically outlined in the students medical plan of care or the Individualized Education Program (if applicable).

To be completed by the licensed physician or licensed clinical psychologist providing care to the student for the condition for which the services are requested.\*

1. Name of Student: ~~XXXXXXXXXX~~

2. Name of School: ~~XXXXXXXXXX~~ Grade: \_\_\_\_\_

3. Nature and extent of illness: Anxiety, Depression, Neck and hand injury s/p motor vehicle accident

4. Date of examination or diagnosis of this illness: 9/21/23, 10/9/23, 11/18/23, 10/27/23, 11/20/23

5. Is the student confined at home or in a health care facility?  YES  NO

6. Is the illness/treatment intermittent in nature (e.g., sickle cell anemia, chemotherapy for childhood cancer)?  YES  NO

7. Could this child attend school if accommodations are made by the school?  YES  NO  
If yes, please list the accommodations required. If no, please explain school has not been able to provide safe and supportive environment for Hailey, nor shown support for her anxiety attacks

8. Estimated date of return to school: 4/12/24

9. Explain ongoing treatment and/or therapy being provided: Medication management, Cognitive behavioral therapy and Counseling

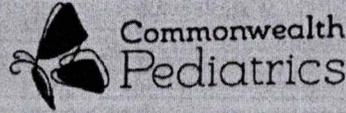
10. Frequency of treatment: weekly and additional support as needed

Signature of Licensed Physician/Clinical Psychologist: [Signature] Date: 2/12/24

Print Physician/Psychologist Name: Azma TALIB, MD Commonwealth Pediatrics  
15400 WC Commoria Way  
Midlothian, VA 23118  
Phone: 804-549-5405  
Fax: 804-379-8982

Office Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
City, State and Zip Code: \_\_\_\_\_

(OVER)



Date: 2/28/24

To: Powhatan Middle School

From: WC Commonwealth peds



Fax: 804-598-5720

Subject: ~~XXXXXXXXXX~~

Message:

See attached



Total # of Pages (including cover sheet): 3

**CONFIDENTIALITY STATEMENT**

The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to which it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender listed above and destroy the document.

**WWW.COMMONWEALTHPEDIATRICS.COM**

**OLD JAHNKE ROAD**  
7023 OLD JAHNKE ROAD  
RICHMOND, VA 23225  
(804) 320-1353

**HARBOUR POINTE**  
6510 HARBOUR VIEW CT, STE 100  
MIDLOTHIAN, VA 23112  
(804) 739-8166

**WESTCHESTER COMMONS**  
15400 WC COMMONS WAY  
MIDLOTHIAN, VA 23113  
(804) 549-5405



15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

2/29/2024

Re: ~~XXXXXXXXXX~~  
Patient ID: ~~XXXXXXXXXX~~

To Whom it May Concern,

~~XXXXXX~~ has been on medication for anxiety (sertraline) since 9/25/2023. Her anxiety had been fairly manageable but worsened significantly after she experienced what has been reported to me as inappropriate sexually-mediated contact with a teacher at her school. Her anxiety has been significantly worse over the past few weeks starting on or about 2/16/24 and she feels unsafe at her current school. As a result, I have added a new medication (hydroxyzine) to be taken on an as-needed basis starting on 2/21/24.

Sincerely,

Provider Signature

Azhar A. Talibi MD



15400 WC Commons Way  
Midlothian, VA 23113-7341  
(804) 549-5405

2/28/2024

~~For Patient Date of Birth: 2/28/2014~~

To Whom It May Concern,

Please excuse absences from 2/12 to 3/1/24. ~~They~~ need to miss more school as she is in the process of applying for Homebound instruction. Any delay in getting the proper documentation to the school is the fault of my office. We were supposed to fax the Homebound form to Powhatan Middle School, but I do not see any documentation that this was done. The form will be included with this note.

Sincerely,

*A. Talbi, MD*

Provider Signature

Azhar A. Talbi MD



2/28/2024

~~Received by [unclear] 2/28/24~~

To Whom it May Concern:

Please excuse absences from 2/12 to 3/1/24. I may need to miss more school as she is in the process of applying for Homebound instruction. Any delay in getting the proper documentation to the school is the fault of my office. We were supposed to fax the Homebound form to Powhatan Middle School, but I do not see any documentation that this was done. The form will be included with this note.

Sincerely,

*A. Talib, MD*

Provider Signature

Azhar A. Talib, MD

**CLIENT ENGAGEMENT AGREEMENT**

THIS CLIENT ENGAGEMENT AGREEMENT, dated as of February 3, 2022 (this "Agreement"), by and between Sands Anderson PC (the "Firm"), and Powhatan County Public Schools (collectively, the "Client"), provides as follows:

1. **Legal Services.** The Firm agrees to represent the Client in connection with education law matters as from time-to-time are requested by Client. The Representation shall be contingent upon the Firm's receipt of a fully-executed copy of this Agreement. Notwithstanding the foregoing, in the event that legal services have been or are rendered by the Firm prior to the execution and delivery of this Agreement, the Client shall pay for such services rendered in accordance with the terms of this Agreement.

2. **Fees.** The fees ("Fees") that the Firm shall charge the Client for the Representation shall be calculated by multiplying (i) the total number of hours and any fraction thereof, rounded up to the nearest one-tenth (1/10<sup>th</sup>) of an hour, that each of the Firm's attorneys and staff spend working on the Representation, by (ii) the respective hourly billing rates, which are subject to change from time to time, and shall initial be as follows:

**Initial Billing Rates**

Shareholders:	\$350.00
Counsel:	\$320.00
Associates:	\$250.00
Paralegals:	\$190.00
Law Clerks:	\$190.00

3. **Expenses.** The Client shall fully reimburse the Firm for all out-of-pocket costs and expenses of any kind or character (collectively, the "Expenses") incurred by the Firm in connection with the Representation. The Firm may, as it deems appropriate, forward one or more vendor invoices related to the Representation directly to the Client for payment, and the Client hereby agrees to fully pay all such invoices in accordance with their respective terms.

4. **Payment Terms.**

(a) **Invoice; Net 30.** The Firm may send to the Client a monthly statement ("Invoice") of all outstanding Fees and Expenses due and owing as of the last day of the previous calendar month, and the Client shall pay all such Fees and Expenses no later than thirty (30) days following the date of each such Invoice. In the event that the Client fails to pay any Fees and/or Expenses when due and owing, the Client shall be charged interest on any unpaid Fees and Expenses at the rate of eighteen percent (18%) per annum, compounded monthly, for each day that such Fees and Expenses remain unpaid after their due date, and the Client shall reimburse the Firm for any and all attorneys' fees and related costs and expenses incurred in collecting any outstanding Fees and/or Expenses hereunder.

(b) **Time of the Essence.** Time is of the essence with respect to all of the Client's financial obligations under the Agreement.



# POWHATAN COUNTY PUBLIC SCHOOLS

Inspiring · Empowering · Innovating

*Powhatan County Public Schools prepares students to thrive in a global community.*

March 10, 2023

Mrs. Kathy Halverson  
[kathybofva@aol.com](mailto:kathybofva@aol.com)

Dear Mrs. Halverson:

Powhatan County Public Schools is in receipt of your March 6, 2023 request to *“provide client engagement agreement dated 2/3/22 for sands anderson.”*

Your request for information has been processed in accordance with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). The record responsive to your request is attached.

Sincerely,

A handwritten signature in cursive script that reads "Beth N. Teigen".

Beth N. Teigen  
Superintendent/Acting FOIA Officer

encl: Client Engagement Agreement

## Pocahontas Landmark Center

4290 Anderson Highway • Powhatan, Virginia 23139 • 804-598-5700 • [www.powhatan.k12.va.us](http://www.powhatan.k12.va.us)  
Division Superintendent • Beth N. Teigen, Ph.D.

5. **No Guarantee of Result.** The Firm makes no representation or assurance regarding the result or outcome of the Representation, and the Client hereby acknowledges that no such representation or assurance has been made, and agrees that there is no guarantee of the result or outcome of the Representation.

6. **No Third-Party Beneficiary; Client Relationship.** The Firm and the Client agree that neither the Representation nor this Agreement creates a third-party beneficiary relationship with any party, whether or not specifically mentioned in any legal document prepared for you, and the parties expressly disclaim any such third-party beneficiary relationship.

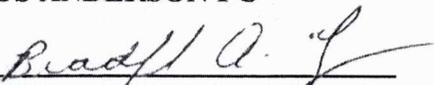
7. **Termination.** Either party may terminate this Agreement at any time, with or without cause, by providing written notice of such termination to the other, provided, however, that such a termination shall not release the Client or any Guarantor, as identified below, from their respective payment obligations hereunder, with respect to any Fees and/or Expenses accrued or incurred under this Agreement, including those necessary to formally withdraw from the Representation.

8. **File Retention.** During the Representation, the Firm will provide to the Client, where applicable, copies of certain documents generated or received by the Firm. At the conclusion of the Representation, the Firm will maintain an electronic copy of the Client's file for a period of seven (7) years. The Client agrees that after seven years, the Firm may destroy the Client's file without further notice.

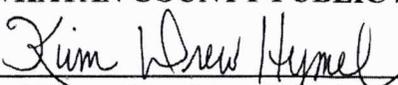
9. **Miscellaneous.** This Agreement may be executed in multiple counterparts, all of which taken together shall constitute one original. A facsimile or .pdf scanned electronic copy of any signature to this Agreement shall have the same force and effect as the original. If the Client consists of more than one party, then all of the Client's obligations hereunder shall be joint and several among such parties. The section headings herein are for convenience of reference only, and shall not affect the interpretation of this Agreement. This Agreement shall not be construed against the drafting party. The invalidity of any portion of this Agreement shall not invalidate the remainder of this Agreement. All understandings and agreements of the parties with respect to the Representation are merged into this Agreement. This Agreement may not be assigned by either party. This Agreement shall be binding on the Client's heirs, personal representatives, and successors. As used in this Agreement, the singular of any word shall include the plural, and vice versa. This agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia without reference to that jurisdiction's choice-of-law jurisprudence.

WITNESS the following signatures as of the date first above written.

**SANDS ANDERSON PC**

By:   
Printed Name: Bradford A. King  
Title: Shareholder

**POWHATAN COUNTY PUBLIC SCHOOLS**

By:   
Printed Name: Kim Drew Hymel  
Title: Board Chair



kandise lucas <kandiselucas@gmail.com>

**Creative Resolution**

**Summer Speight** <Summer\_Speight@vaed.uscourts.gov>  
To: kandise lucas <kandiselucas@gmail.com>

Dr. Lucas,

Thank you for your email and continued thought into creative solutions. After fully reviewing and digesting the information you have provided, I will reach out if I think that you and the School I

Thank you,

**Summer L. Speight**

United States Magistrate Judge  
Eastern District of Virginia  
701 East Broad Street  
Richmond, Virginia 23219-3528  
(804) 916-2860 (chambers)  
(804) 916-2869 (fax)

**From:** kandise lucas <kandiselucas@gmail.com>  
**Sent:** Friday, November 15, 2024 4:41 PM  
**To:** Summer Speight <Summer\_Speight@vaed.uscourts.gov>  
**Subject:** Creative Resolution

**CAUTION - EXTERNAL:**

Grand Rising Judge Speight,

I want to express my sincerest appreciation for your time and understanding during our settlement conference on November 13, 2024.

It was refreshing and sparked a slight flint of hope in my spirit, after nearly two decades of advocating for our families throughout the Commonwealth, nation, and the world. You asked me to f

In the spirit of resolution, which has never been extended to our families throughout the Commonwealth by Reed Smith/Sands Anderson, I am proposing the following amended counterpropo:

1) Alexander will begin at BNU IMMEDIATELY with transportation as a related service immediately as well. If this has not been done already, the Halvorsens will be reimbursed for all legal, tra that Alexander was a "fourth grade drop out" prior to Alexander having his fresh start at BNU). Alex will resume matriculation at BNU per Dr. Federici's April 2023 directive to PCPS and Sands

a)-Ryan Seay will be fully reimbursed for his tuition for Penn Foster and his mother, Tammy Seay, will be reinstated as a special education driver; (transporting Alexander to and from BNU). N

b)-Connor Guy will be placed at New Community School immediately to address his reading deficits and dyslexia. His mother, Tracy Guy, will be reimbursed for all lost wages that she suffered

c)-Hailey Skinger will be placed on medical homebound per Dr. Talibi's directives as of February 5, 2024. She will receive compensatory services to address the period of instructional depriva homebound instruction effective immediately, in math, english, science, and history at the SEVENTH grade level, and will amend her educational record to reflect that she is NOT retained in ti district and Sands Anderson will also reimburse Mr. Skinger the full cost of his attorneys fees required to combat the false and malicious allegations of truancy made against him.

d) Carter Gunn will be returned to his grandmother's, Minister Cheryl Sims', full custody, and will be placed in long-term residential placement per Judge Innes' of Hopewell Virginia's order on associated with combating GCPS and Sands Anderson to regain custody of her grandson, and avoid criminal prosecution for malicious child abuse charges to CPS.

2) Powhatan County Public Schools will implement, beginning IMMEDIATELY "restorative justice" resolution practices as a component of the dispute resolution system that can be requested

3) Sands Anderson attorneys that "support" school board's will be required to successfully complete the meaningful IEP development certification prior to engaging in any special education le: Modules, Standards-Based IEP | Virginia Department of Education

**From:** Maughan, Laura

**Sent:** Thursday, March 27, 2025 4:57 PM

**To:** CAPT Prince <plprince@aol.com>; Owens, LaRana J. <LOWens@sandsanderson.com>; kandise lucas <kandiselucas@gmail.com>; seayryan26@gmail.com; lynn.prince@powhatan.k12.va.us; baseballmom77777@gmail.com; Brian Miller <millerlawlimited@aol.com>

**Subject:** RE: In re Ryan Seay; VDOE Case No 25-121; Request for Dates for Pre-Hearing Conference

Good Afternoon,

During this morning's pre-hearing conference call, I was directed to address the following items. In compliance with Mr. Prince's directives, the responses to the issues are addressed below:

1. Service of Subpoenas to Dr. Teigen and Ms. Hurt

- a. Dr. Teigen can be served at 4290 Anderson Highway, Powhatan, VA 23139
- b. Ms. Hurt can be served via email at: vicki.hurt@powhatan.k12.va.us

i. Please note that the methods of service outlined here are limited to the service of subpoenas in this specific case, regarding the hearing in this case that is set for April 17, 2025. To be clear, these instructions should not be applied to any other cases or any other means of service of process or any other individual not specifically addressed in this email.

ii. Additionally, the school division reserves the right to file any motion to quash, motion in limine, or other objection to these witnesses' appearance at the hearing, which, in its discretion, it deems appropriate to make.

2. FOIA Requests

- a. PCPS respectfully objects to the Hearing Officer's requests concerning FOIA because a hearing officer presiding over an IDEA due process complaint has no jurisdiction to adjudicate or direct compliance with Virginia FOIA requests. Any complaints that the parent, advocate, or student may have concerning a response to a FOIA request should be addressed via the procedures and remedies available under that statutory provision. See, e.g., Va. Code Sec. 2.2-3700 et seq.
- b. Regarding recent FOIA requests concerning Mr. Seay, PCPS's FOIA Officer indicated that three FOIA requests were recently made by Mr. Seay (two on March 10, 2025 and one on March 22, 2025) and all three have been timely responded to. A response to his most recent request was issued today at 10:25am.
- c. Any FOIA requests for Mr. Seay's scholastic records should be sent by Mr. Seay to PCPS's FOIA Officer.

Thank you,

laura maughan



**Laura Maughan**

*Attorney*

The Virginia Freedom of Information Act (FOIA), located § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees.

A public record is any writing or recording- regardless of whether it is a paper record, an electronic file, an audio file or video recording, or any other format- that is owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific statutory exemption applies.

The policy of FOIA states the purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly

## **FOIA RIGHTS**

You have the right to request or receive copies of public records, or both.

You have the right to request that any changes for the requested records be estimated in advance.

If you believe that your FOIA rights have been violated, you may file a petition in a district or circuit court to compel compliance with FOIA. Alternatively, you may contact the FOIA Council for a nonbinding advisory opinion.

### **Making a Request for records from Powhatan County Public Schools**

You may request records by U.S. Mail, fax, email, in person, or over the phone. From a practical perspective, it is helpful to the requester and PCPS that the request be in writing. This allows you to create a record of your request and assists PCPS in understanding exactly what records you are requesting and expediting a response. It also gives a clear statement of what records you are requesting, so that there is no miscommunication over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect to not put in writing.

Such requests should be dated, and must state with "reasonable specificity" the documents requested so that PCPS can identify and locate the records you are seeking. The requestor shall provide his or her name and legal address when making a request. You may choose to receive electronic records in any format used by PCPS in the regular course of business.

Your request must ask for existing records or documents. FOIA gives you the right to inspect or copy records; it does not apply to a situation where you are asking general questions about the work of Powhatan County Public Schools, nor does it require PCPS to create a record that does not exist.

You may choose to receive electronic records in any format used by PCPS in the regular course of business.

For example, if you are requesting records maintained in an Excel database, you may elect to receive those electronically, via email or on a computer disk, or to receive a printed copy of those records.

If we have questions about your request, please cooperate with the staff's efforts to clarify the type of records that you are seeking, or attempt to reach a reasonable agreement about a response to a large request.

To request records from Powhatan County Public Schools, please direct your request to:

Terri Allison

Powhatan County Public Schools

Pocahontas Landmark Center

4290 Anderson Highway

Powhatan, VA 23139

Phone: 804-598-5700

Email: [terri.allison@powhatan.k12.va.us](mailto:terri.allison@powhatan.k12.va.us)

In addition, the Freedom of Information Advisory Council is available to answer any questions you may have about FOIA. The council may be contacted by email at [foiacouncil@dls.virginia.gov](mailto:foiacouncil@dls.virginia.gov) or by phone at (804)225-3056 or 1-866-448-4100.

### Powhatan County Public Schools' Responsibilities in Responding to Your Request

PCPS must respond to your request within five working days of receiving it. "Day One" is considered the day after the request is received. The five-day period does not include weekends or holidays.

PCPS does require you provide your name and legal address. The reason for your request for public records from PCPS is not needed.

FOIA does require that PCPS make one of the following responses to your request within a five-day time period:

1. We provide you with the records that you have requested in their entirety.
2. We withhold all of the records you requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, we must send you a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows us to withhold the records.
3. We provide some of the records that you have requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
4. We inform you in writing that the requested records cannot be found or do not exist (we do not have the records you want). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response to you.
5. If it is practically impossible for Powhatan County Public Schools to respond to your request within the five-day period, we must state this in writing, explaining the conditions that make the response impossible.

This will allow us seven additional working days to respond to your request, giving us a total of 12 working days to respond to your request.

If you make a request for a very large number of records, and we feel that we cannot provide the records to you within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to your request. However, FOIA requires that we make a reasonable effort to reach an agreement with you concerning the production of the records before we go to court to ask for more time.

## COSTS

You may have to pay for the records that you request from PCPS. A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. This includes items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. You have the right to request that an estimated cost of production be provided in advance when you submit a request.

If we estimate that it will cost more than \$200 to respond to your request, we may require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request. The five days that we have to respond to your request do not include the time between when we ask for a deposit and when you respond.

If a requester has owed payment on a FOIA request for more than 30 days, PCPS will require payment of the past-due bill prior to processing a new FOIA request from that requester.

## Commonly used exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. PCPS commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))

Policy regarding the use of exemptions

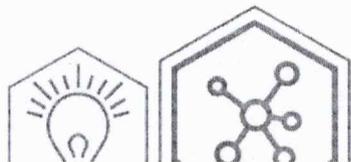
Since exemptions exist in order to protect some compelling public interest, it is inevitable that the school division will need to rely on exemptions in many cases.

For that reason, it is the school division's practice to invoke all exemptions that are applicable to any request for records. This practice ensures that all citizens are treated the same way, to the greatest extent possible.

- The general practice of Powhatan County Public Schools is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of Powhatan County Public Schools.
- The general practice of Powhatan County Public Schools is to invoke the student scholastic exemption in those instances where it applies in order to protect the privacy of students of Powhatan County Public Schools.

Careers Calendar Instruction Parent/Community Resources

School Board Student Services



Careers Calendar Instruction Parent/Community Resources

School Board Student Services

MENU SCHOOLS TRANSLATE

**PUBLIC SCHOOLS** TRANSLATE

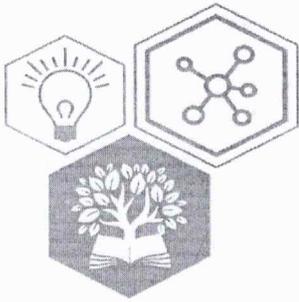
POWHATAN COUNTY PUBLIC SCHOOLS // FOIA REQUEST

# Inspiring · Empowering · Innovating

The Powhatan County School Board is committed to full compliance with the Virginia Freedom of Information Act (FOIA) and processes all requests for public records in accordance with Policy KBA and KBA-R.

Laura McFarland, Communications Liaison, is Powhatan County School Board's FOIA Officer. The FOIA Officer serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the School Board's compliance with FOIA. The FOIA Officer may be reached at [laura.mcfarland@powhatan.k12.va.us](mailto:laura.mcfarland@powhatan.k12.va.us)

[The Virginia Freedom of Information Act](#)



Powhatan County Public Schools

4290 Anderson Highway

Powhatan, VA 23139

Powhatan, VA 23139

Phone: 804-598-5700

Fax: 804-598-5720



### Stay Connected



## Division-Wide Info

Acceptable Use Policy

FOIA Information

Internet Privacy Policy

Memorandum of Understanding (MOU) with Powhatan Sheriff's Office (November 2023)

Non-Discrimination Statement

PCPS Title IX Training

Website Accessibility Statement

## Community

Continuing Adult Education

Gold Card Program

Advisory Committees

Helping Hands Award Nomination Form

Powhatan County

Thank an Employee!

Volunteer

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