

**SUPPLEMENT TO GENERAL ORDER  
JUDGE DANYA A. DAYSON  
CIVIL CALENDAR 9  
JANUARY 2024**

**I. GENERAL INFORMATION**

**Judge:** Danya A. Dayson

**Chambers:** Room 1505  
Moultrie Courthouse  
500 Indiana Avenue N.W.  
Washington, DC 20001

**Phone:** (202) 879-1640

**Fax:** (202) 879-1615

**Email Address:** JudgeDaysonChambers@dcsc.gov

**Law Clerks:**

Jordan Miceli  
Jordan.Miceli@dcsc.gov  
(202) 879-1640

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**Courtroom:** Courtroom 415  
Moultrie Courthouse

**Courtroom phone:** (202) 879-1013

## II. COMMUNICATIONS WITH CHAMBERS

Judge Dayson's staff may not and will not provide advice of any kind about court rules, practices, or procedures. Judge Dayson does not accept letters from parties or counsel about cases. Any requests for action by Judge Dayson should be made in the form of a motion, filed in accordance with the rules, the Civil Division General Order, and this Supplement, and served upon the appropriate parties or counsel.

## III. APPEARANCES IN VIRTUAL COURTROOM

Unless otherwise ordered by Judge Dayson, proceedings in matters on Calendar 9, **except for bench trials, jury trials, pretrial conferences, and evidentiary hearings**, will take place in Virtual Courtroom 415, which the parties and counsel may access in the following ways:

- (1) going to the WebEx website <https://dccourts.webex.com/meet/CTB415>, or going to <https://dccourts.webex.com> and entering meeting ID number 129 314 3475 or
- (2) downloading the WebEx Meetings app, opening the app, selecting Join Meeting, and entering <https://dccourts.webex.com/meet/CTB415>; or
- (3) calling 1(844) 992-4726 and entering meeting ID 129 314 3475.

**Guidelines:** Parties having trouble connecting to their remote hearing may call chambers at 202-879-1640 or courtroom 415 at 202-879-1013 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.

**NOTE:** Counsel are **required** to appear via WebEx video and log in so that their name appears on screen, absent extenuating circumstances that make it necessary for them to appear via telephone, or unless telephonic appearance is approved by Chambers prior to the hearing. All other parties are highly encouraged, but not required, to appear via WebEx video and identify themselves by name. Inclusion of preferred pronouns is encouraged, but not required.

When entering the virtual courtroom, each party should mute themselves, or will be automatically muted by the courtroom clerk, to avoid interrupting another hearing that may be underway. If using the WebEx website or the app, parties may check in with the courtroom clerk using the "chat" function. Parties accessing the hearing by telephone only should wait for their case to be called before speaking.

**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 Judge Dayson Chambers [JudgeDaysonChambers@dcsc.gov](mailto:JudgeDaysonChambers@dcsc.gov), copying all parties and counsel not later than 4:00 p.m. the day before the hearing. The party must also submit the exhibit using the box.com link provided by chambers in response to any such e-mail and ensure that any witness has access to the exhibit(s) during the hearing. Parties and counsel must also be prepared to share such exhibits via Webex during the hearing,

**Rule on Witnesses:** Judge Dayson enforces the rule on witnesses for any virtual evidentiary proceedings. Accordingly, each party is responsible for ensuring that their non-party witnesses are not logged into the evidentiary proceeding at any point other than when they are testifying. In addition, parties are reminded that Administrative Order 20-08 strictly forbids the audio and/or video recording of virtual hearings, including the taking of screenshots. Individuals found in violation of this order may be subject to contempt of court.

#### IV. WEEKLY SCHEDULE

Unless otherwise directed, matters on Calendar 9 will take place as follows:

Pretrial/Settlement Conferences: Tuesdays, Wednesdays, and Thursdays at 9:30 a.m. and 2:30 p.m.

Trials: Mondays through Thursdays from 9:30 a.m. until 4:45 p.m.

Scheduling Conferences, Oral Examinations, Ex Parte Proofs, and other matters: Fridays beginning at 9:30 a.m.

Motions Hearings: As scheduled by Chambers.

#### V. SCHEDULING PRAECIPES

Notwithstanding the earlier deadline set in Superior Court Rule of Civil Procedure 16(b)(2), Judge Dayson will approve a Civil Action Form 113 (Praecipe Requesting Schedule Order) submitted up to 12:00 p.m. on the day prior to the scheduling conference date. In cases in which all parties are represented by counsel and there are no pending motions or other matters requiring the Court's attention, Judge Dayson strongly encourages attorneys to consult with opposing counsel and submit a CA Form 113 rather than appearing in court for a scheduling conference. Parties submitting a CA Form 113 the week of their hearing should email a courtesy copy to JudgeDaysonChambers@dcsc.gov.

#### VI. MOTIONS

**Contact information:** Consistent with Rule 10-I (b)(1), the signature block for all pleadings must include the **name, office address, telephone number, email address and Bar number of the attorney**, or if a **party is not represented by counsel, their name, address, telephone number and email address**.

**Consent to motions:** The title of all non-dispositive motions must indicate whether they are opposed or unopposed. Judge Dayson strictly enforces the requirement in Rule 12-I(a) that, before a party files a non-dispositive motion, it must seek the consent of other parties and include in the motion a certification that the party sought consent. If a party does not include such a certification, Judge Dayson may summarily deny the motion.

**Proposed order:** Rule 5 requires a party filing a motion to **submit electronically to chambers a proposed order in a format that can be edited** (Microsoft Word is preferred). **Proposed orders must be emailed to JudgeDaysonChambers@dcsc.gov.**

Please note that the Odyssey system converts all documents to PDF, so it is essential that an editable version be e-mailed to chambers. Counsel's adherence to this Administrative Order assists the Court in ruling on motions and informing counsel of the Court's decision in an expeditious manner. If an attorney does not submit a proposed order in such format, Judge Dayson may summarily deny the motion.

**Length of filings:** No party may submit a motion and memorandum (or an opposition to a motion and memorandum in support thereof) more than fifteen double-spaced pages in length without leave of Judge Dayson. Judge Dayson grants leave to file longer documents only in extraordinary circumstances. If a party fails to comply with this rule, Judge Dayson may summarily deny or strike the motion. If a motion and exhibits exceed 25 pages, a hard copy must be submitted to chambers.

**Reply and Surreply briefs:** Parties who wish to file a reply brief may do so as permitted by Rule 12-I(g). No party may submit a reply to an opposition more than five double-spaced pages long without leave of Judge Dayson. Surreplies may not be filed without leave of Judge Dayson.

**Motions to reschedule a hearing:** Any motion to reschedule a hearing shall suggest three alternative dates on which all counsel, unrepresented parties, and other necessary parties will be available. Failure to so designate a date will result in a delay in resolution of the matter.

**Exhibits to motions:** If a party attaches three or more exhibits to a motion, an exhibit list must be included identifying each exhibit and each exhibit must be marked accordingly.

**E-filed motions:** If a party has a question about the status of a pending motion, it should check online at [www.dccourts.gov/pa](http://www.dccourts.gov/pa) or contact the Clerk's Office at (202) 879-1133. Please e-mail a courtesy copy all motions, oppositions and replies to [JudgeDaysonChambers@dcsc.gov](mailto:JudgeDaysonChambers@dcsc.gov). Until further notice, parties should also serve a courtesy copy of all such filings upon opposing counsel or unrepresented parties by e-mail or first-class mail.

**Emergency motions:** Judge Dayson expects parties to request expedited action only in truly urgent situations. Parties filing emergency motions should notify chambers when they file the motion by sending an email to JudgeDaysonChambers@dcsc.gov and other parties, with a copy of the motion and the proposed order (in an editable format) attached.

## **VII. MOTIONS TO COMPEL DISCOVERY**

A party filing a motion to compel discovery must comply with the requirements of Superior Court Rules of Civil Procedure 26(h) and 37(a) requiring the parties to meet for a

reasonable period in an effort to resolve or narrow any discovery dispute and include a certification regarding such a meeting in discovery-related motions. In-person meet and confer requirements may be satisfied by virtual or telephonic meetings. Failure to comply with this certification may result in summary denial of the motion.

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 no later than 21 days after the motion becomes ripe, and the motion must include those three proposed dates and times at which all counsel, unrepresented parties and other necessary parties will be available.

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 parties are able to reach resolution.

## **VIII. MEDIATION**

Parties shall comply with the rules set forth by the Mediation Office, including but not limited to, submitting a Mediation Readiness Certificate and Confidential Settlement Statement 21 days before the scheduled mediation date. Please refer [here](#) for additional information. If mediation is canceled or no agreement is reached, parties shall promptly inform the court by emailing [JudgeDaysonChambers@dcsc.gov](mailto:JudgeDaysonChambers@dcsc.gov), and suggest alternative mediation dates or dates parties are available for a status hearing. If parties choose to submit to private mediation, they shall provide the court with three potential status dates in addition to the date of the private mediation, in their praecipe requesting Multi-Door Mediation be canceled.

## **IX. PRETRIAL CONFERENCES AND TRIAL READINESS HEARINGS**

**In-person appearance required: Commencing on August 1, 2022, all parties shall appear in-person for pretrial conferences, unless Judge Dayson has authorized or directed parties to appear remotely.**

**Non-party principals:** Any request to excuse a non-party principal from personal attendance at a mediation, pretrial conference, or settlement conference should be made by motion at least two weeks prior to the date of the conference.

**Joint pretrial statements:** Counsel and parties are reminded that Superior Court Rule of Civil Procedure 16(e) requires the filing of a joint pretrial statement no later than one week prior to the pretrial conference. Judge Dayson may *sua sponte* cancel and continue a pretrial conference if the parties have not timely filed the joint pretrial statement. Judge Dayson expects the parties to bring any useful and/or contested photographs, documents or other materials to the Pretrial Conferences. Parties are expected to have exchanged exhibits lists and copies of exhibits, as they anticipate they will be presented at trial prior to the filing of the Joint Pre-trial Statement.

**Motions *in limine*:** Judge Dayson generally rules on motions *in limine* at the pretrial conference. Pursuant to Superior Court Rule of Civil Procedure 16(d), parties should file motions *in limine* at least four weeks before the pretrial conference, unless the Court grants leave to file them later. Oppositions to such motions should be filed no later than two weeks prior to the pretrial conference.

## X. TRIALS

### A. Pre-trial and Trial Procedures

**Trial readiness hearing:** At the pretrial conference, the Court may schedule a trial date as well as a trial readiness hearing to occur approximately two weeks prior to trial. At that hearing counsel and unrepresented parties are required to appear and be prepared to discuss voir dire questions and procedures, all technical questions regarding the presentation of evidence, all technical questions regarding jury selection and trial, scheduling concerns, any remaining evidentiary issues, and other matters requiring the Court's attention prior to trial. **During the trial, counsel are expected to display all exhibits, including audio, video, photographic and documentary exhibits, via WebEx. The trial readiness hearing serves as an opportunity for counsel to ensure that they have the necessary technical capacity and equipment to do so. Therefore, counsel may appear in person or remotely, as they wish.** However, the parties should be prepared to present to the Court any exhibits that may be at issue, either remotely, or in person.

**Trial Status update:** By 1:00 pm on the Wednesday preceding a trial date, the parties jointly, or if mutually agreed on, through one party making a joint representation, shall email chambers to inform chambers whether the parties expect to proceed on the scheduled trial date.

**Trial Schedule:** Trials are scheduled to begin on Mondays at 9:00 am. For jury trials, all counsel and parties shall be present in the courtroom by 9:00 am each trial day to address any preliminary matters, unless informed otherwise by the Court. Trials proceed with evidence and argument Monday through Thursday. In addition, juries are permitted to deliberate on Friday.

**Exhibit Summary Form:** On the first day of trial, each party must give the courtroom clerk and Judge Dayson an exhibit summary form, consistent with the court's ruling and parties stipulations at any pretrial hearings. Parties may obtain this form from the Clerk's office or at <https://www.dccourts.gov/node/18758>.

**Exhibits to be submitted to Court:** All parties must submit all trial exhibits to the Court via Box.com link, which will be provided by chambers prior to the trial. Trial exhibits shall be submitted no later than one week before the scheduled trial date.

**B. Availability During Deliberations.**

All parties and counsel must be available on ten minutes notice throughout deliberations. Counsel and parties should give the courtroom clerk a telephone number where they can be personally reached.

**XI. LANGUAGE ACCESS**

The Court provides professional interpreters in all matters, when needed. The parties must notify the Court in advance of any hearing for which an interpreter will be needed. Family members, friends, counsel, or counsel's staff will not be permitted to interpret for parties or witnesses during a hearing. Parties should notify chambers via email at [JudgeDaysonChambers@dcsc.gov](mailto:JudgeDaysonChambers@dcsc.gov) at least one week prior to any hearing where an interpreter will be needed.

**V. DC. BAR VOLUNTARY STANDARDS OF CIVILITY IN PROFESSIONAL CONDUCT**

Attorneys are expected to adhere to these Standards in their dealings with one another and with other participants in the legal process. The Standards may be found on the D.C. Bar's Website:

[www.dcb.org/for-lawyers/legal-ethics/d-c-bar-voluntary-standards-of-civility-in-profess](http://www.dcb.org/for-lawyers/legal-ethics/d-c-bar-voluntary-standards-of-civility-in-profess).

Judge Dayson and her Chambers' staff express their appreciation in advance for compliance with this Supplement to the General Order.