

SUPREME COURT OF VIRGINIA

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DONALD W. LEMONS

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LAWRENCE L. KOONTZ, JR.

LEROY F. MILLETTE, JR.



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-6455

CLERK

DOUGLAS B. ROBELEN

EXECUTIVE SECRETARY

KARL R. HADE

CHIEF STAFF ATTORNEY

K. LORRAINE LORD

REPORTER OF DECISIONS

KENT SINCLAIR

STATE LAW LIBRARIAN

GAIL WARREN

January 22, 2021

The Honorable Giles Carter Greer, Chief Judge
Martinsville Circuit Court
P. O. Box 1347
55 West Church Street
Room 239
Martinsville, VA 24114

Dear Chief Judge Greer:

A panel of three Justices in consultation with the Office of the Executive Secretary has approved your plan for the resumption of jury trials in the circuit courts of Henry and Martinsville in the Twenty-first Judicial Circuit. You may begin jury trials effective today, provided the jury trial is consistent with and in reasonable conformity with the plan. This approval is subject to a change in circumstances including failure to carry out the plan you have submitted.

The Supreme Court is aware that communities in Virginia are different and more importantly, courthouses are different. As we have reviewed proposed plans, our concerns were that major issues have been addressed and that users of the courthouse have knowledge of what is expected of them. An undertaking of this magnitude is likely to require changes to the plan as participants discover that some practices do not work well and need further consideration. Of course, the plans cannot be subject to significant changes every time there is a jury trial. Furthermore, the plan cannot recite the solution to every problem that may arise. We are now learning that "strict conformity" with the plan should not be expected in all of the details.

We also know that the plans will need to have some room for adjustments as we learn about how certain aspects of the plans work or don't work. This letter is not an Order. The various emergency orders forbidding jury trials until a plan is submitted to and approved by the Supreme Court are clearly orders. As we have learned, from time to time there will be deviations from strict conformity to the plan. If and when this is so, it is the presiding judge who must make the decision. If the deviation is substantial and is likely to reoccur, the locality may need to resubmit a plan for approval.

The Honorable Giles Carter Greer, Chief Judge
January 22, 2021
Page Two

The presiding judge must and does have the authority to make decisions that must be made to effectuate a trial. Should there be changes made to the plan that have long term significance, the plan should be modified and resubmitted.

Sincerely,



Donald W. Lemons

PLAN FOR RESUMPTION OF JURY TRIALS IN MARTINSVILLE CIRCUIT COURT

I. INTRODUCTION

On account of the ongoing threat posed by the novel coronavirus, SARS-CoV-2, and the resulting COVID-19 pandemic, the Commonwealth of Virginia has been under a State of Judicial Emergency, pursuant to Code §17.1-330, continuously since March 16, 2020. The current Declaration of Judicial Emergency extends to January 3, 2021, and prohibits the conducting of jury trials until further order of the Court. It further directs each Circuit Court to submit a plan to the Chief Justice for the safe conducting of jury trials in its jurisdiction.

II. PERSONS CONSULTED

This plan has been developed in consultation with the other Judges of the 21st Circuit; Circuit Court Clerk; Chief Deputy Clerk; Martinsville Sheriff's Office Command Staff and Bailiffs; Assistant City Manager; City Engineer; Emergency Management Coordinator and Safety Officer; Director of Public Works; Martinsville Commonwealth's Attorney; Public Defender; Deputy Public Defender; and Judicial Assistant to the Circuit Court Judge.

III. STATEMENT OF CRITERIA CONSIDERED

The court has considered the Guidance and Considerations for the Resumption of Jury Trials issued by the Supreme Court of Virginia on June 29, 2020. The court has also considered the Emergency Temporary Standard, which was adopted by the Virginia Department of Labor and Industry on July 15, 2020. The Emergency Temporary Standard is incorporated herein by reference.

IV. THE FACILITY

Constructed in 1968, the Courthouse is a two-story building, which houses the administrative offices of the City of Martinsville and the clerks' offices and courtrooms for three courts. The Circuit Court Clerk's Office, a circuit courtroom, the judicial chambers, and an office for the judicial assistant are located on the second floor. The General District Court is located on the first floor, and the Juvenile and Domestic Relations District Court is located on the basement floor. City municipal offices are located on all three floors. The building has central stairwells and elevators with axial corridors and restrooms open to the public. The public utilize the main entrance at the front of the courthouse. City employees enter the building primarily through a rear entrance that is accessible only by passkey. Judges and court employees enter on the side of the building through two additional entrances that are accessible only by passkey.

The circuit courtroom has the following configuration. From the vantage point of the gallery, the witness stand is to the left of the bench, and the jury box is to the left of the witness stand. There are five pews in the gallery on each side of a center aisle; the two pews in front of the gallery are for the use of attorneys. Within the past decade, the courtroom underwent substantial renovation so as to enlarge the jury room and add two holding cells and a bailiffs' office. The jury room, which is attached to the courtroom, has two unisex bathrooms. There are two witness rooms at the rear of the room, and each witness room has a unisex bathroom. There are two counsel tables, one facing the bench and the other facing the jury box, in the courtroom. The original configuration of the jury box

consisted of twelve fabric chairs affixed to the floor on swivel bases. The witness stand has a faux leather chair that is movable. See Attachment 1.

V. COVID PROTOCOLS IMPLEMENTED

There is a security checkpoint at the entrance to the courthouse. In accordance with the first Order Declaring a Judicial Emergency, by order entered March 16, 2020, the Circuit Court of the City of Martinsville restricted public access to the building. Among other things, the order required that any person seeking entry must submit to a temperature check and complete a COVID-19 screening questionnaire. By order entered on December 7, 2020, the court amended the questionnaire. See Attachment 2. Anyone who answers “yes” to a question or who has a temperature of 100.4 degrees or higher will be denied entry to the courthouse. All persons entering the courthouse must wear a mask or other face covering. Disposable masks are available at the security checkpoint for those who need them. Signage has been placed at the courthouse entrance and throughout the building to remind patrons to maintain an appropriate social distance from one another, to wear masks, and to observe appropriate hand hygiene. There are hand-sanitizing stations located in the public hallway of each floor. See Attachment 3.

VI. JURY SUMMONING

Although the court can make no guarantees, it is vital to reassure the public that the judicial branch is doing everything possible to ensure their safety. To that end, the Clerk’s packet to each venireman will include a letter from the court summarizing the steps that the court has taken to mitigate the risk of exposure to COVID-19 during jury service. See Attachment 4. It is expected that the court will receive more requests for exemption than were typical before the pandemic. Consequently, the Clerk’s Office will increase the number of jurors summoned by one-third—forty jurors for a criminal trial and twenty-four jurors for a civil trial. A highly-publicized trial may require additional jurors. The “fear of catching COVID” will not be a sufficient reason, in and of itself, for the court to exempt a person from jury duty; however, the court will excuse 1) those persons who are in the high risk category; 2) those persons who care for someone in the high risk category; 3) those persons who live with someone in the high risk category; and 4) those persons who interact with people in the high risk category at work. Historically, ninety-five percent of those summoned for jury duty appear as scheduled. In view of the routinely high turnout, the court has made it a practice not to issue rules to show cause against those who fail to appear, and that practice will continue.

VII. JURY ASSEMBLY

The jurors will arrive at 8:00 a.m. and park in a designated area behind the courthouse. A deputy will approach each juror, complete a COVID screening, take the temperature of the juror, and note the same on the questionnaire. If a juror answers “yes” to any question or has a temperature equal to or greater than 100.4, the deputy will instruct the juror to return home and to consult a physician. The service of any juror who is instructed to go home will be deferred for thirty days. Every juror must wear a mask or other face covering. If a juror does not have a mask, one will be provided. If a juror refuses to wear a mask, the juror will not be admitted to the courthouse, unless he or she has in hand a written medical excuse for not wearing a mask. If a juror refuses to wear a mask without a written medical excuse, the court will defer his service to the next term of court. When a juror completes the screening and is cleared to proceed, another deputy will give a “juror” tag to the juror and escort him or her, along with two other such jurors, in a socially-distanced

fashion through the courthouse entrance, where each juror will pass through a metal detector, to the elevators and stairwell on the first floor. A deputy stationed at the bottom of the stairwell will monitor the jurors and will ensure that only one juror at a time ascends the stairs, and that only one juror at a time takes each elevator. A deputy will meet the jurors on the second floor and escort them to the City Council Chambers, where they will be seated six feet apart. A deputy will seat additional jurors six feet apart in the hallway pews in front of the courtroom and beside the courtroom. A deputy will remain with each group of jurors during jury selection.

VIII. JURY SELECTION

The attorneys and parties will be ready to commence the trial at 9:00 a.m. The panel will be chosen by lot, in accordance with applicable law, and those chosen will go to the courtroom, where they will be seated in the modified jury box and in the left side of the gallery facing the bench. The court may ask the jurors to lower their face coverings so that the attorneys may be able to identify them. The attorneys must stand at the podium during voir dire. Following voir dire, the court will meet with counsel in the conference room, if necessary, in order to consider challenges for cause. If additional jurors are required, the Clerk shall pick them by lot, and a deputy shall escort them in groups of no more than two persons to the conference room. The jury that is selected will sit in a modified jury box. More alternates than usual will be required in the event of a multi-day trial.

IX. COURTHOUSE MODIFICATIONS

Some modifications have been required in order to comply with CDC guidelines. The jury box chairs have been re-upholstered in faux leather so as to make them easier to clean. The front row of chairs has been removed and attached to a wood base, which is affixed to the floor in front of the jury box, rather than inside the jury box, in order to achieve proper social distancing. All of the chairs are mounted on swivel bases, so that the jurors will be able more easily to see the witnesses. A plexiglass pane has been attached to the floor between each chair in the front row and back row, and a movable “knee screen” has been placed in front of the jurors. See Attachment 5. Each juror will sit in an assigned seat for the duration of the trial. Alternate jurors will sit six feet apart on the pew in front of the gallery. The counsel tables will be moved further away from the newly configured jury box. See Attachment 6. The fabric chairs in City Council Chambers have been replaced with faux leather chairs.

X. WITNESSES

If a necessary witness is denied entry to the courthouse, arrangements will be made for that person to testify by telephone or videoconference, if feasible. Rather than arriving at staggered times, the witnesses, except expert witnesses, will arrive at the start of trial. Expert witnesses will arrive at designated times. The jury room, which will serve as witness room A, can accommodate eight witnesses, who will sit six feet apart from one another. Witness rooms B and C can each accommodate four witnesses, who will sit six feet apart from one another. An additional four witnesses who are members of a law enforcement agency can sit six feet apart in the bailiffs’ office, if necessary.

XI. TRIAL PROCEDURES

1. Podium. The podium will be located between the counsel tables. The attorneys shall use the podium for voir dire, opening statements, examination of witnesses, and closing

arguments. The attorneys shall not approach the bench or the witness stand without good cause.

2. Exhibits. All exhibits shall be pre-marked. The bailiffs shall bring documents and small items to the bench for introduction into evidence. Large items will be placed on a table in front of the bench. The court urges that all exhibits be displayed on the courtroom monitor so as to minimize the necessity for jurors to handle them. The court will not permit jurors to touch exhibits, unless it is necessary for them to do so, in which case deputies will provide disposable gloves after instructing the jurors on the use and disposal of gloves according to the Virginia Department of Health.
3. Face Coverings. All persons, including witnesses, must wear face coverings. The witness stand, however, is sufficiently distanced from any other person in the courtroom to allow the witness to take the face covering down and testify with the face exposed. If a lawyer or bailiff needs to approach a witness in order to hand something to him or her, the court will instruct the witness to recover the face before permitting the approach. If a face covering impairs the ability of an attorney to examine a witness or communicate with the court, the court may grant the attorney permission to remove his or her face covering as necessary, while ensuring that the attorney remains physically distant from other persons in the courtroom. A criminal defendant may be asked to remove his face covering during voir dire to ensure that prospective jurors can see him and indicate whether any know or recognize him. He may also be asked to lower his face covering briefly for the purpose of enabling a witness to see his face and answer whether the witness can identify the defendant. If a face covering impairs the ability of a lawyer and his client to communicate at counsel table (and alternate methods of communication such as note-taking and texting between devices are either unavailable or insufficient), the court will permit counsel whatever recesses are necessary in order to facilitate private communication. The court expects counsel to maintain social distancing with co-counsel and his or her client at all times. Jurors will wear face coverings at all times, but the court expects to permit individual jurors to lower the cover briefly if requested during voir dire, while ensuring proper social distancing of at least ten feet from all other persons.
4. Sidebars. Sidebars will be conducted in the conference room, which is adjacent to the courtroom. The conference room has a microphone that is connected to the digital recording system in the courtroom in the event that the statements of the court and counsel must be on the record.
5. Breaks. The court will take appropriate breaks throughout the trial, usually every ninety minutes, and the jury will be escorted to the City Council Chambers during such breaks, where they will be seated at least six feet apart. Each juror will have an assigned seat. The court will provide bottled water and snacks to the jury during breaks. The jury will use the public restrooms, which are located in a nearby corridor. A deputy will remain with the jury during breaks and, if necessary, will remind the jurors to maintain an appropriate social distance from one another while they are walking to and from the restrooms. During the first break, the jurors will make a lunch selection, and the court will provide lunch for them. During the afternoon break, a deputy will take the temperature of each juror by means of an infrared thermometer.

6. Deliberation. The jury will deliberate in the City Council Chambers, and each juror will have a set of instructions, which will be provided by the court. In addition, each juror will have an individual copy of every documentary exhibit, which will be provided by the party who introduced the exhibit. The original exhibits will be displayed on a table in such a way that the jurors easily may observe them. If it is necessary for the jurors to touch an exhibit, a deputy will provide disposable gloves for their use after instructing them on the proper method of use and disposal of such gloves. Following the reaching of a verdict, deputies will escort the jury in a socially-distanced fashion to the courtroom. Following the discharge of the jury and at the conclusion of each day of a multi-day trial, deputies will monitor the jurors in order to ensure that they leave the courtroom and the courthouse in a socially-distanced fashion.
7. Multi-Day Trial. Returning on subsequent days in a multi-day trial, the jurors will park in the designated parking area, and the same procedure implemented on the first day of trial will be followed, except that the jury will be escorted to the City Council Chambers until the trial is ready to begin, instead of the pews in the hallways.

XII. PUBLIC ACCESS

The court will admit six members of the public into the courtroom during voir dire. Following the selection of the jury, an additional six members of the public will be admitted to the courtroom. There is not sufficient room in the courtroom to seat additional members of the public in view of social distancing guidelines. The court has considered the possibility of installing a camera in the courtroom with a monitor located in the executive session room adjacent to the City Council Chambers; however, the cost would be prohibitive, and there are no funds available for such installation.

XIII. SANITATION

The court will implement robust sanitation measures and will remind the jurors to wash their hands frequently, not to touch their faces, and to observe proper respiratory etiquette. Frequently touched surfaces, such as elevator buttons, door handles, and stair rails, will be cleaned and disinfected every two hours. In general, the courtroom, including, but not limited to, the gallery pews, the jury chairs, the counsel tables, and the witness stand, will be cleaned and disinfected three times a day: before trial begins, during the lunch break, and after the court recesses for the day. The bathrooms utilized by the jury during breaks will be cleaned and disinfected in the same manner. The witness rooms, including, but not limited to, the chairs, tables, and bathrooms, will be cleaned and disinfected in the same manner. Additionally, during voir dire, the chairs in the City Council Chamber and the pews in the hallways will be cleaned and disinfected when jurors are escorted to the courtroom, and the jury chairs and gallery pews in the courtroom likewise will be cleaned and disinfected when prospective jurors are excused. The witness stand will be cleaned and disinfected after each witness testifies.

XIV. VENTILATION

The HVAC system, which is now over fifty years old, has undergone modifications and upgrades throughout the years. The City has an annual contract with Trane, which performs two service checks a year—a “pre-heating” check in early fall and a “pre-cooling” check in early

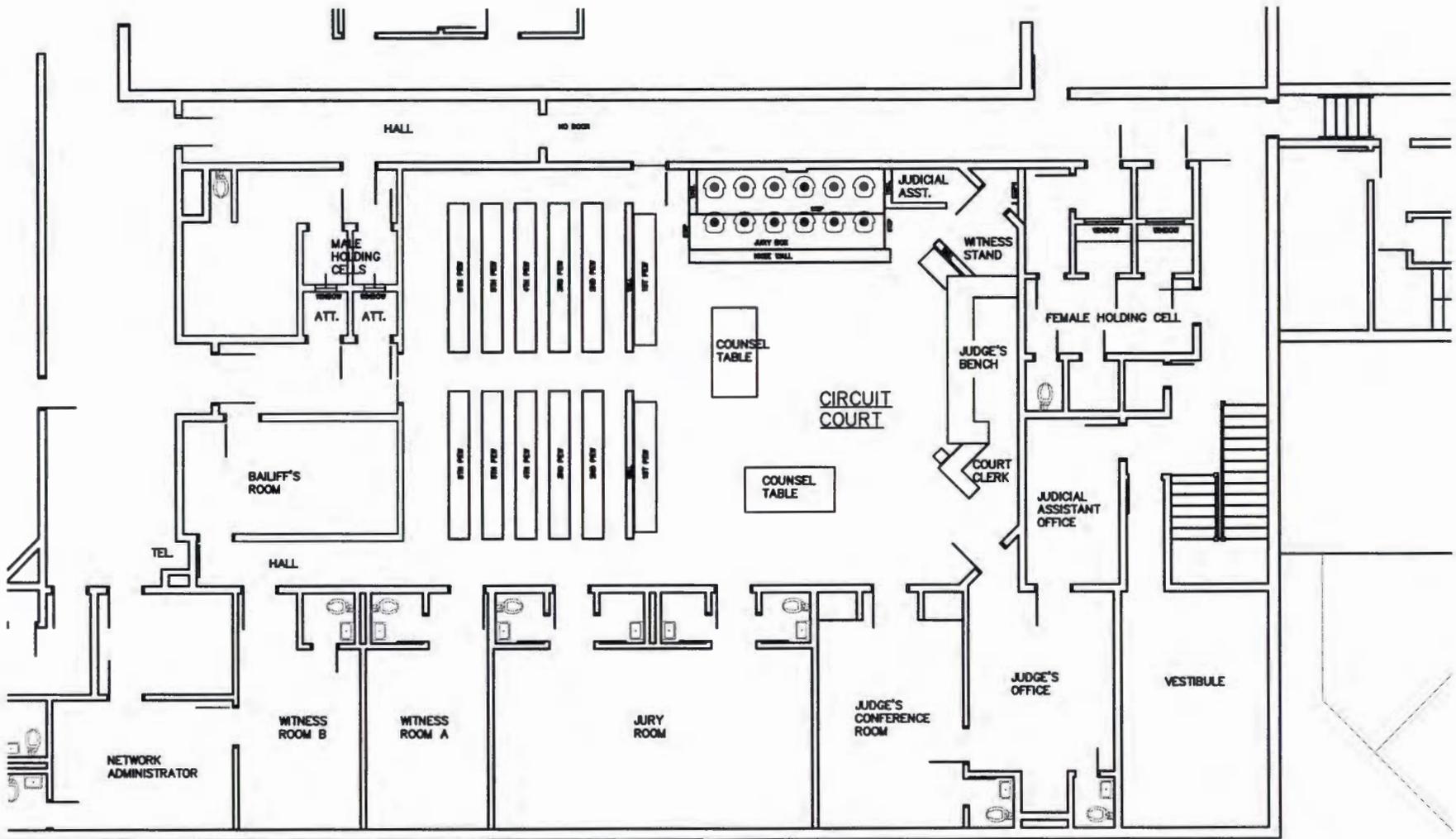
spring—for the purpose of inspecting belts and settings. The building is divided into zones, with an air handler serving each zone. Each air handler works independently and handles the need for the particular zone that it serves. The filters, which are custom made for this system, are changed every eight weeks on average; however, the filters are checked weekly to ensure that they do not need to be changed more frequently. The City has recently installed in the HVAC system a cold plasma generator (“CPG”), which “produces an electric field filled with highly charged ions” that “act as a natural scrubbing agent for the air passing through the field.” Bipolar ionization technology has been proven effective in deactivating the SARS-Cov-2 virus. See Attachment 7.

XV. EXPOSURE PROCEDURE

The CDC defines “exposure” as being in close contact, i.e. six feet or less, for a period of fifteen minutes or more with a person who has tested positive for COVID-19, whether symptomatic or asymptomatic. A trial participant or courthouse employee who is aware of having been exposed to COVID-19 will not be admitted to the courthouse. A trial participant or courthouse employee who develops symptoms consistent with COVID-19 during trial should promptly notify a bailiff, and immediate steps will be taken in order to isolate that person until he or she can exit the building safely. All affected areas of the building will be sealed for twenty-four hours, if possible; the affected areas then will be cleaned and disinfected. Having confirmed in advance cell phone numbers and e-mail addresses of all prospective jurors, the jury associate will notify as soon as possible all jurors who had close contact with the person suspected of having COVID-19 of the potential exposure by cell phone, e-mail, or text messaging and urge them to contact a health care provider or the Virginia Department of Health for further instructions. The court will notify all other trial participants who had close contact with the person suspected of having COVID-19 of the potential exposure as soon as possible. If it becomes necessary for the court to enter an order closing the courthouse, the jury associate will notify the jurors of such closure. The order closing the courthouse will be posted on the front door of the courthouse during the period of closure in order to alert the public. The court will consult with the litigants, remotely if necessary, to determine whether a continuance or mistrial will be necessary. Among factors to be considered will be the availability of test results in a timely manner, the use of alternates, the stage of trial, the length of the delay, and the continued availability of the jurors and litigants.

XVI. PRETRIAL CONFERENCE

A mandatory pretrial conference will be held by telephone or in person at least three days prior to trial. Among other issues, the court will address the use of alternates, the scheduling of witnesses, and the handling of exhibits. The court will expect counsel to confer prior to this conference in order to discuss stipulations, agreed exhibits, and any outstanding pretrial issues. While it is always an inconvenience for jurors to report for duty only to find out that a case has settled at the last minute, under the current emergency this inconvenience becomes a health and safety issue not only for the jurors, but also for the litigants and courthouse employees. Therefore, all parties must certify at the pretrial conference that the case is ready for trial, that all sides have made every good faith effort to resolve the case, that they have considered alternatives to a jury trial, and that they have read this plan.



CIRCUIT COURT - ORIGINAL CONFIGURATION

- D. All persons admitted to the building shall be required to use hand sanitizer before passing out of the security checkpoint area.
- E. All persons admitted to the building shall confine their visit to the specific office the purpose of their visit requires.
- F. All persons admitted to the building shall practice "social distancing," shall refrain from physical contact with other persons, and shall maintain a distance of six feet from any other person at all times.
- G. Any person admitted to the building shall at all times wear a face covering that is in compliance with CDC recommendations. This requirement shall not apply to City employees who are in their own offices during working hours.
- H. All persons are required to wash their hands for at least 20 seconds, using soap and warm water, after using the restroom.
- I. Any person not complying with these requirements shall be immediately removed from the building and shall not be readmitted.

These requirements shall be in effect at all times, without regard to whether Court is actually in session. These requirements shall be amended or rescinded only by written order of this Court.

The Clerk is directed to post this order at each entrance to the Courthouse.

ENTERED this 7th day of March, 2020.

TWENTY-FIRST
JUDICIAL CIRCUIT
OF VIRGINIA


G. Carter Greer
Circuit Court Judge

I ask for this:

The foregoing is a true and correct copy of said Court, entered by me, Clerk, at my hand and in my office on this day of March, 2020.
This the 9th day of March, 2020
Dee R. Duff
Clerk
Circuit Court, City of Martinsville VA



Elye Helms Monday, VSB# 38839
55 West Church Street Post Office Box 1112
Martinsville, Virginia 24112
Telephone (276) 403-5198 / Telefax (276) 403-5194
City Attorney for Martinsville
for Petitioner, Hon. Sheriff Steve M. Draper

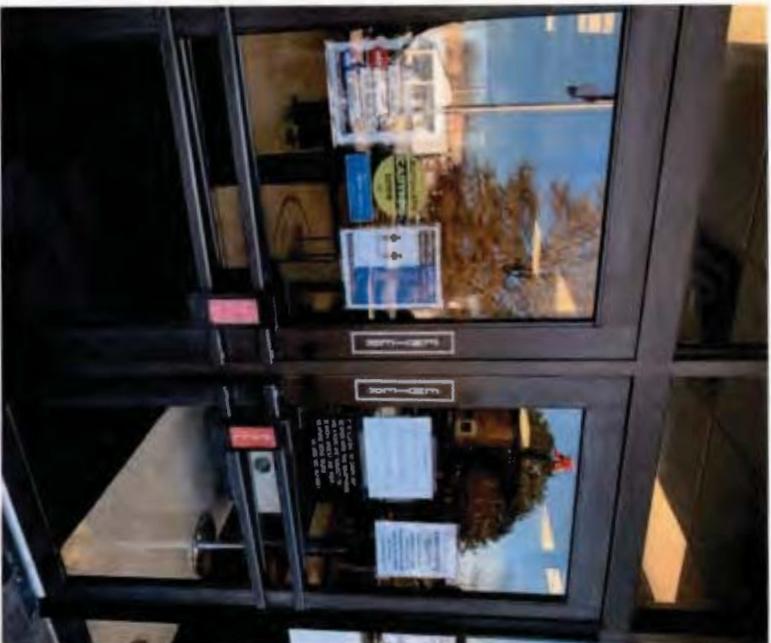
MARTINSVILLE COURTS COVID-19 SCREENING QUESTIONNAIRE

Your health and well-being are of the utmost importance and we are committed to providing you with a safe environment in the Courthouse. Anyone entering the courthouse will be screened; this questionnaire is part of the safety process.

Print Your Name: _____

1. Have you traveled outside the United States within the last 14 days? Yes No
2. Have you been in close contact with anyone who has traveled outside the United States within the last 14 days? Yes No
3. Are you experiencing, or have you experienced in the past 14 days, a fever, cough, or shortness of breath? Yes No
4. Have you experienced any of the following in the last 14 days:
 - Fever or chills Yes No
 - Cough Yes No
 - Shortness of breath or difficulty breathing Yes No
 - (*other than pre-existing non-COVID diagnosis*)
 - Fatigue Yes No
 - Headache Yes No
 - New loss of taste or smell Yes No
 - Sore Throat Yes No
 - Congestion or runny nose Yes No
 - Nausea or vomiting Yes No
 - Diarrhea Yes No
5. In the past 14 days, have you:
 - Been in close proximity to anyone who was experiencing any of the above-listed symptoms? Yes No
 - Been directed to quarantine, isolate, or self-monitor? Yes No
 - Been diagnosed with, or had contact with anyone who has been diagnosed with COVID-19, or resided with someone in the above categories? Yes No
6. Have you been tested for COVID-19 and are waiting to receive the test results? Yes No

Signature: _____ Date: _____



Front door of courthouse with signage for social distancing and mask wearing.

Signs Posted: A, C

(Signs labeled at end of Attachment)



Entrance of courthouse where temperature is taken, hands are sanitized and screening questions are asked of public.



Elevators of the courthouse where one person per elevator will be permitted. Steps of the courthouse where one person at a time will have access.

Signs Posted: A, B, C

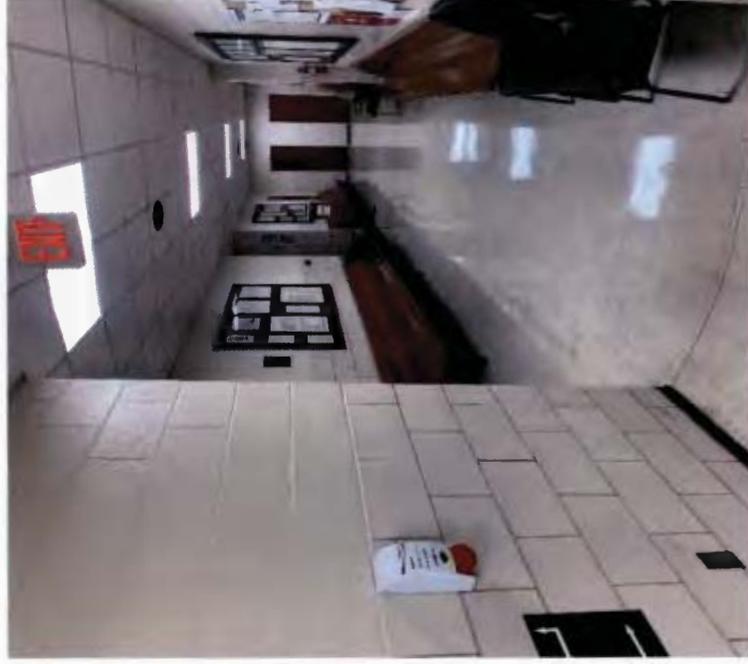


View from the exit of the elevators and top of stairs. Doors are the entry to our City Council Chambers which will serve as our jury room/jury assembly room.

Signs Posted: A, B, C



Jury assembly/jury room.



Hallway entrance to court
room doors.

Signs Posted: A, B, C



Front Doors to Court
Room

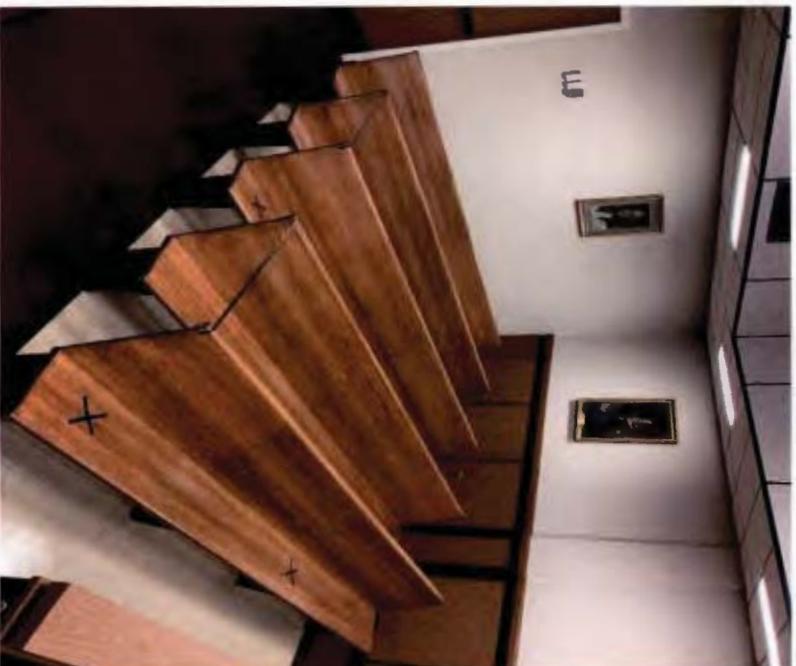
Signs Posted: A, B, C



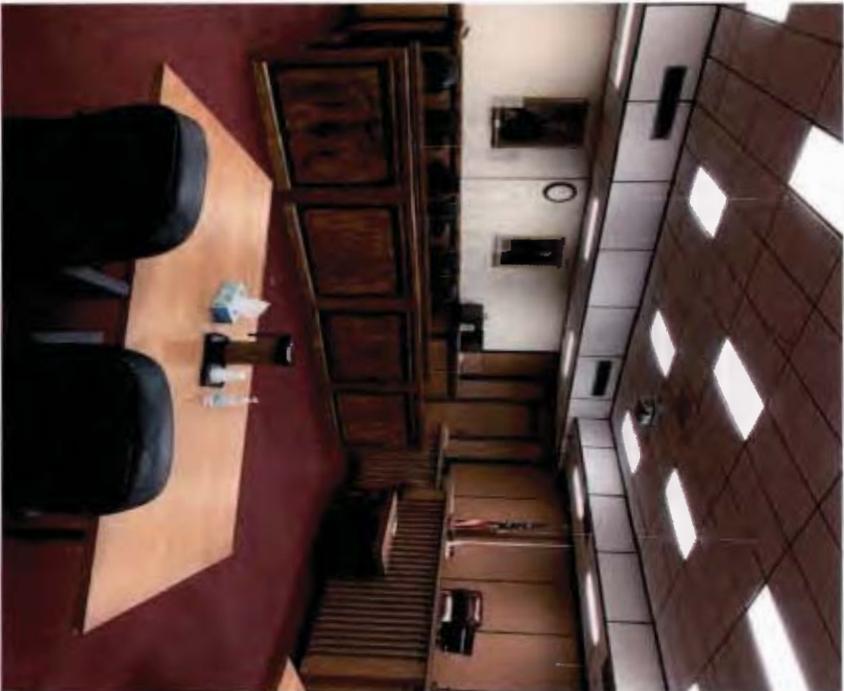
Foyer before entrance of
the Courtroom



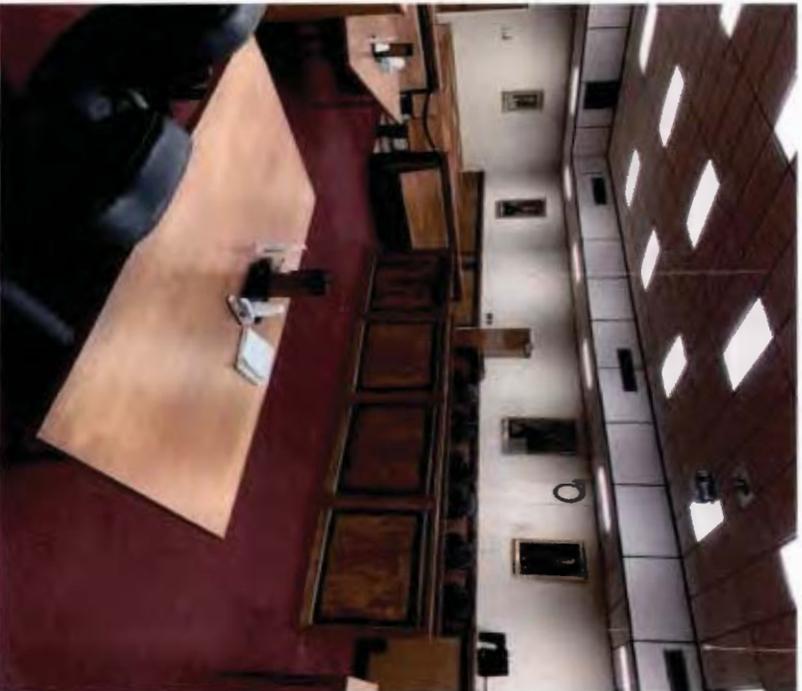
Right side of gallery,
after entrance through
foyer doors.



Left side of gallery,
after entrance through
foyer doors.



View from Defendant's table facing jury box, bench and witness stand.

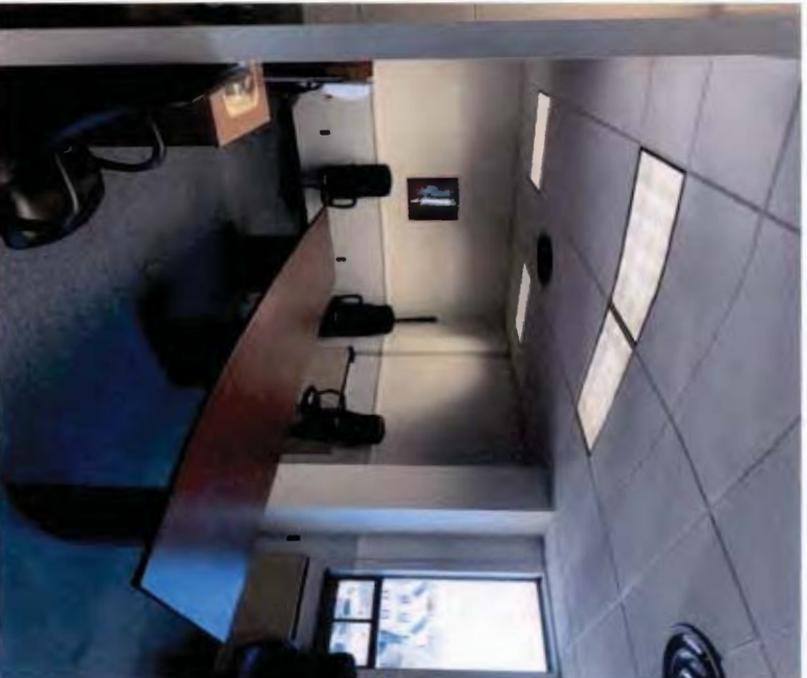


View from Commonwealth's table facing the jury.



Old Jury Room that has been converted into witness room A for social distancing.

Signs Posted: A, B, C



Different view of witness room A.



Entrance to witness
room B.

Signs Posted: A, B, C



Different view of witness
room B



Witness Room C

Signs Posted: A, B, C

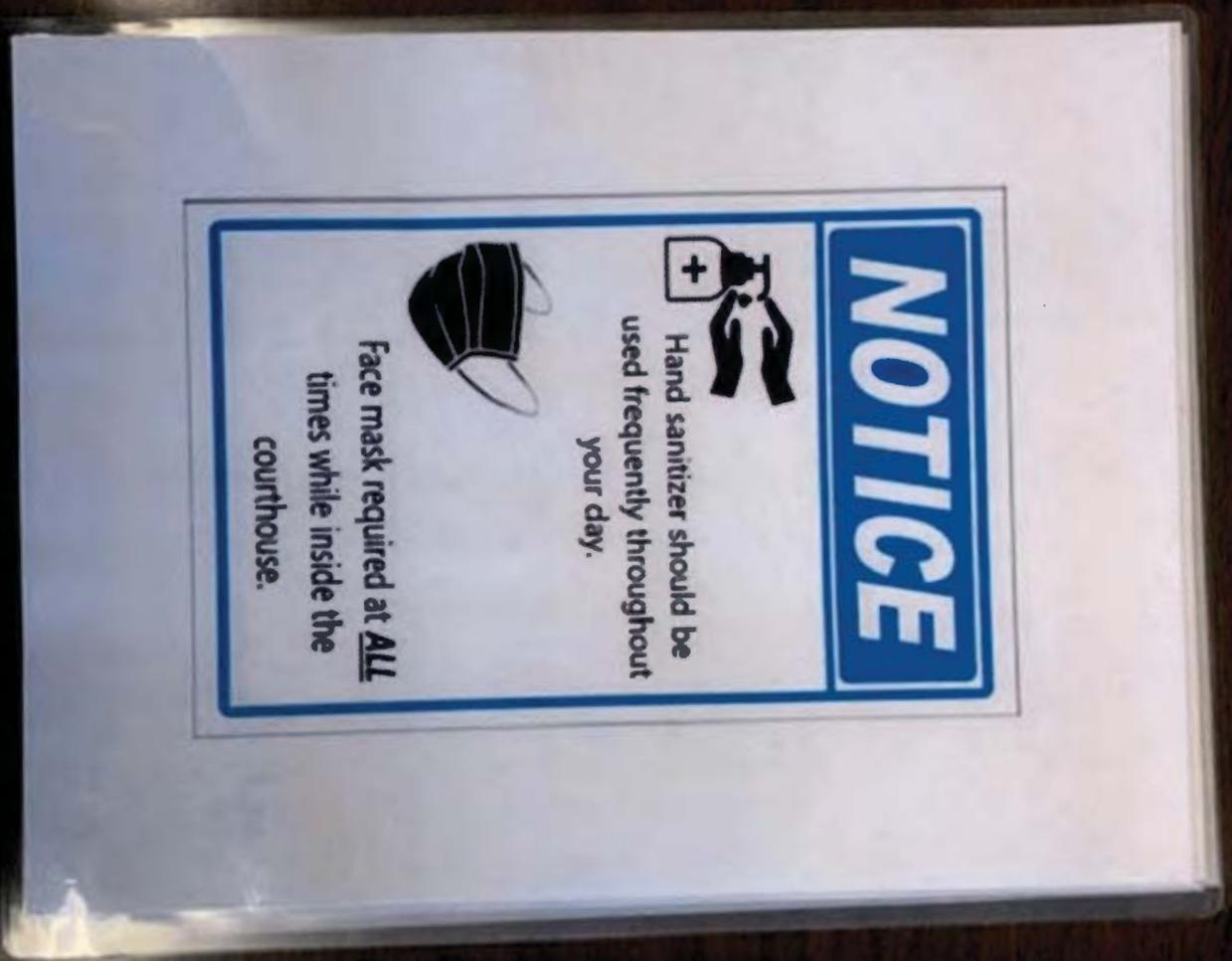


Signage for mask
wearing, hand
sanitizing, social
distancing in Witness
Room B.

Sign A



Sign B



NOTICE



Hand sanitizer should be used frequently throughout your day.



Face mask required at ALL times while inside the courthouse.

Sign C





CAUTION

**MAINTAIN
SOCIAL
DISTANCING**



impact

Dear Prospective Juror:

You have been selected potentially to serve as a juror during the upcoming term of court. Martinsville Circuit Court has taken numerous steps, some of which are outlined below, to protect potential jurors as much as possible from exposure to the coronavirus. It is my hope that this letter will answer many of your questions and alleviate most of your concerns about serving on a jury during a time of pandemic.

SELF-MONITORING: Prior to serving as a juror, you should monitor yourself for symptoms of COVID-19 as follows: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. This list does not include all possible symptoms. A helpful resource is the CDC Coronavirus Self-Checker, a tool offered by the CDC to help you make decisions concerning when you should be tested. The web address is <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>. If you develop any symptoms of COVID-19, you must contact the jury associate, and you must not report for jury duty.

EXCUSAL FROM JURY SERVICE: If you are at high risk of contracting COVID-19, the court will excuse you from jury service. Those considered to be at high risk include people with certain medical conditions (high blood pressure, chronic lung disease, diabetes, obesity, asthma, liver disease, chronic kidney disease, heart conditions, etc.) and people over the age of 65. In addition, if you care for someone at high risk, live with someone at high risk, or interact with high risk people at work, the court will excuse you from jury service. If you wish to be excused from jury service for any of these reasons, you must contact the jury associate.

JURY ARRIVAL: If you are selected as a potential juror, the jury associate will contact you and provide you with the date(s) and anticipated length of the trial. Please arrive at the Municipal Building/City Courthouse by 8:00 a.m. and park in the designated area in the back of the building. A deputy will meet you at your vehicle, ask you a series of questions, and take your temperature with an infrared thermometer. You will be required to wear a face covering, unless you have **with you** a written excuse from your physician. If you do not have a face covering, one will be provided for you. Of course, you may bring your own face covering.

JURY ASSEMBLY: A deputy will lead you and two other jurors in a socially-distanced manner to the front entrance, where you will pass through security screening. You will then take the elevator or stairs to the second floor, where a deputy will meet you and escort you to the City Council Chambers or other designated area. You will be seated six feet from one another. A deputy will remain with you while you are waiting for court to convene, during which time you will be checked in.

JURY SELECTION: As you know, more potential jurors than those who actually serve are summoned. The initial jury pool will be selected, and a deputy will escort those potential jurors to the courtroom. If you are among the initial jury pool, you will sit in the jury box or the gallery of the courtroom for the question and answer portion of the jury selection process. The court may ask you briefly to lower your face covering during questioning. The jury selected will return to

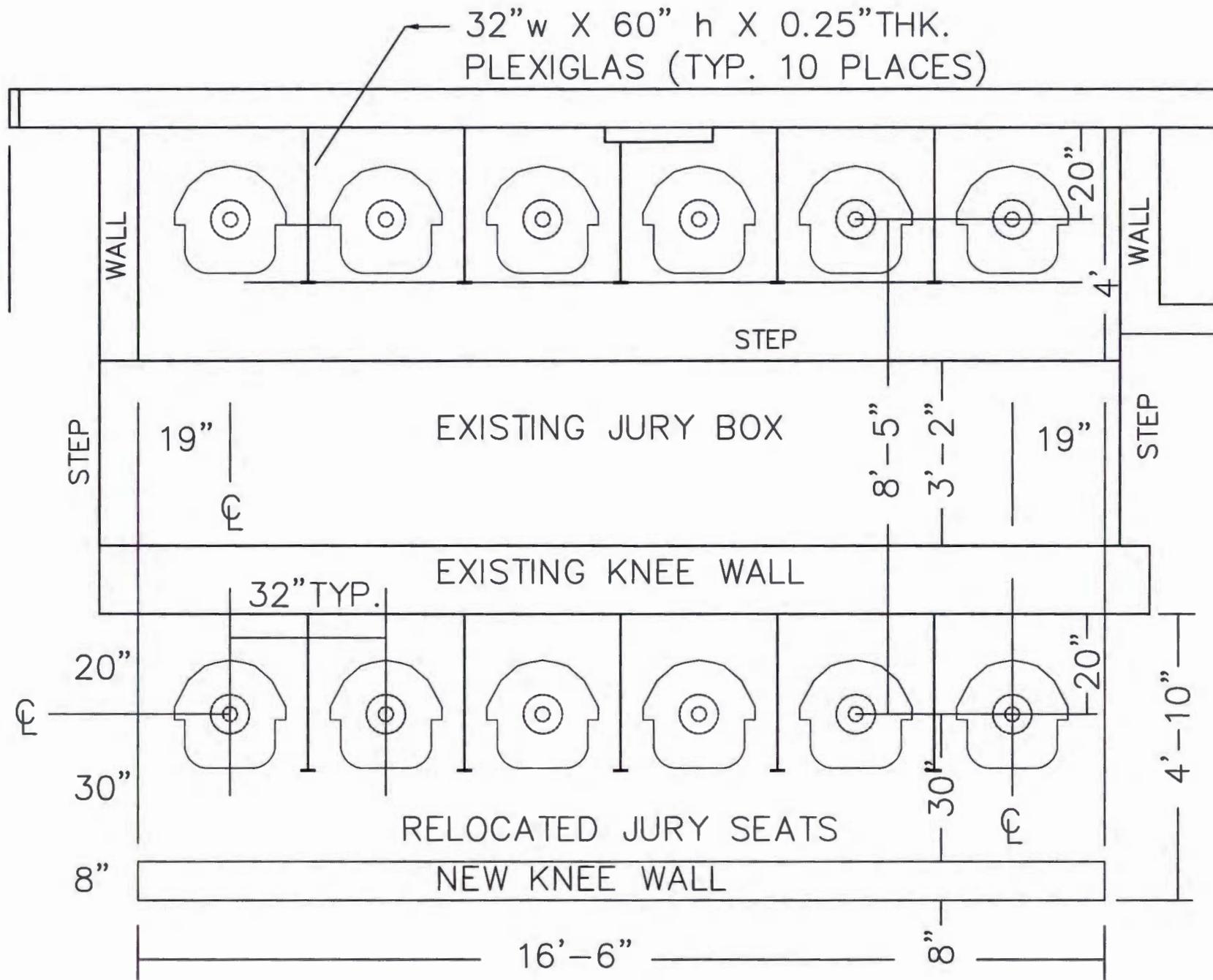
the City Council Chambers, which will serve as the jury deliberation room. The City Council Chambers and the courtroom will be cleaned and disinfected multiple times a day during the course of the trial.

COURT PROCEEDINGS: If you are chosen to serve, you will be seated in the reconfigured jury box, which has new vinyl chairs. The front row of chairs has been placed in front of the jury box. Clear plexiglass panels have been installed between the seats, since the necessary social distancing cannot be otherwise accomplished. You will be asked to wear a face covering throughout the trial. Please understand that this measure is only for your protection. The court will require that witnesses remove their face coverings while they are testifying, so that you may be able to hear them more clearly.

Jury trials are the bedrock of our judicial system, and each party is entitled to a fair and impartial jury. We very much appreciate your willingness to serve as a juror, especially during this extraordinary time. If you have any questions or are unable to serve, please contact the jury associate at (276) 403-5287.

Very Truly Yours,

G. Carter Greer
Circuit Court Judge



NEWLY CONFIGURED - JURY BOX

Does the environment within your building make people feel invigorated, awake & alert as if they were hiking on a high mountain trail or walking along the shoreline of an ocean?

Does the environment within your building contribute to healthy living?



Attachment 7

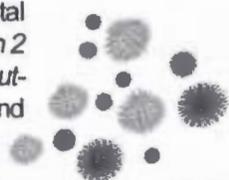
Phenomenal Aire *Series C Cold Plasma Generator* *Cleaning Air Naturally* Commercial Building Application



Top Product Innovations
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Indian Trail, NC 28079
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Improving Indoor Air Quality

According to the US Environmental Protection Agency, indoor air is often 2 to 5 times more polluted than the outside air. On average people spend 90% of their time indoors.



As commercial building designs continue to reduce the exchange of indoor and outdoor air with more energy efficient structures, the concentration of VOCs (Volatile Organic Compounds), pathogens, odors, mold and fungus spores tend to increase while the air ion concentrations, which are essential to healthy living, are significantly reduced. Poor Indoor Air Quality (IAQ) in buildings has become so prevalent that the associated side effects and illness have been classified as "Sick Building Syndrome".

Symptoms of SBS can include:

- Sore/Dry Throat
- Cold or flu like symptoms
- Dry itchy and tired eyes
- Rashes
- Tiredness or fatigue
- Concentration problems
- Headaches
- Depression / Irritability



Phenomenal Aire

- Kills Viruses
- Kills Bacteria
- Kills Mold Spores
- Kills Fungus Spores
- Eliminates Odors
- Eliminate Allergens
- Breaks Down VOCs (Volatile Organic Compounds)



How it works

Ions are essential to the natural process of air purification. If you've ever walked along a high mountain trail or along the shore of an ocean and felt invigorated then you're already familiar with the beneficial effects and feelings associated with breathing air filled with high concentrations of ions. Ions are essential to healthy living!

Cleaning Air Naturally

Emulating nature, Phenomenal Aire Cold Plasma Generators (CPG) produce an electric field filled with highly charged ions. This electrified field is known as a plasma field. The ions created within the field act as a natural scrubbing agent for the air passing through the field.



Cleaning Air Safely

The plasma field generated by Phenomenal Aire is encapsulated within an air handler's duct work and there are no harmful byproducts. Phenomenal Aire produces no detectable ozone.

Phenomenal Aire

Series C Cold Plasma Generator

Series C6.0 up to 6,000 CFM
Series C10.0 up to 10,000 CFM

- ETL Listed Technology
- **Only requires simple periodic inspection & cleanings**
- UV resistant construction
- No planned replacement schedule



Monitoring a healthy workplace

Series C Plasma Generators are capable of stand alone operations or integration into advanced Building Automation Systems (BAS). An assortment of wall mounted or duct mounted sensors are available including the iOngauge series meters.

Saving Energy, Safely

Phenomenal Aire Series C CPG technology complies with ASHRAE Standard 403.2 and is integral to, safely reducing energy costs in Commercial buildings.



Series C Cold Plasma Generator technology is suitable for use in commercial HVAC systems up to 10,000 CFM.



Office Buildings

K-12 Schools

Higher Education

Hotels & Hospitality

Assisted Living

Critical Environments

Phenomenal Aire

Cold Plasma Generator Technology

Killing viruses in the air and on hard surfaces.



Phenomenal Aire™ Cold Plasma Generator technology is designed for installation and use within a commercial building's Heating Ventilation and Air Conditioning (HVAC) system. Phenomenal Aire™ produces an electric field filled with highly charged ions. The ions act as a natural scrubbing agent for the air passing through the field. The scrubbing process (ionization) breaks down harmful organisms into molecular components and safely kills viruses, pathogens and bacteria by robbing them of the hydrogen atoms they need to survive. The ions created by Phenomenal Aire™ can travel from the HVAC system into the occupant space where they continue to safely eliminate viruses and pathogens in the air as well as on high touch surfaces like tables, desktops, and keyboards.

Effective- Cold Plasma Generator (CPG) technology has been proven effective at killing harmful viruses, pathogens and bacteria. Third party testing laboratories like EMSL Analytical Inc have validated kill rates as high as 99% within 30 minutes of operation. EMSL Labs is rated as an "Elite" laboratory by the Center for Disease Control (CDC). As SARS CoV-2 (the virus that causes COVID-19) is not yet available for testing, Top Product Innovations can not make any current claims related to its kill rate of the Novel Coronavirus.

Safe- Phenomenal Aire™ CPG technology is safe. It produces no harmful byproducts like Ozone or Reactive Oxidative Species (ROS). ROS, including peroxides superoxides or hydroxyl radicals, act as chemical sterilants to kill microorganisms and microbes.

The Phenomenal Aire™ Series C product line is ETL listed and verified to not produce ozone under UL standard 867. Underwriters Laboratories (UL) is a Nationally Recognized Testing Laboratory (NRTL) recognized by the Occupational Safety and Health Administration (OSHA). Products that are ETL Listed have been tested at an ETL laboratory and found to meet all applicable Standards for Safety published by relevant NRTLs.

To learn more about Phenomenal Aire™ go to CleaningAirNaturally.com

Noro Virus	Reduced by 93.50%	 Test Periods 15-60 min
STAPH-	Reduced by 96.24%	
E. Coli-	Reduced by 99.68%	
TB-	Reduced by 69.01%	
MRSA-	Reduced by 96.24%	
C. dif-	Reduced by 86.87%	
Legionella-	Reduced by 99.71%	
Calicivirus	Reduced by 93.50%	





Top Product Innovations, Inc.
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June 18th, 2020

Press Release: SARS-CoV-2 Testing

Earlier this month, it was formally announced that third party laboratory testing had validated bipolar ionization technology's ability to deactivate SARS-CoV-2 (Covid-19) successfully. Given the technology's proven performance deactivating other viruses and harmful microorganisms, this outcome was anticipated but challenging to arrive at due to restricted access to the active SARS-CoV-2 virus. What may have come as a surprise to some, is that the sponsor of the initial laboratory testing is the aviation industry and not the commercial HVAC industry. The reality is, no industry may have been more affected by the pandemic than aviation, and it is reasonable to believe that the entire industry leveraged all available resources to assure active COVID-19 was made available for this critical test.

Summary of testing results: SARS-CoV-2:

- **99.4% reduction 30 minutes of testing**
- **92.6% reduction 15 minutes of testing**
- **84.2% reduction 10 minutes of testing**

Because the first formal test findings have been made public, the independent testing laboratory has been identified, and the active virus is available for testing, Top Product Innovations will secure its own testing and validation report for the Phenomenal Aire Cold Plasma Generator (CPG) product line.

TPI is confident that Phenomenal Aire CPG technology will meet or exceed the published laboratory results based upon the technology recently selected for testing by the aviation industry (needlepoint bipolarization). Phenomenal Aire CPG technology utilizes rows of Needlepoint Clusters™ to generate and discharge millions of ions during the air cleaning process.

Sincerely,

Alan Rosenberg
President & CEO
Top Product Innovations

