

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

DISTRICT OF COLUMBIA,
a municipal corporation,
441 Fourth Street, N.W.
Washington, D.C. 20001,

Plaintiff,

v.

AFOLAKE ELIZABETH O-SHOKUNBI,
2010 Yorktown Road, N.W.
Washington, D.C. 20012,

Defendant.

Case No.: 2020 CA 003373 B

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff the District of Columbia (the District) brings this action on behalf of Markita Sligh against defendant Afolake Elizabeth O-Shokunbi (Shokunbi). Defendant Shokunbi is liable for discriminatory practices that violate the District of Columbia Human Rights Act (DCHRA), D.C. Code §§ 2-1401.01, *et seq.* In support of its claims, the District states as follows:

JURISDICTION

1. The Attorney General for the District of Columbia brings this action on behalf of Markita Sligh under D.C. Code § 2-1403.05(f)–(g) (“If a timely election is made pursuant to subsection (f) of this section, ... the Corporation Counsel shall file a civil action on behalf of the aggrieved party in the Superior Court of the District of Columbia.”).

2. This Court has subject matter jurisdiction over the claims and allegations in the Complaint. *See* D.C. Code § 11-921(a).

3. This Court has personal jurisdiction over defendant Shokunbi under D.C. Code § 13-422 because she lives in the District and under D.C. Code § 13-423 because she transacted business in the District and used or owned real estate in the District.

PARTIES

4. Plaintiff District of Columbia, a municipal corporation, is represented by and through its chief legal officer, the Attorney General for the District of Columbia.

5. Defendant Shokunbi is a landlord and property owner in the District. Defendant Shokunbi owns approximately 12 properties in the District, including 3929 13th Street, N.W., Washington, D.C. 20011 (Subject Property).

PROCEDURAL HISTORY

6. Markita Sligh filed a Housing Discrimination Complaint¹ with the District of Columbia Office of Human Rights (OHR) on March 5, 2019, which was perfected as a Charge of Discrimination on July 16, 2019.² Ms. Sligh amended her Housing Discrimination complaint on January 1, 2020. The amended complaint

¹ OHR Docket No. 19-478-H(CN).

² Ms. Sligh's initial Housing Discrimination complaint alleged discrimination on the basis of race, color, disability and source of income. On December 17, 2019, OHR ordered that the complaint be amended to dismiss the allegations of source of income and disability discrimination and to add allegations of refusal to rent based on race and color.

alleged that on September 18 and September 22, 2018, defendant Shokunbi made discriminatory statements against Ms. Sligh because of her race and color, and that on September 25, 2018, defendant Shokunbi discriminatorily refused to rent to Ms. Sligh because of her race and color.

7. On June 30, 2020, OHR issued a Letter of Determination finding probable cause to believe that defendant Shokunbi had discriminated against Ms. Sligh by making discriminatory statements to Ms. Sligh based on her race and color and refusing to rent to Ms. Sligh because of her race and color.

8. On July 1, 2020, defendant Shokunbi elected that the case be adjudicated in the Superior Court pursuant to D.C. Code § 2-1403.05(f).

9. On July 10, 2020, OHR referred the matter to the Office of the Attorney General to file a civil action in the Superior Court.

FACTS

10. In approximately June 2018, Ms. Sligh began to look for a new rental property in the District. At the time, Ms. Sligh had custody of her 16-year-old daughter, 10-year-old niece, 5-year-old nephew and 3-year-old granddaughter. Ms. Sligh's 26-year-old son, who has a disability, also lived with her.

11. Ms. Sligh participates in the Housing Choice Voucher Program and sought new housing because her Housing Choice Voucher was increased to allow her to rent a larger unit.

12. The District of Columbia Housing Authority (DCHA) administers the Housing Choice Voucher Program in the District under a contract with the federal

government. Housing assistance programs, including subsidized rent programs, are particularly crucial in the District, where high rents consume a disproportionate share of household expenditures. D.C. Housing Authority, *Housing Choice Voucher Program*,

<https://www.dchousing.org/topic.aspx?topid=2&AspxAutoDetectCookieSupport=1>

(last visited July 13, 2020).

13. According to Housing Choice Voucher Program rules, tenants have six months within which to begin renting a property using their voucher. If a tenant does not rent a property in that time window, the tenant must request an extension of time or risk losing their voucher. Ms. Sligh's six-month window to use her voucher ran from approximately June through December 2018.

14. In September 2018, Ms. Sligh became aware that the Subject Property, a five-bedroom rowhouse at 3929 13th Street, N.W. in Ward 4 in the District, was available for rent. The house was listed at approximately \$5,500 per month, which was within the rental cap for Ms. Sligh's Housing Choice Voucher.

15. Defendant Shokunbi owns the Subject Property and was the point of contact for prospective tenants.

16. On September 18, 2018, Ms. Sligh called defendant Shokunbi to inquire about the Subject Property. Ms. Shokunbi responded with a text message to Ms. Sligh providing information about the application process and asking a number of questions. After a brief text-message exchange, Ms. Sligh and defendant Shokunbi agreed to meet at the Subject Property that day so that Ms. Sligh could see the house.

17. Ms. Sligh and her teenage daughter met defendant Shokunbi at the Subject Property on September 18, 2018. The house was attractive and in good condition, and Ms. Sligh told defendant Shokunbi that she was interested in renting the house.

18. During the September 18 showing, Ms. Sligh asked defendant Shokunbi about the application process. While discussing the security deposit, Ms. Sligh asked if defendant Shokunbi would provide Ms. Sligh with an approval letter so that she could receive security deposit assistance from an organization, and defendant Shokunbi agreed to do so.

19. During the showing, defendant Shokunbi told Ms. Sligh that defendant Shokunbi had only had white tenants and had never had a problem with any of them. Ms. Sligh responded that, if approved to rent, she would take good care of the home. Defendant Shokunbi replied that everyone says that until they move in.

20. Ms. Sligh and her teenage daughter, who are Black, both heard defendant Shokunbi's September 18 comment. Ms. Sligh understood defendant Shokunbi's comment to mean that defendant Shokunbi, who is also Black, preferred renting to white tenants.

21. Defendant Shokunbi's September 18 comment triggered Ms. Sligh to have an anxiety attack. In addition, Ms. Sligh was deeply saddened because she believed defendant Shokunbi's September 18 comment to be the first time her 16-year-old daughter had experienced this type of discrimination. Ms. Sligh was

devastated to feel like she could not protect her child from experiencing discrimination.

22. On September 22, 2018, while Ms. Sligh and defendant Shokunbi were making plans to meet so that Ms. Sligh could submit her application and pay the \$50 application fee, defendant Shokunbi texted Ms. Sligh, "I'm letting you know now if you are approved[,] I don't want tenants who calls [sic] me every second for repairs." Ms. Sligh responded, "I understand that One hundred percent. Ok Np[.] I'm not a bad tenant or person I just need a chance and at anytime you can come pass my house if you want." Defendant Shokunbi wrote back, "Everyone says that but they changed after they moved in. Never had any problems with my white tenants. I don't even see them."

23. Ms. Sligh understood defendant Shokunbi's text message to mean that defendant Shokunbi preferred renting to white tenants.

24. Although Ms. Sligh was concerned by defendant Shokunbi's comments, Ms. Sligh liked the Subject Property and needed to rent a new home within her six-month voucher window, which was expiring in approximately December 2018. Ms. Sligh applied to rent the Subject Property.

25. On September 25, 2018, defendant Shokunbi told Ms. Sligh that she was approved to rent the Subject Property.

26. Later that day, Ms. Sligh sent defendant Shokunbi a text message repeating her request for an approval letter to give to the organization providing her

with security deposit assistance. Defendant Shokunbi responded by text message, “I don’t do that. Sorry.”

27. Ms. Sligh emphasized to defendant Shokunbi that she would need an approval letter in order to get security deposit assistance, but defendant Shokunbi continued to refuse to write such a letter. Ms. Sligh then told defendant Shokunbi that, because defendant Shokunbi was unwilling to provide the approval letter and Ms. Sligh needed security deposit assistance in order to rent the apartment, Ms. Sligh would not be able to rent the property.

28. Defendant Shokunbi stated her preference for a white tenant and then failed to give Ms. Sligh a standard rental letter to prevent her from renting the unit.

29. Defendant Shokunbi’s actions caused Ms. Sligh deep distress, anger and sadness. After Ms. Sligh was unable to rent the Subject Property, Ms. Sligh found it emotionally challenging to continue her housing search. When she contemplated looking for housing, she found herself wondering if the prospective landlord would discriminate against her and her family as defendant Shokunbi had.

30. Ms. Sligh was unable to find a new rental property before her six-month window expired in December 2018 and had to request that DCHA give her an extension of time.

31. In April 2019, Ms. Sligh finally found a new rental property, which was located on Seaton Place, N.E. The Seaton Place house was less desirable than the Subject Property; it was older, in poor condition, and infested with mice and roaches when Ms. Sligh moved in. Unlike the Subject Property, the Seaton Place house had

no parking and no yard, and Ms. Sligh found the neighborhood to be less safe. Ms. Sligh lived at the Seaton Place house for only one year before moving again in search of more suitable housing for herself and her family.

**COUNTS I-II
DISCRIMINATORY STATEMENTS IN VIOLATION OF THE DCHRA**

32. Paragraphs 1-31 are incorporated here.

33. Defendant Shokunbi made a statement with respect to a real property transaction, or proposed transaction, that unlawfully indicated a preference, limitation, or discrimination against Markita Sligh based on her race and color in violation of D.C. Code § 2-1402.21(a)(5) when, on September 18, 2018, defendant Shokunbi told Ms. Sligh that defendant Shokunbi had only had white tenants and had never had a problem with any of them.

34. Defendant Shokunbi made a statement with respect to a real property transaction, or proposed transaction, that unlawfully indicated a preference, limitation, or discrimination against Markita Sligh based on her race and color in violation of D.C. Code § 2-1402.21(a)(5) when, on September 22, 2018, defendant Shokunbi sent the following text message in response to Ms. Sligh's statement that she was not a bad tenant or person: "Everyone says that but they changed after they moved in. Never had any problems with my white tenants. I don't even see them."

**COUNT III
DISCRIMINATORY REFUSAL TO RENT IN VIOLATION OF THE DCHRA**

35. Paragraphs 1-34 are incorporated here.

36. Defendant Shokunbi interrupted or terminated, or refused or failed to conduct a transaction in real property with Markita Sligh based on her race and color in violation of D.C. Code § 2-1402.21(a)(1) when defendant Shokunbi discriminatorily refused to provide Ms. Sligh with the approval letter for the security deposit assistance organization, which Ms. Sligh needed to rent the Subject Property.

PRAYER FOR RELIEF

WHEREFORE, the District requests that this Court enter judgment in its favor and grant relief against defendants as follows:

- (a) Injunctive and declaratory relief;
- (b) Damages;
- (c) Penalties;
- (d) Fees;
- (e) The District's reasonable attorney's fees and costs; and
- (f) Such other and further relief this Court deems appropriate based on the

facts and applicable law.

JURY DEMAND

The District of Columbia demands a jury trial by the maximum number of jurors permitted by law.

Dated: July 31, 2020.

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

TONI MICHELLE JACKSON
Deputy Attorney General
Public Interest Division

/s/ Michelle D. Thomas
MICHELLE D. THOMAS [993514]
Chief, Civil Rights Section
Public Interest Division

/s/ Kathryn Jarosz
KATHRYN JAROSZ [1619565]
Assistant Attorney General
441 Fourth Street, N.W., Suite 630 South
Washington, D.C. 20001
Tel: (202) 805-7546
Fax: (202) 741-0584
Email: kathryn.jarosz@dc.gov

Attorneys for the District of Columbia

Superior Court of the District of Columbia

CIVIL DIVISION- CIVIL ACTIONS BRANCH

INFORMATION SHEET

DISTRICT OF COLUMBIA

Case Number: 2020 CA 003373 B

vs

Date: July 31, 2020

AFOLAKE ELIZABETH O-SHOKUNBI

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

Name: <i>(Please Print)</i> Kathryn Jarosz	Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff <input type="checkbox"/> Self (Pro Se) <input type="checkbox"/> Other: _____
Firm Name: The Office of the Attorney General for the District of Columbia	
Telephone No.: (202) 805-7546	Six digit Unified Bar No.: 1619565

TYPE OF CASE: Non-Jury 6 Person Jury 12 Person Jury
Demand: \$ unspecified 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
Over \$25,000 Pltf. Grants Consent | <input type="checkbox"/> 26 Insurance/Subrogation
Over \$25,000 Consent Denied |
| <input type="checkbox"/> 07 Personal Property | <input type="checkbox"/> 07 Insurance/Subrogation
Under \$25,000 Pltf. Grants Consent | <input type="checkbox"/> 34 Insurance/Subrogation
Under \$25,000 Consent Denied |
| <input type="checkbox"/> 13 Employment Discrimination | <input type="checkbox"/> 28 Motion to Confirm Arbitration
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,
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,
Not Malpractice) | <input type="checkbox"/> 23 Tobacco |
| <input type="checkbox"/> 08 Fraud | | <input type="checkbox"/> 24 Lead Paint |

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Information Sheet, Continued

C. OTHERS

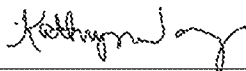
- | | |
|---|---|
| <input type="checkbox"/> 01 Accounting | <input type="checkbox"/> 17 Merit Personnel Act (OEA) |
| <input type="checkbox"/> 02 Att. Before Judgment | (D.C. Code Title 1, Chapter 6) |
| <input type="checkbox"/> 05 Ejectment | <input type="checkbox"/> 18 Product Liability |
| <input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

II.

- | | | |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name | <input type="checkbox"/> 15 Libel of Information | <input type="checkbox"/> 21 Petition for Subpoena
[Rule 28-I (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic | <input type="checkbox"/> 19 Enter Administrative Order as
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)
(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
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

July 31, 2020

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

District of Columbia

Plaintiff

vs.

Case Number 2020 CA 003373 B

Afolake Elizabeth O-Shokunbi

Defendant

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.

Kathryn Jarosz

Name of Plaintiff's Attorney

441 Fourth Street, N.W., Suite 630 South

Address

Washington, D.C. 20001

(202) 805-7546

Telephone

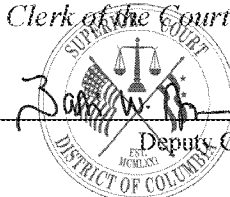
如需翻译, 请打电话 (202) 879-4828

Veillez appeler au (202) 879-4828 pour une traduction

Đề có một bản dịch, hãy gọi (202) 879-4828

번역을 원하 시면, (202) 879-4828 로 전화 주십시오. የአጭር ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

Clerk of the Court



By

Jane W. B.
Deputy Clerk

Date

07/31/2020

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
 Veá 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

_____ Demandante
 contra

Numero de Caso: _____

_____ Demandado
 Afolake Elizabeth O-Shokunbi

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.

_____ Nombre del abogado del Demandante
 Kathryn Jarosz

SECRETARIO DEL TRIBUNAL

_____ Dirección
 441 Fourth Street, N.W., Suite 630 South
 Washington, D.C. 20001

Por: _____ Subsecretario

_____ Teléfono
 (202) 805-7546

Fecha _____

如需翻译, 请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Dê có một bài dịch, hãy gọi (202) 879-4828
 如需翻译, 请打电话 (202) 879-4828 如需翻译, 请打电话 (202) 879-4828 የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

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 pedir ayuda al respecto.

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



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

Vs.

C.A. No. 2020 CA 003373 B

AFOLAKE ELIZABETH O-SHOKUNBI

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 FLORENCE Y PAN

Date: July 31, 2020

Initial Conference: 9:30 am, Friday, October 30, 2020

Location: Courtroom 415

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. 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. *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. 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.

Chief Judge Robert E. Morin