

**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

---

<p>DISTRICT OF COLUMBIA, a municipal corporation, 441 4<sup>th</sup> Street NW, Washington, D.C. 20001</p> <p style="text-align: right;">Plaintiff,</p> <p>v.</p> <p>STARKODA C. PLUMMER 3911 R Street S.E., #4 Washington, D.C. 20020</p> <p style="text-align: right;">Defendant.</p>	<p>Case No.: 2019 CA 004380 B Judge:</p> <p><b>COMPLAINT</b></p> <p><b>JURY TRIAL DEMANDED</b></p>
---	--

---

**PRELIMINARY STATEMENT**

Plaintiff, the District of Columbia, by its Attorney General, files this civil action against Defendant, Starkoda C. Plummer, the owner of a multi-tenant apartment building located at 3911 R Street, S.E., Washington, D.C., 20020 (the “Property”). Since September 2017, the District has performed multiple inspections and confirmed the presence of lead-based paint hazards at the Property. Lead is a well-recognized neurotoxin that, when ingested, causes physical and behavioral disorders particularly in children and pregnant women.

The District has attempted, through previous administrative orders, enforcement notices and demand letters, to compel Defendant to address the lead-based paint hazards at the Property in accordance with the Lead-Hazard Prevention and Elimination Act, D.C. Code §§ 8-231.01 *et seq.* and the Act’s implementing regulations, 20 DCMR §§ 3300 *et seq.* (collectively the “Lead Hazard Act”). Defendant has failed to respond to, or comply with, the District’s enforcement

attempts. Through this action, the District seeks injunctive relief, civil penalties, and reimbursement of the District's investigative costs.

### **JURISDICTION**

1. The Court has subject matter jurisdiction pursuant to D.C. Code § 8-231.15 and § 11-921.

2. The Court has personal jurisdiction pursuant to D.C. Code § 13-423.

### **PARTIES**

3. Plaintiff, the District of Columbia ("District"), a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the permanent seat of the government of the United States. The District's Department of Energy and Environment ("DOEE") is the agency charged with the administration and oversight of the District's environmental laws, regulations and programs including the Lead Hazard Act. D.C. §§ 8-151.02, 8-151.03(a); Mayor's Order 2009-113 (June 18, 2009).

4. The District is represented in this enforcement action by its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1). The Attorney General is specifically authorized to enforce the Lead Hazard Act. *See* D.C. Code § 8-231.15(e).

5. Defendant Starkoda C. Plummer, an individual, is the sole owner of the apartment building located at 3911 R Street S.E.

## **THE LEAD-HAZARD PREVENTION AND ELIMINATION ACT**

6. The Lead-Hazard Prevention and Elimination Act requires that all dwelling units, including common areas, of multi-family properties constructed prior to 1978 be maintained free of lead-based paint hazards. D.C. Code § 8-231.02(a).

7. Upon a request by a tenant or other reasonable belief that a risk of a lead-based paint hazard exists in a dwelling unit, the Lead Hazard Act requires DOEE to perform a risk assessment, clearance examination, or visual examination of the dwelling unit to determine the presence of a lead-based paint hazard. D.C. Code § 8-231.03(b).

8. If after inspection lead-based paint hazards are identified, the Lead Hazard Act requires DOEE to determine the steps necessary to eliminate the lead-based paint hazards and may order the property owner to perform any action considered necessary to protect the health and safety of the occupants at the property. D.C. Code § 8-231.03(c).

9. For purposes of this Complaint, the Lead Hazard Act includes the following definitions:

- a. "Clearance examination" means an evaluation of a property to determine whether the property is free of any deteriorated lead-based paint and underlying condition, or any lead-based paint hazard, underlying condition, lead-contaminated dust . . . that is conducted by a certified risk assessor, a lead-based paint inspector, or in accordance with limitations specified by statute or by rule, a dust sampling technician. D.C. Code § 8-231.01(5).

- b. “Clearance report” means a report issued by a risk assessor, a lead-based paint inspector, or a dust sampling technician that finds that the area tested has passed a clearance examination. D.C. Code § 8-231.01(6).
  - c. “Deteriorated paint” means paint that is cracking, flaking, chipping, peeling, chalking, not intact, or otherwise separating from the substrate of a building component. D.C. Code § 8-231.01(9).
  - d. “Dwelling unit” means a room or group of rooms that form a single independent habitable unit for permanent occupation by one or more individuals. D.C. Code § 8-231.01(11).
  - e. “Lead-based paint hazard” means any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, deteriorated lead-based paint that is disturbed without containment. D.C. Code § 8-231.01(20).
  - f. “Presumed lead-based paint” means paint or other surface coating affixed to a component in or on a dwelling unit or child-occupied facility, constructed prior to 1978. D.C. Code § 8-231.01(32).
10. If there is reason to believe that a property owner has violated the Lead Hazard Act, the Mayor may issue an order to protect the health and welfare of District residents, impose fines and penalties, and may request the Attorney General for the District of Columbia to commence appropriate civil action to secure a temporary restraining order, a preliminary injunction, a permanent injunction, or other appropriate relief. D.C. Code § 8-231.05(b).

11. The Lead Hazard Act also authorizes the Attorney General for the District of Columbia to commence appropriate civil action in the Superior Court of the District of Columbia to secure a temporary restraining order, preliminary injunction, a permanent injunction, or other appropriate relief to enforce compliance with the provisions of the Lead Hazard Act. D.C. Code § 8-231.15(e).

**FACTUAL ALLEGATIONS**  
**Exterior Inspection**

12. Defendant is the owner of four-unit, two story multi-tenant apartment building constructed prior to 1978 and located at 3911 R St. S.E.

13. On or about September 6, 2017, DOEE received an anonymous complaint regarding peeling and chipping paint on the exterior of the Property. On September 18, 2017, DOEE performed a visual inspection of the Property that revealed severely deteriorated, peeling paint on the exterior of the Property. *See*, D.C. Code § 8-231.03(b). Due to the age of the Property and deteriorated condition of the paint, DOEE determined that the conditions at the Property constituted a presumed lead-based paint hazard. *See*, D.C. Code § 8-231.01(32)

14. Based on results of the September 18, 2017 inspection, DOEE issued an Administrative Order (No. DOEE-17-L-50001474) dated October 6, 2017 against Defendant to eliminate the lead-based paint hazard identified on the exterior of the Property and to reimburse DOEE for its inspection costs.

15. After Defendant failed to answer or comply with the Administrative Order, DOEE, by correspondence dated November 20, 2017, informed Defendant that she had failed to provide proof that the actions required by the Order had been

completed. DOEE subsequently issued an Enforcement Notice, dated December 28, 2017, imposing a civil penalty against Defendant for failing to comply with the Administrative Order.

16. On or about January 22, 2018, Defendant met with DOEE inspectors who provided her with compliance assistance. She informed DOEE that she did not have the financial resources to eliminate the lead-based paint hazards. To confirm that there was a lead-based paint hazard, on January 24, 2018, DOEE performed another inspection of the Property using a hand-held X-Ray Fluorescence (“XRF”) analyzer that detects and quantifies the amount of lead present to determine the extent of the hazard. DOEE attempted to share the results of the XRF results which confirmed the presence of lead-based paint with Defendant. Defendant did not respond to DOEE’s efforts to communicate with her.

17. Based on the January 24, 2018 inspection results, and after Defendant failed to comply with the Administrative Order (No. DOEE-17-L-50001474) or otherwise respond to the additional inspection results, DOEE issued a Notice of Infraction (“NOI”) (DE-I-18-L500141) dated May 21, 2018, which included a civil penalty of \$1,100. Defendant did not respond to the NOI.

18. Pursuant to the administrative procedures set forth in Title 2, Chapter 18 of the D.C. Code, the District petitioned the District of Columbia’s Office of Administrative Hearings (“OAH”) to issue an Order finding Defendant in default of the NOI for Defendant’s failure to answer or comply with the NOI. *See*, OAH Rule 2805.5.

19. DOEE provided OAH with evidence of proper service of the NOI on the Defendant and that the NOI met all legal requirements on its face. Accordingly, the OAH issued a Final Order (No.: 2018-DOEE-L500141) against Defendant imposing a civil penalty in the amount of \$3,300 and the accrual of interest at the rate of 1 ½ % per month if Defendant failed to pay the civil penalty within 20 days after November 7, 2018, the date of mailing of the Final Order to the Defendant. *See*, D.C. Code §§ 2-1801.04(a)(2) and 2-1802.02(f).

20. Defendant was properly served with the OAH Final Order and failed to timely answer, appeal or comply with the Final Order and has failed to pay the fines and penalties in the Order.

### **Unit #3 Inspection**

21. On or about April 25, 2018, DOEE received another complaint from one of the tenants at the Property requesting an inspection of the tenant's unit (Unit #3). Based on the complaint, DOEE conducted a lead-based paint inspection of Unit #3, the common area, and a portion of the exterior of the Property on or about May 1, 2018. During the inspection, the DOEE inspector observed dust, paint chips, deteriorated and peeling paint in the tenant's unit and in the common area of the Property. The DOEE inspector tested deteriorated paint surfaces for the presence of lead using an XFR analyzer. The XFR testing results confirmed the presence of lead-based paint in Unit #3 and the common area.

22. The DOEE inspector also collected dust samples from the enclosed porch and window sill and submitted the samples for laboratory analysis. The results of the sampling analysis also confirmed the presence of lead in the dust samples.

23. As a result of the inspection results, DOEE issued an Administrative Order (No. DOEE-18-L-50001594) against Defendant dated May 15, 2018. The Order included the results of the prior inspection and required Defendant to retain a person trained in Lead-Safe work practices to repair the deteriorating paint conditions, obtain a clearance report from a certified lead-risk assessor, and perform an additional clearance examination thirty-six (36) months after completion of the repairs. The Order also required Defendant to reimburse DOEE for its investigative costs.

24. After Defendant failed to answer or comply with the May 15, 2018 Administrative Order, DOEE issued a NOI (DE-I-18\_L500165) dated October 30, 2018, which included a civil penalty of \$2,100. Defendant did not respond to the NOI.

25. Pursuant to the administrative procedures set forth in Title 2, Chapter 18 of the D.C. Code, the District petitioned OAH to issue an Order finding Defendant in default of the NOI for Defendant's failure to answer or comply with the NOI. *See*, OAH Rule 2805.5.

26. DOEE provided OAH with evidence of proper service of the NOI on the Defendant and that the NOI met all legal requirements on its face. Accordingly, the OAH issued a Final Order (No.: 2018-DOEE-L500165) against Defendant imposing a civil penalty in the amount of \$6,300 and the accrual of interest at the rate of 1 ½ %



per month if Defendant failed to pay the civil penalty within 20 days after April 1, 2019, the date of mailing of the Final Order to the Defendant. *See*, D.C. Code §§ 2-1801.04(a)(2) and 2-1802.02(f).

27. Defendant was properly served with the OAH Final Order and failed to timely answer, appeal or comply with the Final Order and has failed to pay the fines and penalties in the Order.

28. Prior to filing this Complaint, DOEE made an additional attempt to compel Defendant to comply with the previous Administrative Orders by issuing a Demand Letter dated May 2, 2019. Defendant did not respond to the Demand Letter.

29. On June 6, 2019, DOEE conducted a visual inspection and confirmed that conditions at the Property remained unchanged and Defendant had taken no action to comply with the Administrative Orders.

### **CLAIMS FOR RELIEF**

#### **COUNT ONE (Violations of the Lead Prevention and Elimination Act)**

30. The District incorporates by reference Paragraphs 1 through 29 herein.

31. The Lead Hazard Act requires that all dwelling units and common areas of multifamily properties be maintained free of lead-based paint hazards. D.C. Code § 8-231.02(a).

32. Any violation of the Lead Hazard Act is punishable by a civil penalty not to exceed \$25,000 for each day of each offense; each day a violation continues shall be deemed a separate offense. D.C. Code 8-231.15(b).

33. Defendant has been on notice of violations of the Lead Hazard Act at the Property since at least October 6, 2017.

34. The District seeks to enjoin Defendant from maintaining the Property with lead-based paint hazards, in violations of the Lead Hazard Act.

35. The District also seeks all appropriate relief for Defendant's ongoing and continuous violations of the Lead Hazard Act, including civil penalties for each current violation.

**COUNT TWO**  
**(Application to Convert DOEE's Administrative Order to Judgment and**  
**Order to Enforce Judgment)**

36. The District incorporates by reference Paragraphs 1 through 29 herein.

37. DOEE issued two Administrative Orders, dated October 6, 2017 and May 15, 2018, against Defendant. Both Administrative Orders required Defendant to: (i) retain a person trained in lead-safe work practices to apply interim controls to repair deteriorating paint identified as a lead-based paint hazard (20 DCMR §§ 3318, 3302); (ii) submit a clearance report performed by a certified lead risk assessor to DOEE within seven business days after completion (20 DCMR §§ 3311, 3318.7); (iii) perform an additional clearance examination and submit a clearance report to DOEE thirty-six months after completion of the interim controls; and (iv) reimburse DOEE for its complaint investigative costs.

38. Defendant was properly served with the Administrative Orders and failed to timely answer, appeal or comply with the Orders.

39. The District requests that the Administrative Orders be converted to a single civil judgment against Defendant and that Defendant be ordered to comply with that civil judgment. True and accurate copies of the Administrative Orders are attached as Exhibits A and B.

**COUNT THREE**  
**(Application to Convert OAH's Final Order to Judgment and**  
**Order to Enforce Judgment)**

40. The District incorporates by reference Paragraphs 1 through 29 herein.

41. The District issued Notice of Infraction (DE-I-18-L500141) on or about May 21, 2018 to Defendant for failure to respond or otherwise comply with Administrative Order (No. DOEE-17-L-50001474) dated October 6, 2017.

42. The District issued Notice of Infraction (DE-I-18\_L500165) on or about October 30, 2018 to Defendant for failure to respond or otherwise comply with Administrative Order (No. DOEE-18-L-50001594) dated May 15, 2018.

43. The District properly petitioned the District of Columbia's Office of Administrative Hearings ("OAH") to issue Final Orders (No.: 2018-DOEE-L500141) and (No.: 2018-DOEE-L500165) finding Defendant in default of the NOIs for Defendant's failure to answer or comply with the NOIs.

44. The OAH issued two Final Orders against the Defendant imposing civil penalties in the amount of \$3,300 and \$6,300, respectively, the accrual of interest, for each penalty, at the rate of 1 ½ % per month if Defendant failed to pay the civil penalty within 20 days after November 7, 2018 and April 1, 2019, the dates of mailing of each of the Final Orders to the Defendant. A true and accurate copies of the Final Orders are attached as Exhibit C and D.

45. Defendant was properly served with the OAH Final Orders and failed to timely answer, appeal or comply with the Final Orders including the payment of fines and penalties.

46. The District requests that the OAH Final Orders be converted to civil judgments against Defendant and that Defendant be ordered to comply with those judgments including any interest due and owing according to the terms of the Final Orders.

### **Relief Requested**

WHEREFORE, the District respectfully requests that judgment be entered in its favor and against Defendant, and that this Court impose civil penalties, fines, reimbursement of costs, and injunctive relief as follows:

1. Order Defendant to comply with the Administrative Orders including reimbursement of costs incurred by DOEE;
2. Order Defendant to pay fines and penalties required by the OAH Final Orders, including any and all accrued interest;
3. Order permanent and preliminary injunctive relief against Defendant, including an injunction ordering Defendant to eliminate all identified lead-based paint and dust hazards using a person trained in Lead-Safe work practices; obtain and submit to the District a clearance report performed by a certified lead risk assessor; and conduct an additional clearance examination and submit a clearance report to DOEE thirty-six months after completion of the work described herein;

4. Impose statutory penalties against Defendant as authorized by the Lead Hazard Act, in an amount to be proven at trial; and
5. Such other relief as this Court deems just and proper.

### **JURY DEMAND**

The District demands a jury trial on all issues triable of right by a jury in this matter.

Dated: July 2, 2019

Respectfully submitted,

KARL A. RACINE  
Attorney General for the District of  
Columbia

ROBYN R. BENDER  
Deputy Attorney General  
Public Advocacy Division

*/s/ Catherine A. Jackson*  
CATHERINE A. JACKSON [1005415]  
Chief, Public Integrity Section

*/s/ David Hoffmann*  
DAVID HOFFMANN [983129]  
REGINALD WHITAKER [1618471]  
Assistant Attorney General  
441 4th Street, NW  
6th Floor South  
Washington, D.C. 20001  
(202) 442-9889 (phone)  
(202) 715-7768 (fax)  
david.hoffmann@dc.gov

***Attorneys for the District of Columbia***

# EXHIBIT

A

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Energy and Environment



Lead-Safe and Healthy Housing Division

10-06-2017

**ADMINISTRATIVE ORDER**  
**AO No. DOEE-17-L-50001474**

<b>Issued To:</b>	
<u>Name &amp; Mailing Address</u> Plummer Starkoda C 3911 R Street SE Washington, DC 20020 Telephone:	<u>Name &amp; Mailing Address</u>    Telephone:
<u>Business License/Permit Type:</u>	<u>Business License/Permit No:</u>

The Department of Energy and Environment is issuing this Order pursuant to D.C. Code § 8-231.03(c) and 20 DCMR § 3320. The interior and exterior of dwelling units and child-occupied facilities are presumed to contain lead-based paint if constructed prior to 1978, and any paint that is deteriorated, chipping, peeling, or otherwise not in intact condition is considered to be a lead-based paint hazard and is prohibited (20 DCMR § 3301.1).

**Department Facts/Findings:** Exterior deteriorated paint conditions identified during a complaint investigation conducted on September 18, 2017.

Lead based paint hazards were identified at 3911 R Street SE on the following building components:	
<b>ROOM</b>	<b>COMPONENT</b>
<ul style="list-style-type: none"> <li>• Front Entrance</li> <li>• Exterior Windows</li> <li>• Exterior</li> <li>• Exterior</li> </ul>	<ul style="list-style-type: none"> <li>• Door and Casing</li> <li>• Sills and Casing</li> <li>• Fascia and Soffit</li> <li>• Rear Porch</li> </ul>

Plummer Starkoda C is hereby ORDERED to complete the following actions at 3911 R Street SE:

Authority	Required Action(s)	Complete by Date
20 DCMR § 3318.6	Following the requirements of 20 DCMR § 3318.6, USE INTERIM CONTROLS to repair any deteriorating paint identified as a lead-based paint hazard in this Order, and re-paint the surface, making sure that the paint is now in intact condition. You must also repair any underlying condition contributing to paint failure and must eliminate any dust and/or soil hazards. All work	11/5/2017

**ADMINISTRATIVE ORDER**

Authority	Required Action(s)	Complete by Date
	MUST BE PERFORMED BY SOMEONE TRAINED IN LEAD-SAFE WORK PRACTICES pursuant to 20 DCMR § 3302.	
20 DCMR §§ 3315.4, 3315.5, and 3315.8.	OBTAIN A CLEARANCE REPORT that meets the requirements of 20 DCMR § 3318.7 from a DC-certified lead risk assessor, who must verify that all lead-based paint hazards identified were eliminated, along with any identified underlying conditions contributing to paint failure, and who must also specifically confirm that no lead-contaminated dust remains in any work area. <b>SUBMIT THE CLEARANCE REPORT TO DOEE</b> within 7 business days of its issuance.	11/5/2017
20 DCMR §§ 3315.4(a) and 3315.8.	Have an additional clearance examination conducted thirty-six (36) months, after completion of the interim control activities, and submit the clearance report to DOEE within 7 days of issuance.	See the required action(s) for the complete by timeframes.

If checked, see attachment.

**Important:** Failure of any noticed party to comply with this Order may result in a program, including but not limited to permit or certification revocation and fines of up to \$25,000.00 per day.

Issued by **WRIGHT, SHAWN**, Lead-Safe and Healthy Housing Division.  
 Signature: *Shawn Wright* Date/Time: 10/6/2017

To discuss this Order or to request an extension, contact the Lead-Safe and Healthy Housing Division at (202) 359-3768.



Language Assistance

Si necesita ayuda en Español, por favor llame al (202) 442-9094 para proporcionarle un intérprete de manera gratuita.  
 Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi (202) 442-9094 để chúng tôi thu xếp có thông dịch viên đến giúp quý vị miễn phí.  
 Si vous avez besoin d'aide en Français appelez-le (202) 442-9094 et l'assistance d'un interprète vous sera fournie gratuitement.  
 한국어로 언어 지원이 필요하신 경우 (202) 442-9094 로 연락을 주시면 무료로 통역이 제공됩니다.  
 如果您需要用 (中文)接受幫助，請電洽(202) 442-9094，將免費向您提供口譯員服務。

You may request a 30-day extension of the deadline(s) in this Order, but it will only be granted if submitted prior to the deadline(s) and if you demonstrate that you are proceeding in good faith. A request



ADMINISTRATIVE ORDER

Page 3 of 3

for an extension must be submitted in writing to DOE's Lead and Healthy Housing Division, at 1200 First Street, NE, 5<sup>th</sup> Floor, Washington, D.C. 20002. Please address the extension request to the person who issued this Order.

You have a right to appeal this Order within 15 days of the date of service of this Order (20 days if service is by first class mail), by mailing or delivering a written request for a hearing to the Office of Administrative Hearings • Attn: Court Clerk • 441 Fourth Street NE • Washington, DC 20001 • Tel. (202) 442-9094. Failure to request a hearing will result in this Order becoming final. You must comply with this Order pending appeal. At your expense, you have a right to legal representation.

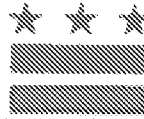
**EXHIBIT**

**B**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

**Department of Energy and Environment**

Lead-Safe and Healthy Housing Division



05-15-2018

**ADMINISTRATIVE ORDER  
AO No. DOEE-18-L-50001594**

<b>Issued To:</b>	
<u>Name &amp; Mailing Address</u> Plummer Starkoda C 3911 R Street SE Washington, DC 20020 Telephone:	<u>Name &amp; Mailing Address</u>    Telephone:
<u>Business License/Permit Type:</u>	<u>Business License/Permit No:</u>

The Department of Energy and Environment is issuing this Order pursuant to D.C. Code § 8-231.03(c) and 20 DCMR § 3320. The interior and exterior of dwelling units and child-occupied facilities are presumed to contain lead-based paint if constructed prior to 1978, and any paint that is deteriorated, chipping, peeling, or otherwise not in intact condition is considered to be a lead-based paint hazard and is prohibited (20 DCMR § 3301.1).

**Department Facts/Findings:** Lead-based paint hazards were identified at the property during a complaint investigation on May 1, 2018

Lead-based paint hazards were identified at 3911 R Street, SE, Apartment 3 on the following building components:	
<b>ROOM</b>	<b>COMPONENT</b>
<ul style="list-style-type: none"> <li>• ENCLOSED PORCH</li> <li>• ENCLOSED PORCH</li> <li>• EXTERIOR FRONT</li> <li>• ENCLOSED PORCH</li> <li>• ENCLOSED PORCH</li> </ul>	<ul style="list-style-type: none"> <li>• WINDOW TRIM (B)</li> <li>• WALL (A)</li> <li>• DOOR JAMBS (A)</li> <li>• WINDOW SILL (DUST HAZARD)</li> <li>• FLOOR (DUST HAZARD)</li> </ul>

Plummer Starkoda C is hereby ORDERED to complete the following actions at 3911 R Street, SE Apartment 3:

Authority	Required Action(s)	Complete by Date
20 DCMR § 3318.6	Following the requirements of 20 DCMR § 3318.6, USE INTERIM CONTROLS to repair any deteriorating paint identified as a lead-based paint hazard in this Order, and re-paint the surface, making sure that the paint is now in intact condition. You must also repair any	6/14/2018

1063

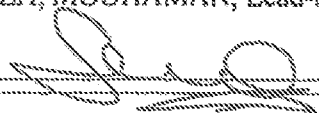
**ADMINISTRATIVE ORDER**

Page 2 of 3

Authority	Required Action(s)	Complete by Date
	underlying condition contributing to paint failure and must eliminate any dust and/or soil hazards. All work <b>MUST BE PERFORMED BY SOMEONE TRAINED IN LEAD-SAFE WORK PRACTICES</b> pursuant to 20 DCMR § 3302.	
20 DCMR §§ 3315.4, 3315.5, and 3315.8.	OBTAIN A CLEARANCE REPORT that meets the requirements of 20 DCMR § 3318.7 <u>from a DC-certified lead risk assessor</u> , who must verify that all lead-based paint hazards identified were eliminated, along with any identified underlying conditions contributing to paint failure, and who must also specifically confirm that no lead-contaminated dust remains in any work area. If the risk assessor is working on behalf of a firm or business entity, the firm or business entity must also be certified in accordance with 20 DCMR § 3311. Submit the clearance report to DOEE within 7 business days of its issuance.	6/14/2018
20 DCMR §§ 3315.4(a) and 3315.8.	Have an additional clearance examination conducted thirty-six (36) months, after completion of the interim control activities, and submit the clearance report to DOEE within 7 days of issuance.	See the required action(s) for the complete by timeframes.

If checked, see attachment.

**Important:** Failure of any noticed party to comply with this Order may result in a program, including but not limited to permit or certification revocation and fines of up to \$25,000.00 per day.

Issued by KOLA, MOUHAMAN, Lead-Safe and Healthy Housing Division.  
Signature:  Date/Time: 5/15/2018

To discuss this Order or to request an extension, contact the Lead-Safe and Healthy Housing Division at (202) 578-5858.

**ADMINISTRATIVE ORDER**

Page 3 of 3



Language Assistance

Si necesita ayuda en Español, por favor llame al (202) 442-9094 para proporcionarle un intérprete de manera gratuita.  
Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi (202) 442-9094 để chúng tôi thu xếp có thông dịch viên đến giúp quý vị miễn phí.

Si vous avez besoin d'aide en Français appelez-le (202) 442-9094 et l'assistance d'un interprète vous sera fournie gratuitement.

በአማርኛ አርዳታ ከፈለጉ በ (202) 442-9094 ይደውሉ። የተሰጠው የተረጎሙትን ቋንቋዎችን ለማታወቅ ይቻላል።

한국어로 언어 지원이 필요하신 경우 (202) 442-9094 로 연락을 주시면 무료로 통역이 제공됩니다.

如果您需要用 (中文)接受幫助，請電洽(202) 442-9094，將免費向您提供口譯員服務。

You may request a 30-day extension of the deadline(s) in this Order, but it will only be granted if submitted prior to the deadline(s) and if you demonstrate that you are proceeding in good faith. A request for an extension must be submitted in writing to DOEE's Lead-Safe and Healthy Housing Division, at 1200 First Street, NE, 5<sup>th</sup> Floor, Washington, D.C. 20002. Please address the extension request to the person who issued this Order.

You have a right to appeal this Order within 15 days of the date of service of this Order (20 days if service is by first class mail), by mailing or delivering a written request for a hearing to the Office of Administrative Hearings • Attn: Court Clerk • 441 Fourth Street NE • Washington, DC 20001 • Tel. (202) 442-9094. Failure to request a hearing will result in this Order becoming final. You must comply with this Order pending appeal. At your expense, you have a right to legal representation.

# EXHIBIT

C

DISTRICT OF COLUMBIA  
OFFICE OF ADMINISTRATIVE HEARINGS  
One Judiciary Square  
441 Fourth Street, NW  
STE 450N  
Washington, DC 20001-2714  
TEL: (202) 442-9094 · FAX: (202) 442-4789

DISTRICT OF COLUMBIA  
OFFICE OF  
ADMINISTRATIVE HEARINGS  
2018 NOV -7 PM 2: 50.

**DEPARTMENT OF ENERGY & ENVIRONMENT, Petitioner, v. STARKODA C  
PLUMMER, Respondent**

Case No.: 2018-DOEE-L500141 -- Notice of Infraction No.: L500141

**FINAL ORDER**

The DISTRICT DEPARTMENT OF ENERGY & ENVIRONMENT mailed the attached Notice of Infraction (NOI) to Respondent on May 21, 2018. Respondent failed to answer the NOI. When a respondent fails to answer, an Administrative Law Judge may find the respondent in default and impose a fine and penalty if two conditions are met: The NOI must appear valid on its face, and the Government must have submitted evidence that it properly served the NOI on Respondent.<sup>1</sup>

The NOI appears valid on its face. The Government filed a certificate of service stating that the NOI was properly mailed to Respondent. After the deadline for Respondent's answer had expired,<sup>2</sup> the Government filed an affidavit stating that the U.S. Postal Service had not returned the NOI undelivered. I conclude that Respondent had adequate notice of the charges.<sup>3</sup>

The total fine amount sought by the Government, **\$1,100.00**, is authorized by law. The penalty for Respondent's failure to answer is **\$2,200**, twice the amount of the authorized fine.<sup>4</sup> Respondent must pay **\$3,300**, as ordered below. It is therefore:

**ORDERED**, that Respondent is in **DEFAULT** and is **LIABLE** for the violation or violations charged in the NOI; it is further

**ORDERED**, that Respondent shall pay fines and penalties in the total amount of **\$3,300** in accordance with the **Payment Instructions** below within 20 calendar days of the mailing date of this Order; it is further

**ORDERED**, that if Respondent fails to pay the above amount within 20 calendar days of the date of mailing of this Order, interest shall accrue on the unpaid amount at the rate of 1½ % per month or

<sup>1</sup> OAH Rule 2805.5.

<sup>2</sup> D.C. Official Code §§ 2-1802.02(e) and 2-1802.05.

<sup>3</sup> D.C. Official Code §§ 2-1802.01 and 2-1802.05; see *Kidd Int'l Home Care, Inc. v. Prince*, 917 A.2d 1083, 1086 (D.C. 2007) (due process requires notice "reasonably calculated to afford the party an opportunity to be heard"); *Dusenberry v. United States*, 534 U.S. 161, 170 (2002).

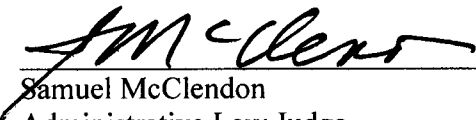
<sup>4</sup> D.C. Official Code §§ 2-1801.04(a)(2) and 2-1802.02(f).

portion thereof, starting 20 calendar days after the mailing date of this Order, pursuant to D.C. Official Code § 2-1802.03(i)(1); it is further

**ORDERED**, that failure to comply with the attached payment instructions and to remit a payment within the time specified may result in additional sanctions, including the suspension of Respondent's licenses or permits, the placement of a lien on Respondent's real and personal property, and the sealing of Respondent's business premises or work sites, under D.C. Official Code § 2-1801.03; and it is further

**ORDERED**, that the appeal rights of any person aggrieved by this Order are stated below.

Dated: November 7, 2018

  
\_\_\_\_\_  
Samuel McClendon  
Administrative Law Judge



---

### PAYMENT INSTRUCTIONS

Payment must be mailed or hand-delivered to the Clerk of the Office of Administrative Hearings. Payments are only accepted by check or money order and must be made payable to "D.C. TREASURER." Please write "Case No. [L500141]" in the memo line. Mail or hand-deliver to:

Clerk, Office of Administrative Hearings  
One Judiciary Square  
441 Fourth Street, NW  
Washington, DC 20001-2714

If you have questions, please call the Clerk, Office of Administrative Hearings: (202) 442-9094.

---

### Certificate of Service:

**By First Class Mail:**

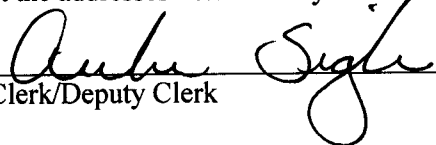
Starkoda C Plummer  
3911 R St SE  
Washington, DC 20020

**By E Mail:**

Beth Mullin  
Deputy General Counsel  
Department of Energy and  
Environment  
1200 First Street, NE-5<sup>th</sup> Floor  
Washington, DC 20002  
[beth.mullin@dc.gov](mailto:beth.mullin@dc.gov)

Diane Johnson  
1200 First St NE  
Washington, DC 20002  
[diane.johnson5@dc.gov](mailto:diane.johnson5@dc.gov)

I hereby certify that on Nov. 7,  
2018, this document was caused to  
be served upon the parties named on this page  
at the addresses listed and by the means stated.

  
Clerk/Deputy Clerk

**After an administrative law judge has issued a Final Order, a party may ask the judge to change the Final Order and ask the District of Columbia Court of Appeals to change the Final Order. There are important time limitations described below for doing so.**

### **HOW TO REQUEST THE ADMINISTRATIVE LAW JUDGE TO CHANGE THE FINAL ORDER**

Under certain limited circumstances and within certain time limits, a party may file a written request asking the administrative law judge to change a final order. OAH Rule 2828 explains the circumstances under which such a request may be made. Rule 2828 and other OAH rules are available at [www.oah.dc.gov](http://www.oah.dc.gov) and at OAH's office.

A request to change a final order does not affect the party's obligation to comply with the final order and to pay any fine or penalty. If a request to change a final order is received at OAH **within 10 calendar days** of the date the Final Order was filed (**15 calendar days** if OAH mailed the final order to you), the period for filing an appeal with the District of Columbia Court of Appeals does not begin to run until the Administrative Law Judge rules on the request. **A request for a change in a final order will not be considered if it is received at OAH more than 120 calendar days of the date the Final Order was filed (125 calendar days if OAH mailed the Final Order to you).**

### **HOW TO APPEAL THE FINAL ORDER TO THE DISTRICT OF COLUMBIA COURT OF APPEALS**

Pursuant to D.C. Official Code § 2-1831.16(c)-(e), any party suffering a legal wrong or adversely affected or aggrieved by this Order may seek judicial review by filing a Petition for Review and six copies with the District of Columbia Court of Appeals at the following address:

Clerk  
District of Columbia Court of Appeals  
430 E Street, NW, Room 115  
Washington, DC 20001

The Petition for Review (and required copies) may be mailed or delivered to the Court of Appeals, and must be received there within 30 calendar days of the mailing date of this Order, pursuant to D.C. App. R. 15(a)(2). There is a \$100 fee for filing a Petition for Review. Persons who are unable to pay the filing fee may file a motion and affidavit to proceed without the payment of the fee when they file the Petition for Review. Information on petitions for review can be found in Title III of the Court of Appeals' Rules, which are available from the Clerk of the Court of Appeals, or at [www.dcappeals.gov](http://www.dcappeals.gov).

**Notice of Infraction**  
NOI No. DE-I-18-L500141

Date of Service May 21, 2018

<b>Infraction Address</b> 3911 R Street SE Washington, DC Ward: 7	<b>Name &amp; Mailing Address</b> Plummer Starkoda C  3911 R Street SE Washington, DC 20020-1069 <b>Telephone:</b> <b>Charge as Respondent:</b> <input checked="" type="checkbox"/>	<b>Name &amp; Mailing Address</b> Plummer Starkoda C  PO Box 77723 Washington, DC 20013-8723 <b>Telephone:</b> <b>Charge as Respondent:</b> <input checked="" type="checkbox"/>
--	---	---

**Business License/Permit Type:** Business License/Permit No.:  
**Type of Location:** Occupied apartment

**You are charged with violating the District of Columbia laws or regulations stated below. You MUST SIGN and SEND IN this form within 15 calendar days of the date of service if served by hand, or 20 calendar days if served by mail. You must write your ANSWER next to each infraction to indicate whether you ADMIT (you must pay the fine), Admit With Explanation (AWE) (you must submit a written explanation), or DENY. If you DENY one or more of the infractions, you must appear for a hearing. You will receive a separate order from the Office of Administrative Hearings (OAH) advising you where and when to appear for your hearing. ADDITIONAL INSTRUCTIONS ATTACHED.**

**Infraction Details**

Date	Citation*	Nature of Infraction	Prior*	Actual Fine	Write ANSWER Here
12-01-2017	20 DCMR § 3320.1 / 16 DCMR § 4003.9	Violation of any provision of the Childhood Lead Screening Amendment Act of 2006, effective March 14, 2007, as amended (D.C. Law 16-265; D.C. Official Code §§ 7-871.01 to 7-871.06); the Lead-Hazard Prevention and Elimination Act of 2008, effective March 31, 2009, as amended (D.C. Law 17-381; D.C. Official Code §§ 8-231.01 to 8-231.20); or the implementing rules in 20 DCMR Chapter 33, which is not cited elsewhere in this section, shall be a Class 4 infraction.	0	\$100.00	
12-01-2017	20 DCMR § 3318.6(a) / 16 DCMR § 4003.2(q)	Failure to comply with a DOEE order to apply interim controls, in conformance with D.C. Official Code § 8-231.15(a).	0	\$1,000.00	

* "D.C. Code" is the District of Columbia Official Code * "DCMR" is the District of Columbia Municipal Regulations * "Prior" means prior violations	<b>TOTAL AMOUNT DUE: \$1,100.00</b>
---	-------------------------------------

DISTRICT OF COLUMBIA  
OFFICE OF  
ADMINISTRATIVE HEARINGS

Inspector Comments: 20 DCMR § 3318.6(a): Failure to comply with the DOE order to apply interim controls.  
20 DCMR § 3320.1 Failure to remit invoice for Reimbursement of Complaint Investigation Costs.

I hereby declare under penalty of perjury that I have **CORRECTED** or **NOT CORRECTED** (check only one) all of the infractions(s) listed on the Notice that were **ADMITTED** or **ADMITTED WITH EXPLANATION**.

Name (print): \_\_\_\_\_ Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

**RESPONDENT'S SIGNATURE:**

**DATE:**

**WARNING: If you fail to answer each infraction on this Notice on time by signing and returning this form, you will be subject to a penalty up to twice the amount of the fine, plus the original fine. You also may be subject to other penalties and actions allowed by law including suspension or non-renewal of your license or permit, the sealing of your business, placement of a lien on your property, and attachment of your equipment.**

FOR INFORMATION, CALL; *Para obtener información llame al; Pour de plus amples renseignements, veuillez appeler le; ᄇᄇᄇᄇ ᄇᄇᄇᄇ ᄇᄇᄇᄇ ᄇᄇᄇᄇ*; 자세한 정보는 (202) 442-9094로 문의하십시오.; *Đề biết thêm thông tin, vui lòng gọi; 詳情請致電* (202) 442-9094.

*I personally declare under penalty of perjury that I observed and/or determined that the infraction(s) charged have been committed.*

Inspector's Printed Name	Inspector's Signature	Badge No.	Program	Date
WRIGHT, SHAWN	<i>Shawn Wright</i>	58	LHHD (Lead)	5/21/18

**Receipt for Hand Delivery:**

I sign my name below to acknowledge receipt of this Notice of Infraction and not as an admission of guilt or liability to the charge(s) listed.

Respondent's Printed Name	Respondent's Signature	Date

**INSTRUCTIONS FOR ANSWERING THIS NOTICE OF INFRACTION**

**DEADLINE and WARNING:** You are charged with violating the District of Columbia laws or regulations stated in this Notice. You must answer this Notice within 15 calendar days of the date of service listed on the top of the first page of this Notice (20 calendar days if you received this Notice by mail). If you do not answer on time, you will be subject to an order finding you in default and assessing both the fine stated at the end of the Infraction Details section, and an additional penalty equal to two times the amount of that fine. You also may be subject to other penalties and actions allowed by law, including suspension or non-renewal of any District of Columbia license or permit that you hold, the sealing of your business, and the placement of a lien on property that you own.

**WHERE TO ANSWER:** Your answer must be received by the Office of Administrative Hearings by the deadline stated above. The Office of Administrative Hearings is an independent agency of the District of Columbia Government, and is separate from the agency that sent this Notice to you. You may answer by bringing or mailing your documents and check or money order to the following address:

**EXHIBIT**

**D**

2019 APR -1 PM 1:13

**DISTRICT OF COLUMBIA  
OFFICE OF ADMINISTRATIVE HEARINGS**

One Judiciary Square  
441 Fourth Street, NW  
STE 450N

Washington, DC 20001-2714

TEL: (202) 442-9094 · FAX: (202) 442-4789 · EMAIL: [oah.filing@dc.gov](mailto:oah.filing@dc.gov)

**DEPARTMENT OF ENERGY & ENVIRONMENT, Petitioner, v. STARKODA C  
PLUMMER, Respondent**

Case No.: 2018-DOEE-L500165 -- Notice of Infraction No.: L500165

**FINAL ORDER**

The District of Columbia Department of Energy and Environment mailed the attached Notice of Infraction (NOI) to Respondent on October 30, 2018. Respondent failed to answer the NOI. When a respondent fails to answer, an Administrative Law Judge may find the respondent in default and impose a fine and penalty if two conditions are met: The NOI must appear valid on its face, and the Government must have submitted evidence that it properly served the NOI on Respondent.<sup>1</sup>

The NOI appears valid on its face. The Government filed a certificate of service stating that the NOI was properly mailed to Respondent. After the deadline for Respondent's answer had expired,<sup>2</sup> the Government filed an affidavit stating that the U.S. Postal Service had not returned the NOI undelivered. I conclude that Respondent had adequate notice of the charges.<sup>3</sup>

The total fine amount sought by the Government, **\$2,100**, is authorized by law. The penalty for Respondent's failure to answer is **\$4,200**, twice the amount of the authorized fine.<sup>4</sup> Respondent must pay **\$6,300**, as ordered below. It is therefore:

**ORDERED**, that Respondent is in **DEFAULT** and is **LIABLE** for the violation or violations charged in the NOI; it is further

**ORDERED**, that Respondent shall pay fines and penalties in the total amount of **\$6,300** in accordance with the **Payment Instructions** below within 20 calendar days of the mailing date of this Order; it is further

<sup>1</sup> OAH Rule 2805.5.

<sup>2</sup> D.C. Official Code §§ 2-1802.02(e) and 2-1802.05.

<sup>3</sup> D.C. Official Code §§ 2-1802.01 and 2-1802.05; see *Kidd Int'l Home Care, Inc. v. Prince*, 917 A.2d 1083, 1086 (D.C. 2007) (due process requires notice "reasonably calculated to afford the party an opportunity to be heard"); *Dusenberry v. United States*, 534 U.S. 161, 170 (2002).

**ORDERED**, that if Respondent fails to pay the above amount within 20 calendar days of the date of mailing of this Order, interest shall accrue on the unpaid amount at the rate of 1½ % per month or portion thereof, starting 20 calendar days after the mailing date of this Order, pursuant to D.C. Official Code § 2-1802.03(i)(1); it is further

**ORDERED**, that failure to comply with the attached payment instructions and to remit a payment within the time specified may result in additional sanctions, including the suspension of Respondent's licenses or permits, the placement of a lien on Respondent's real and personal property, and the sealing of Respondent's business premises or work sites, under D.C. Official Code § 2-1801.03; and it is further

**ORDERED**, that the appeal rights of any person aggrieved by this Order are stated below.

Date: April 11, 2019



\_\_\_\_\_  
Leslie A. Meek  
Administrative Law Judge

---

<sup>4</sup> D.C. Official Code §§ 2-1801.04(a)(2) and 2-1802.02(f).

---

**PAYMENT INSTRUCTIONS**

Payment must be mailed or hand-delivered to the Clerk of the Office of Administrative Hearings. Payments are only accepted by check or money order and must be made payable to "D.C. TREASURER." Please write "Case No. [Case No.]" in the memo line. Mail or hand-deliver to:

Clerk, Office of Administrative Hearings  
One Judiciary Square  
441 Fourth Street, NW  
Washington, DC 20001-2714

**If you have questions, please call the Clerk, Office of Administrative Hearings: (202) 442-9094.**

---



**Certificate of Service:**

**By First Class Mail:**

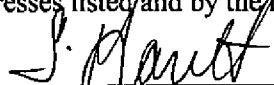
Starkoda C Plummer  
3911 R St SE  
Washington, DC 20020

**By E Mail:**

Beth Mullin  
Deputy General Counsel  
Department of Energy and Environment  
Government of the District of Columbia  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
**Email:** [beth.mullin@dc.gov](mailto:beth.mullin@dc.gov)

Diane Johnson  
Department of Energy and Environment  
1200 First Street, NE, 5<sup>TH</sup> Floor  
Washington, DC 20002  
**Email:** [diane.johnson5@dc.gov](mailto:diane.johnson5@dc.gov)

I hereby certify that on 4-1,  
2019, this document was caused to  
be served upon the parties named on this page  
at the addresses listed and by the means stated.

  
\_\_\_\_\_  
Clerk/Deputy Clerk

**After an administrative law judge has issued a Final Order, a party may ask the judge to change the Final Order and ask the District of Columbia Court of Appeals to change the Final Order. There are important time limitations described below for doing so.**

### **HOW TO REQUEST THE ADMINISTRATIVE LAW JUDGE TO CHANGE THE FINAL ORDER**

Under certain limited circumstances and within certain time limits, a party may file a written request asking the administrative law judge to change a final order. OAH Rule 2828 explains the circumstances under which such a request may be made. Rule 2828 and other OAH rules are available at [www.oah.dc.gov](http://www.oah.dc.gov) and at OAH's office.

A request to change a final order does not affect the party's obligation to comply with the final order and to pay any fine or penalty. If a request to change a final order is received at OAH **within 10 calendar days** of the date the Final Order was filed (**15 calendar days** if OAH mailed the final order to you), the period for filing an appeal with the District of Columbia Court of Appeals does not begin to run until the Administrative Law Judge rules on the request. **A request for a change in a final order will not be considered if it is received at OAH more than 120 calendar days of the date the Final Order was filed (125 calendar days if OAH mailed the Final Order to you).**

### **HOW TO APPEAL THE FINAL ORDER TO THE DISTRICT OF COLUMBIA COURT OF APPEALS**

Pursuant to D.C. Official Code § 2-1831.16(c)-(e), any party suffering a legal wrong or adversely affected or aggrieved by this Order may seek judicial review by filing a Petition for Review and six copies with the District of Columbia Court of Appeals at the following address:

Clerk  
District of Columbia Court of Appeals  
430 E Street, NW, Room 115  
Washington, DC 20001

The Petition for Review (and required copies) may be mailed or delivered to the Court of Appeals, and must be received there within 30 calendar days of the mailing date of this Order, pursuant to D.C. App. R. 15(a)(2). There is a \$100 fee for filing a Petition for Review. Persons who are unable to pay the filing fee may file a motion and affidavit to proceed without the payment of the fee when they file the Petition for Review. Information on petitions for review can be found in Title III of the Court of Appeals' Rules, which are available from the Clerk of the Court of Appeals, or at [www.dcaappeals.gov](http://www.dcaappeals.gov):



Notice of Infraction  
NOI No. DE-I-18-L500165

Date of Service October 30, 2018

2018 OCT 30 10:01 AM  
 DISTRICT OF COLUMBIA  
 OFFICE OF ADMINISTRATIVE HEARINGS  
 1000 PENNSYLVANIA AVENUE, N.W.  
 WASHINGTON, DC 20004

<b>Infraction Address</b> 3911 R Street SE #3 Washington, DC Ward: 7	<b>Name &amp; Mailing Address</b> Plummer Starkoda C  3911 R Street SE Washington, DC 20020 <b>Telephone:</b> (202) 491-4419 <b>Charge as Respondent:</b> <input checked="" type="checkbox"/>	<b>Name &amp; Mailing Address</b>    <b>Telephone:</b> <b>Charge as Respondent:</b> <input type="checkbox"/>
---	---	---

**Business License/Permit Type:** Business License/Permit No.:  
**Type of Location:** Occupied apartment

You are charged with violating the District of Columbia laws or regulations stated below. You MUST SIGN and SEND IN this form within 15 calendar days of the date of service if served by hand, or 20 calendar days if served by mail. You must write your ANSWER next to each infraction to indicate whether you ADMIT (*you must pay the fine*), Admit With Explanation (AWE) (*you must submit a written explanation*), or DENY. If you DENY one or more of the infractions, you must appear for a hearing. You will receive a separate order from the Office of Administrative Hearings (OAH) advising you where and when to appear for your hearing. **ADDITIONAL INSTRUCTIONS ATTACHED.**

**Infraction Details**

Date	Citation*	Nature of Infraction	Prior*	Actual Fine	Write ANSWER Here
06-19-2018	20 DCMR § 3318.6(a) / 16 DCMR § 4003.2(q)	Failure to comply with a DOEE order to apply interim controls, in conformance with D.C. Official Code § 8-231.15(a).	1	\$2,000	
06-19-2018	D.C. Official Code § 8-231.03(d)(1)(E) / 16 DCMR § 4003.9	Failure to pay the invoice for reimbursement of risk assessment costs	0	\$100	

\* "D.C. Code" is the District of Columbia Official Code  
 \* "DCMR" is the District of Columbia Municipal Regulations  
 \* "Prior" means prior violations

**TOTAL AMOUNT DUE: \$2,100**

Inspector Comments: This notice includes unit #3 This is owner's second violation of 20 DCMR § 3318.6(a)

I hereby declare under penalty of perjury that I have **CORRECTED** or **NOT CORRECTED** (check only one) all of the infractions(s) listed on the Notice that were **ADMITTED** or **ADMITTED WITH EXPLANATION**.

Name (print): \_\_\_\_\_ Telephone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

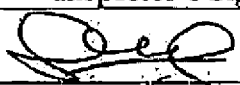
RESPONDENT'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**WARNING:** If you fail to answer each infraction on this Notice on time by signing and returning this form, you will be subject to a penalty up to twice the amount of the fine, plus the original fine. You also may be subject to other penalties and actions allowed by law including suspension or non-renewal of your license or permit, the sealing of your business, placement of a lien on your property, and attachment of your equipment.

**FOR INFORMATION, CALL;** *Para obtener información llame al;* *Pour de plus amples renseignements, veuillez appeler le;* *Λογότυπο ΕΥΡΥΣ ΚΕΤΟ Ε.Σ.Α.Α.;* 자세한 정보는(202) 442-9094로 문의하십시오.; *Để biết thêm thông tin, vui lòng gọi;* 詳情請致電 (202) 442-9094.

*I personally declare under penalty of perjury that I observed and/or determined that the infraction(s) charged have been committed.*

Inspector's Printed Name	Inspector's Signature	Badge No.	Program	Date
KOLA, MOUHAMAN		127	LHHD (Lead)	10/30/2018

**Receipt for Hand Delivery:**

I sign my name below to acknowledge receipt of this Notice of Infraction and not as an admission of guilt or liability to the charge(s) listed.

Respondent's Printed Name	Respondent's Signature	Date

**INSTRUCTIONS FOR ANSWERING THIS NOTICE OF INFRACTION**

**DEADLINE and WARNING:** You are charged with violating the District of Columbia laws or regulations stated in this Notice. You must answer this Notice within 15 calendar days of the date of service listed on the top of the first page of this Notice (20 calendar days if you received this Notice by mail). If you do not answer on time, you will be subject to an order finding you in default and assessing both the fine stated at the end of the Infraction Details section, and an additional penalty equal to two times the amount of that fine. You also may be subject to other penalties and actions allowed by law, including suspension or non-renewal of any District of Columbia license or permit that you hold, the sealing of your business, and the placement of a lien on property that you own.

**WHERE TO ANSWER:** Your answer must be received by the Office of Administrative Hearings by the deadline stated above. The Office of Administrative Hearings is an independent agency of the District of Columbia Government, and is separate from the agency that sent this Notice to you. You may answer by bringing or mailing your documents and check or money order to the following address:

Clerk, Office of Administrative Hearings  
Suite 450 North  
One Judiciary Square, 441 4<sup>th</sup> Street, NW  
Washington, DC 20001-2714

Telephone (202) 442-9094 • Fax (202) 442-4789

2018 OCT 30 10:00 AM  
OFFICE OF ADMINISTRATIVE HEARINGS  
VISITATION DEPARTMENT

You may email your documents to [oah.filing@dc.gov](mailto:oah.filing@dc.gov), along with the OAH cover sheet found at <http://oah.dc.gov/node/148662>, or fax the documents to (202) 442-4789. Payments must be made in person or by mail.

**HOW TO ANSWER:** You must answer each charge with a plea of **ADMIT**, **ADMIT WITH EXPLANATION (AWE)**, or **DENY**. The instructions below give information about how to answer with each of these pleas.

**1. To Admit and Pay the Fine.** If you wish to admit liability for a violation, you also must pay the fine at the same time. Write the word "**ADMIT**" in the *Write ANSWER Here* column and sign the Notice. Mail or bring this Notice to the address above, with a check or money order for the amount of the fine, payable to the "D.C. Treasurer." Write the Notice number on your check or money order. The Office of Administrative Hearings cannot accept cash payments.

**2. To Admit With Explanation and Request a Hearing By Mail.** If you wish to admit liability for a violation, but want to submit an explanation that you would like an independent Administrative Law Judge to consider in deciding whether the fine should be reduced or suspended, write the letters "**AWE**" in the *Write ANSWER Here* column and sign the Notice. Mail or bring this Notice, along with your written explanation and any supporting documents, photographs, or other materials, to the address above.

**3. To Deny and Request an In-Person Hearing.** If you wish to deny liability for a violation, write the word "**DENY**" in the *Write ANSWER Here* column and sign the Notice. Mail or bring this Notice to the address above. A hearing will be scheduled at which you and the inspector must appear. At the hearing, both you and the inspector can explain your positions to an independent Administrative Law Judge who will decide whether you committed the violation and whether you must pay a fine. You will receive a notice from the Office of Administrative Hearings with information about your hearing date.

**IMPORTANT: Keep a copy of everything that you send to the Office of Administrative Hearings.**

2016 07 07 09:00:00  
Office of Administrative Hearings  
DISTRICT OF COLUMBIA  
VICINITY TO 1010115.0



**Superior Court of the District of Columbia**  
**CIVIL DIVISION**  
**Civil Actions Branch**  
**500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001**  
**Telephone: (202) 879-1133 Website: www.dccourts.gov**

District of Columbia, (a municipal corporation)  
441 4th Street, N.W., Suite 630 South Plaintiff  
Washington, D.C. 20001 vs.

Case Number 2019 CA 004380 B

Starkoda C. Plummer  
3911 R Street, S.E., #4 Defendant  
Washington, D.C. 20020

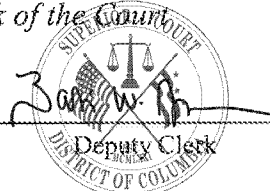
**SUMMONS**

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

David Hoffmann  
Name of Plaintiff's Attorney  
441 4th Street N.W., Suite 630 South  
Address  
Washington, D.C., 20001  
(202) 442-9889  
Telephone

Clerk of the Court  
  
By \_\_\_\_\_  
Deputy Clerk  
DISTRICT OF COLUMBIA  
Date 07/03/2019

如需翻译, 请拨打 (202) 879-4828      Veuillez appeler au (202) 879-4828 pour une traduction      Để có một bản dịch, hãy gọi (202) 879-4828  
법역을 원하시면, (202) 879-4828로 전화하십시오      የአግርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

**IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.**

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation  
Veal al dorso la traducción al español



**TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA  
DIVISIÓN CIVIL**

**Sección de Acciones Civiles**  
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001  
Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

District of Columbia, (a municipal corporation)  
441 4th Street, N.W. Suite 630 South Demandante  
Washington, D.C. 20001 contra

Número de Caso: \_\_\_\_\_

Starkoda C. Plummer  
3911 R Street, S.E., #4 Demandado  
Washington, D.C. 20020

**CITATORIO**

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

David Hoffmann  
Nombre del abogado del Demandante

*SECRETARIO DEL TRIBUNAL*

441 4th Street N.W., Suite 630 South  
Dirección  
Washington, D.C., 20001

Por: \_\_\_\_\_  
Subsecretario

(202) 442-9889  
Teléfono

Fecha \_\_\_\_\_

如需翻译, 请打电话 (202) 879-4828      Veuillez appeler au (202) 879-4828 pour une traduction      Dé có một bài dịch, hãy gọi (202) 879-4828  
電話翻譯請撥打(202)879-4828      電話翻譯請撥打(202)879-4828      電話翻譯請撥打(202)879-4828

**IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.**

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

Ve al dorso el original en inglés  
See reverse side for English original

# Superior Court of the District of Columbia

CIVIL DIVISION- CIVIL ACTIONS BRANCH

## INFORMATION SHEET

District of Columbia

Case Number: **2019 CA 004380 B**

vs

Date: **July 2, 2019**

**Starkoda C. Plummer**

One of the defendants is being sued  
in their official capacity.

Name: (Please Print) <b>Reginald Whitaker</b>	Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff <input type="checkbox"/> Self (Pro Se) <input type="checkbox"/> Other: _____
Firm Name: <b>Office of the Attorney General</b>	
Telephone No.: <b>(202) 442-9889</b>	Six digit Unified Bar No.: <b>1618471</b>

TYPE OF CASE:  Non-Jury  6 Person Jury  12 Person Jury

Demand: \$ \_\_\_\_\_ Other: \_\_\_\_\_

### PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar #: \_\_\_\_\_

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar#: \_\_\_\_\_

### NATURE OF SUIT: (Check One Box Only)

#### A. CONTRACTS

#### COLLECTION CASES

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 01 Breach of Contract        | <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent                            | <input type="checkbox"/> 16 Under \$25,000 Consent Denied                          |
| <input type="checkbox"/> 02 Breach of Warranty        | <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent                             | <input type="checkbox"/> 18 OVER \$25,000 Consent Denied                           |
| <input type="checkbox"/> 06 Negotiable Instrument     | <input type="checkbox"/> 27 Insurance/Subrogation<br>Over \$25,000 Pltf. Grants Consent    | <input type="checkbox"/> 26 Insurance/Subrogation<br>Over \$25,000 Consent Denied  |
| <input type="checkbox"/> 07 Personal Property         | <input type="checkbox"/> 07 Insurance/Subrogation<br>Under \$25,000 Pltf. Grants Consent   | <input type="checkbox"/> 34 Insurance/Subrogation<br>Under \$25,000 Consent Denied |
| <input type="checkbox"/> 13 Employment Discrimination | <input type="checkbox"/> 28 Motion to Confirm Arbitration<br>Award (Collection Cases Only) |  |
| <input type="checkbox"/> 15 Special Education Fees    |  |  |

#### B. PROPERTY TORTS

- |   |   |                                      |
|---|---|--------------------------------------|
| <input type="checkbox"/> 01 Automobile                          | <input type="checkbox"/> 03 Destruction of Private Property | <input type="checkbox"/> 05 Trespass |
| <input type="checkbox"/> 02 Conversion                          | <input type="checkbox"/> 04 Property Damage                 |                                      |
| <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a) |   |                                      |

#### C. PERSONAL TORTS

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> 01 Abuse of Process            | <input type="checkbox"/> 10 Invasion of Privacy                              | <input type="checkbox"/> 17 Personal Injury- (Not Automobile,<br>Not Malpractice) |
| <input type="checkbox"/> 02 Alienation of Affection     | <input type="checkbox"/> 11 Libel and Slander                                | <input type="checkbox"/> 18 Wrongful Death (Not Malpractice)                      |
| <input type="checkbox"/> 03 Assault and Battery         | <input type="checkbox"/> 12 Malicious Interference                           | <input type="checkbox"/> 19 Wrongful Eviction                                     |
| <input type="checkbox"/> 04 Automobile- Personal Injury | <input type="checkbox"/> 13 Malicious Prosecution                            | <input type="checkbox"/> 20 Friendly Suit   |
| <input type="checkbox"/> 05 Deceit (Misrepresentation)  | <input type="checkbox"/> 14 Malpractice Legal                                | <input type="checkbox"/> 21 Asbestos  |
| <input type="checkbox"/> 06 False Accusation            | <input type="checkbox"/> 15 Malpractice Medical (including Wrongful Death)   | <input type="checkbox"/> 22 Toxic/Mass Torts                                      |
| <input type="checkbox"/> 07 False Arrest                | <input type="checkbox"/> 16 Negligence- (Not Automobile,<br>Not Malpractice) | <input type="checkbox"/> 23 Tobacco   |
| <input type="checkbox"/> 08 Fraud                       |  | <input checked="" type="checkbox"/> 24 Lead Paint                                 |

SEE REVERSE SIDE AND CHECK HERE IF USED



# Information Sheet, Continued

## C. OTHERS

- |   |   |
|---|---|
| <input type="checkbox"/> 01 Accounting                                  | <input type="checkbox"/> 17 Merit Personnel Act (OEA)<br>(D.C. Code Title 1, Chapter 6)                     |
| <input type="checkbox"/> 02 Att. Before Judgment                        | <input type="checkbox"/> 18 Product Liability   |
| <input type="checkbox"/> 05 Ejectment                                   | <input type="checkbox"/> 24 Application to Confirm, Modify,<br>Vacate Arbitration Award (DC Code § 16-4401) |
| <input type="checkbox"/> 09 Special Writ/Warrants<br>(DC Code § 11-941) | <input type="checkbox"/> 29 Merit Personnel Act (OHR)   |
| <input type="checkbox"/> 10 Traffic Adjudication                        | <input type="checkbox"/> 31 Housing Code Regulations  |
| <input type="checkbox"/> 11 Writ of Replevin                            | <input type="checkbox"/> 32 Qui Tam   |
| <input type="checkbox"/> 12 Enforce Mechanics Lien                      | <input type="checkbox"/> 33 Whistleblower   |
| <input type="checkbox"/> 16 Declaratory Judgment                        |   |

## II.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name                                 | <input type="checkbox"/> 15 Libel of Information                                    | <input type="checkbox"/> 21 Petition for Subpoena<br>[Rule 28-1 (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic                      | <input type="checkbox"/> 19 Enter Administrative Order as<br>Judgment [ D.C. Code § | <input type="checkbox"/> 22 Release Mechanics Lien                   |
| <input type="checkbox"/> 08 Foreign Judgment/International                 | 2-1802.03 (h) or 32-151 9 (a)]  | <input type="checkbox"/> 23 Rule 27(a)(1)<br>(Perpetuate Testimony)  |
| <input type="checkbox"/> 13 Correction of Birth Certificate                | <input type="checkbox"/> 20 Master Meter (D.C. Code §                               | <input type="checkbox"/> 24 Petition for Structured Settlement       |
| <input type="checkbox"/> 14 Correction of Marriage<br>Certificate          | 42-3301, et seq.)   | <input type="checkbox"/> 25 Petition for Liquidation                 |
| <input type="checkbox"/> 26 Petition for Civil Asset Forfeiture (Vehicle)  |   |  |
| <input type="checkbox"/> 27 Petition for Civil Asset Forfeiture (Currency) |   |  |
| <input type="checkbox"/> 28 Petition for Civil Asset Forfeiture (Other)    |   |  |

## D. REAL PROPERTY

- |  |  |
|--|--|
| <input type="checkbox"/> 09 Real Property-Real Estate                | <input type="checkbox"/> 08 Quiet Title                                  |
| <input type="checkbox"/> 12 Specific Performance                     | <input type="checkbox"/> 25 Liens: Tax / Water Consent Granted           |
| <input type="checkbox"/> 04 Condemnation (Eminent Domain)            | <input type="checkbox"/> 30 Liens: Tax / Water Consent Denied            |
| <input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale       | <input type="checkbox"/> 31 Tax Lien Bid Off Certificate Consent Granted |
| <input type="checkbox"/> 11 Petition for Civil Asset Forfeiture (RP) |  |



Attorney's Signature



Date



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION  
Civil Actions Branch  
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001  
Telephone: (202) 879-1133 • Website: [www.dccourts.gov](http://www.dccourts.gov)

DISTRICT OF COLUMBIA  
Vs.  
STARKODA C. PLUMMER

C.A. No. 2019 CA 004380 B

**INITIAL ORDER AND ADDENDUM**

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure (“Super. Ct. Civ. R.”) 40-I, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge’s name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the summons, the complaint, and this Initial Order and Addendum. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in Super. Ct. Civ. R. 4(m).

(3) Within 21 days of service as described above, except as otherwise noted in Super. Ct. Civ. R. 12, each defendant must respond to the complaint by filing an answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in Super. Ct. Civ. R. 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an initial scheduling and settlement conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients **prior** to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference **once**, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than seven business days before the scheduling conference date.

No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each judge’s Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court’s website <http://www.dccourts.gov/>.

Chief Judge Robert E. Morin

Case Assigned to: Judge JOHN M CAMPBELL

Date: July 3, 2019

Initial Conference: 9:30 am, Friday, October 04, 2019

Location: Courtroom 519

500 Indiana Avenue N.W.

WASHINGTON, DC 20001

## **ADDENDUM TO INITIAL ORDER AFFECTING ALL MEDICAL MALPRACTICE CASES**

In accordance with the Medical Malpractice Proceedings Act of 2006, D.C. Code § 16-2801, et seq. (2007 Winter Supp.), "[a]fter an action is filed in the court against a healthcare provider alleging medical malpractice, the court shall require the parties to enter into mediation, without discovery or, if all parties agree[,] with only limited discovery that will not interfere with the completion of mediation within 30 days of the Initial Scheduling and Settlement Conference ("ISSC"), prior to any further litigation in an effort to reach a settlement agreement. The early mediation schedule shall be included in the Scheduling Order following the ISSC. Unless all parties agree, the stay of discovery shall not be more than 30 days after the ISSC." D.C. Code § 16-2821.

To ensure compliance with this legislation, on or before the date of the ISSC, the Court will notify all attorneys and *pro se* parties of the date and time of the early mediation session and the name of the assigned mediator. Information about the early mediation date also is available over the internet at <https://www.dccourts.gov/pa/>. To facilitate this process, all counsel and *pro se* parties in every medical malpractice case are required to confer, jointly complete and sign an EARLY MEDIATION FORM, which must be filed no later than ten (10) calendar days prior to the ISSC. D.C. Code § 16-2825 Two separate Early Mediation Forms are available. Both forms may be obtained at [www.dccourts.gov/medmalmediation](http://www.dccourts.gov/medmalmediation). One form is to be used for early mediation with a mediator from the multi-door medical malpractice mediator roster; the second form is to be used for early mediation with a private mediator. Both forms also are available in the Multi-Door Dispute Resolution Office, Suite 2900, 410 E Street, N.W. Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to [earlymedmal@dcsc.gov](mailto:earlymedmal@dcsc.gov). *Pro se* Plaintiffs who elect not to eFile may file by hand in the Multi-Door Dispute Resolution Office.

A roster of medical malpractice mediators available through the Court's Multi-Door Dispute Resolution Division, with biographical information about each mediator, can be found at [www.dccourts.gov/medmalmediation/mediatorprofiles](http://www.dccourts.gov/medmalmediation/mediatorprofiles). All individuals on the roster are judges or lawyers with at least 10 years of significant experience in medical malpractice litigation. D.C. Code § 16-2823(a). If the parties cannot agree on a mediator, the Court will appoint one. D.C. Code § 16-2823(b).

The following persons are required by statute to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case. D.C. Code § 16-2824.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code § 16-2826. Any Plaintiff who is *pro se* may elect to file the report by hand with the Civil Actions Branch. The forms to be used for early mediation reports are available at [www.dccourts.gov/medmalmediation](http://www.dccourts.gov/medmalmediation).

Chief Judge Robert E. Morin