

**SUPPLEMENT TO GENERAL ORDER
JUDGE JASON PARK
CIVIL CALENDAR 13
Effective August 31, 2020**

I. GENERAL INFORMATION

Judge: Jason Park

Chambers: Suite 5520, Moultrie Building
500 Indiana Avenue N.W.
Washington, DC 20001

Chambers telephone: 202-879-1885

Email address: JudgeParkchambers@dcsc.gov

Law Clerks: Spencer Ritchie (spencer.ritchie@dcsc.gov)
Rachel Sullivan (rachel.sullivan@dcsc.gov)
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Courtroom: Courtroom 519, Moultrie Building
500 Indiana Avenue N.W.
Washington, DC 20001

During the period of remote operation, as determined by the Chief Judge of the Superior Court, all proceedings in matters on Calendar 13 will take place in Virtual Courtroom 519, which the parties and counsel may access in the following ways:

- (1) going to the WebEx website at <https://dccourts.webex.com/meet/ctb519> or going to <https://dccourts.webex.com> and entering meeting ID number 129 705 0412; or
- (2) downloading the WebEx Meetings app, opening the app, selecting Join Meeting, and entering <https://dccourts.webex.com/meet/ctb519>; or
- (3) calling 1-844-992-4726 or 202-860-2110 and entering meeting ID number 129 705 0412.

Parties having trouble connecting to their remote hearing may call chambers at 202-879-1885 for assistance. Failure to appear at a remote proceeding may result in the same sanctions as would result from failing to appear at an in-person hearing, including dismissal of a case or entry of default.

II. COMMUNICATIONS WITH CHAMBERS

Except as specifically authorized in this Supplement, no party or lawyer may contact chambers by telephone. Judge Park's staff may not and will not provide advice of any kind about court rules, practices or procedures. Judge Park does not accept letters from parties or lawyers about a case. If a party requires clarification of any rule, practice or procedure, it should file a motion. If it is necessary for parties or counsel to contact chambers, they may send an email to all of the law clerks, copying the other party or parties.

III. SCHEDULING PRAECIPES

Notwithstanding the earlier deadline set forth in Rule 16(b) of the Superior Court Rules of Civil Procedure, Judge Park will consider a Praecipe Requesting Scheduling Order (Civil Action Form 113) filed by 12:00 p.m. one day before the date of the scheduling conference. A praecipe filed later than 12:00 p.m. on Thursday concerning a Friday scheduling conference therefore will not be considered, and the parties will be required to appear for the scheduling conference.

IV. MOTIONS

Consent to motions: Judge Park strictly enforces the requirement in Rule 12-I(a) of the Superior Court Rules of Civil Procedure that, before filing any motion (except pursuant to Rule 11), the moving party must first ascertain whether other affected parties will consent to the relief sought. The title of every motion must indicate whether the motion is opposed or consented to/unopposed. All pleadings must include a certification indicating whether the affected parties consent to the requested relief. Judge Park may summarily deny a motion that does not contain the requisite certification, and if the party chooses to refile the motion with a certification, it will pay another \$20 filing fee.

Proposed order: Administrative Order 06-17 requires that a party eFiling a motion include as part of the submission a proposed order that can be edited in Microsoft Word. Judge Park may summarily deny a motion that is not accompanied by a proposed order in the required format.

Length of filings: No party may submit a motion with a legal memorandum exceeding twenty (20) pages in length without obtaining leave of Judge Park. If a party fails to comply with these requirements, Judge Park may summarily deny the motion or elect not to consider that filing.

Paper copies: During the period of remote operation, Judge Park has suspended the requirement in Administration Order 06-17 that a party provide a paper copy of any filing that exceeds twenty-five pages in length. Parties shall instead submit a courtesy PDF copy of any such filing (including any exhibits and attachments) to JudgeParkchambers@dsc.gov.

Reply briefs: Parties who wish to file a reply brief may do so within seven calendar days of the filing of an opposition brief without leave of the Court, unless the Court rules on the motion before the reply is filed. No party may submit a reply to an opposition that is more than ten (10) pages long without leave of the court. A party may not file a sur-reply without leave of the court.

E-Filed Motions: It generally takes up to three business days for the Clerk's Office to process filings. A lawyer or party who has a question about the status of a pending motion should check online at <http://www.dccourts.gov/internet/CCO.jsf>, contact the Clerk's Office at (202) 879-1133, or check CaseFileXpress.com.

Motions *in Limine*: Judge Park generally rules on motions *in limine* at or before the pretrial conference. In accordance with the deadline set forth in Rule 16(d) of the Superior Court Rules of Civil Procedure, parties shall file motions *in limine* at least three weeks before the pretrial conference. Oppositions to such motions should be filed no later than one week before the pretrial conference.

Continuances & Extensions of Time: Except in extraordinary circumstances involving unforeseeable events, all motions seeking to extend a deadline or continue a hearing must be filed at

least two business days prior to the scheduled date. Any motion to reschedule a hearing or mediation session must suggest alternative dates and times that are convenient to both parties.

Consolidated Motions: A party ordinarily should raise in one motion all of the grounds for the relief it seeks. For example, a party should file one summary judgment motion or one motion *in limine*, even if the party seeks summary judgment on multiple grounds or pretrial rulings on multiple issues. If a consolidated motion exceeds the court's usual page limit, the party may file, with the consolidated motion, a motion for leave to file a brief exceeding the page limit. Such requests are ordinarily granted because consolidated motions are more efficient and require fewer total pages than separate motions.

Emergency Motions: Parties should request expedited action only in truly urgent situations. Parties and attorneys should be aware of the requirement of Rule 12-I(e) that the non-moving party be granted fourteen (14) days within which to file a written opposition. Merely because a party labels a pleading as an "emergency motion" does not mean that the court will act on an expedited basis. A party filing an emergency motion must send a courtesy copy of the motion by email to Judge Park's chambers staff and to the other parties.

V. DISCOVERY

Motions to Compel Discovery: Judge Park strictly enforces the requirements set forth in Rules 26(h) and 37(a), which require the parties to meet for a reasonable period of time in an effort to resolve or narrow any discovery dispute and include a certification regarding such a meeting in discovery-related motions. If a party submits a discovery-related motion without a certification, the Court may summarily deny the motion.

Discovery Hearings: Judge Park ordinarily sets prompt hearings on motions to compel discovery. Before filing a motion related to a discovery dispute, the moving party must communicate with the opposing party to suggest dates and times for a hearing on the motion, and the motion must include proposed dates and times.

Attorney's Fees: Judge Park will presumptively award attorneys' fees and any costs associated with litigating the motion to the prevailing party, pursuant to D.C. Super Ct. Civ. R. 37(a)(5). The parties, therefore, are ordered to bring documentation of their fees to any hearing on the motion. See D.C. Super. Ct. Civ. R. 37(a)(5). The parties are encouraged to resolve discovery disputes prior to any discovery hearing, and the moving party may file a praecipe withdrawing the motion to compel if the parties are able to reach a resolution.

VI. SCHEDULING AND PRETRIAL CONFERENCES

Non-party Principals: Except in extraordinary circumstances with prior judicial approval, non-party principals with settlement authority must attend mediation sessions and pretrial conferences in person. Judge Park may allow such principals from outside the Washington metropolitan area to participate by telephone. Any request to excuse a non-party principal from personal attendance should be made by motion at least two weeks before the date of the conference.

Scheduling and Calendars: Any party or lawyer who attends a hearing during which the Court may reasonably be expected to schedule a hearing or deadline shall bring their business calendar. Judge Park and the courtroom clerk will not delay setting a schedule to give anyone an opportunity to

contact the person's office. If the person does not have his or her schedule immediately available, Judge Park will set a schedule, and the party may later file a motion to modify the schedule if the party so chooses.

Joint Pretrial Statements: Counsel and parties are reminded that Rule 16(e) of the Superior Court Rules of Civil Procedure requires the filing of a joint pretrial statement no later than one week before the pretrial conference. Judge Park may order a continuance of a pretrial conference if the parties have not timely filed a joint pretrial statement that satisfies the requirements of Rule 16(e).

VII. VIRTUAL COURTROOM PROTOCOL

Guidelines: When entering the virtual courtroom (by dialing in on a phone, or signing in through the website or app), the party should not attempt to speak because another hearing may be underway. Each party should be automatically muted by the courtroom clerk when you first arrive. If you are using the WebEx website or the app, you may check in with the courtroom clerk using the "chat" function. If you are on a telephone, you should wait for your case to be called.

Exhibits: If a party or counsel intends to rely on exhibits or other documents during the hearing, the party or counsel shall e-mail the exhibits to the Court at judgeparkchambers@dcsc.gov, copying all sides, no later than 5:00 p.m. the day before the hearing. The party or counsel must also file the exhibits on the docket using the CaseFileXpress system and provide a copy of the exhibit to any witness before the hearing. The exhibits must be separately labeled so that they can be easily identified by all parties and the Court during the remote hearing.

VIII. VIRTUAL TRIALS

Schedule: During the period of remote operation, Judge Park will hold all bench trials remotely in Virtual Courtroom 519. Trials are generally scheduled to begin on Mondays at 9:30 a.m. Parties and attorneys should be prepared, however, to begin trial on Monday, Tuesday, Wednesday, or Thursday during the week that the trial is scheduled. Judge Park generally takes one morning and one afternoon break, as well as a lunch break between approximately 1:00 and 2:00 p.m. By rule, Judge Park will adjourn each day no later than 4:45 p.m.

Exhibit Index: On the first day of trial, each party must submit an exhibit summary form by emailing to the form to JudgeParkChambers@dcsc.gov. Parties may obtain this form from the Clerk's Office or on the Court's website at www.dccourts.gov/internet/documents/dcsc15r1-06.pdf.

Custody of Exhibits: After trial and until any appeal has ended or the time to appeal has run with no notice of appeal filed, each party is responsible for maintaining exhibits and other materials that should be part of the record on appeal.

Mid-trial Issues: If an issue arises during trial, the parties should raise it by sending an email by 8:30 a.m. of the next trial date to Judge Park's chambers staff and to all other parties.

Rule on Witnesses: Judge Park enforces the rule on witnesses for all virtual bench trials. Accordingly, each party is responsible for ensuring that their non-party witnesses are not logged into the trial proceeding at any point other than when they are testifying.