

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
Civil Division

GENET AMARE)
3556 Fort Lincoln Drive, NE)
Washington, DC 20018)
Plaintiff)
v.) **Civil Action No.**
DISTRICT OF COLUMBIA GOVERNMENT)
1350 Pennsylvania Avenue, NW)
Washington, DC 20004)
Serve on:)
Muriel Bowser, DC Mayor)
1350 Pennsylvania Ave., NW) **Jury Trial Demand**
Washington, DC 20004)
Karl Racine, DC Attorney General)
441 Fourth Street, NW, Suite 630S)
Washington, DC 20001)
and)
MELINDA BOLLING)
1100 4th Street, SW)
Washington, DC 20024)
Defendants)

COMPLAINT

Comes now Plaintiff Genet Amare, by and through her attorneys, and files this Complaint against Defendants, the District of Columbia Government and Melinda Bolling.

JURISDICTION and VENUE

1. This Court has jurisdiction over the subject matter of this complaint pursuant to D.C. Code § 11-921.
2. Venue is proper in this court in that the events giving rise to Plaintiff Amare's claims occurred here in the District of Columbia and Defendants may be found here.

PARTIES

3. Plaintiff Amare is an African American female, a citizen of the United States and a resident of the District of Columbia. She is employed as a FOIA Officer with the District of Columbia Government, Department of Consumer and Regulatory Affairs (DCRA).
4. Defendant Melinda Bolling is the Director of the Department of Consumer and Regulatory Affairs. Defendant Bolling is being sued in her individual capacity. The District of Columbia Government is a municipal government. All defendants are Plaintiff's employers within the meaning of the District of Columbia Whistleblower Protection Act.

FACTUAL ALLEGATIONS

5. Plaintiff Amare, a District of Columbia resident and single mother, began employment with DCRA as a FOIA Officer in September 2017, after working as a FOIA Specialist for the District of Columbia Metropolitan Police Department for five years. At DCRA, Plaintiff Amare worked with Erin Roberts, an African-American female, and reported to the former DCRA General Counsel, Charles Thomas. Mr. Thomas reported to DCRA Director Melinda Bolling. At DCRA, Plaintiff Amare's performance exceeded the expectations for her position.

6. Shortly after Plaintiff Amare and Ms. Roberts began employment, they were provided limited training on retrieving information from all relevant databases, and they learned that DCRA had a significant FOIA backlog. In planning sessions to address the backlog, Director Bolling made it known that she was not concerned about strict adherence to the FOIA deadlines or with any lawsuits or appeals which may be filed as a result of FOIA violations. She issued a directive to DCRA division managers, who then disseminated the information to their staff that they were not to aid Plaintiff Amare and Ms. Roberts in the production of FOIA documents; that FOIA officers were to conduct the search, provide the records to a program officer, provide an affidavit for the program officer to sign, and then the FOIA officers or OGC would compile the information for the requestor. Director Bolling instructed the FOIA officers to attest to methods followed in responding to FOIA requests, which were false. Plaintiff Amare was shocked that Ms. Bolling, who is an attorney, a member of the D.C. Bar, former General Counsel for DCRA, and the Director of the agency would request that FOIA officers make false attestations, and making such false attestations would be unethical and could jeopardize the FOIA officers' bar licenses. The FOIA officers were concerned that they would be unable to provide the requestor a response because of the Agency's lack of support. As a result of the limited training, the significant backlog, and the DCRA Director's decision that other DCRA employees would not assist in responding to FOIA requests, the FOIA officers knew they would be unable to comply with the FOIA requests.
7. The FOIA Officers sought the assistance of former Director for the Office of Open Government for the District, Traci Hughes. Ms. Hughes, who is an attorney herself, knew the implications such actions would have on the officers' bar licenses. Ms. Hughes wrote an

email to Plaintiff Amare and Ms. Roberts stressing the importance of compliance with FOIA, the requirement that each employee adhere to the FOIA statute, and the requirement that each employee with producing records that may be determined responsive comply with FOIA requests. She also stated in an email, which was later sent to General Counsel Charles Thomas and forwarded to Director Bolling, that as the subject matter experts of the records, the identified FOIA contacts in each unit were required to conduct a search for responsive documents. General Counsel Charles Thomas told the FOIA Officers that the Director was continuing with her directive, despite the email from Traci Hughes.

8. Plaintiff Amare refused to make false attestations, and in October 2017, Plaintiff Amare and Ms. Roberts reported the illegal request to the Mayor's office. In a response to a FOIA appeal that was submitted by a requestor to the Mayor's Office of Legal Counsel (MOLC), Plaintiff Amare emailed DCRA's response to the appeal to Ms. Melissa Tucker, Associate Director of MOLC. In that letter, Plaintiff Amare notified Ms. Tucker that the Agency could not comply with the FOIA request in a timely manner due to limited resources and non-compliance by DCRA personnel. Subsequently, Ms. Tucker contacted Plaintiff Amare and Ms. Roberts about the letter via telephone. Plaintiff Amare and Ms. Roberts advised Ms. Tucker of their concerns and the issues they were facing at DCRA and the Director's directive specifically. Ms. Tucker told Plaintiff Amare and Ms. Roberts that she would advise her superiors and reach out to the Director. Later, the former Director of MOLC, Mark Tuohey, then-Deputy Director Ronald Ross (now the Director of MOLC), and Associate Director Melissa Tucker had a phone conference with the Director.
9. Several hours after Director Bolling's phone call with Mr. Tuohey, Mr. Ross, and Ms. Tucker, she called Mr. Thomas, Plaintiff Amare, and Ms. Roberts into a meeting in the

director's conference room. Assistant General Counsel Runako Allsopp, Deputy Director Lori Parris, and Enforcement Administration Officer Susan Burnett were also present at this meeting. During the meeting, Director Bolling misrepresented the facts and made a point to mention in the meeting that Plaintiff Amare and Ms. Roberts were the ones who contacted MOLC about the matter. In that meeting, Director Bolling directed Mr. Thomas to have the attorneys in the office work on FOIA requests for two weeks while the FOIA Officers were given training on the databases because the FOIA Officers were going to do the record searches. When Plaintiff Amare and Ms. Roberts stressed the current backlog and the impending backlog, how those backlogs could turn into appeals and lawsuits, Director Bolling told the FOIA Officers that appeals and lawsuits are slaps on the wrist. Deputy Director Parris told the FOIA Officers to ask the requestors for additional time to respond. When Ms. Parris was advised of the law and the number of days allotted under the statute to respond to FOIA requests, Ms. Parris did not say anything. At the conclusion of the meeting and in the presence of all attendees, Director Bolling told the FOIA Officers that they could go back again and report to MOLC about the meeting. Uncomfortable with what was discussed and Director Bolling's parting words (that the FOIA Officers could go back and report to MOLC), the FOIA Officers contacted Ms. Tucker and advised her of what happened at the meeting. The FOIA Officers told Ms. Tucker they felt the meeting was a blatant bullying tactic. This was also shared with Mr. Thomas.

10. The FOIA Officers shared with Mr. Thomas that they were concerned for their jobs and that they felt they were going to be retaliated against by the Director and her Deputy. Plaintiff Amare and Ms. Roberts contacted BEGA and spoke with Ms. Traci Hughes and reported the issue to her. Both FOIA Officers told Ms. Hughes that they were concerned for their jobs and

for their bar licenses. Ms. Hughes told the FOIA Officers that she would reach out to her counterpart in the Mayor's Office, Karuna Seshasai. After meeting with Ms. Hughes, Plaintiff Amare and Ms. Roberts went to DCHR to file a Whistleblower complaint, however, both FOIA Officers left because they were unable to speak to someone at that time. When Plaintiff Amare and Ms. Roberts returned back to DCRA, they advised Mr. Thomas of their meeting.

11. On November 1, 2017, Ms. Cavendish sent an email to Director Bolling regarding the concerns raised by the FOIA officers and noted that the letter submitted by the FOIA officers, presented "a potentially embarrassing and serious situation for the Mayor and administration." She recounted that the FOIA officers reported that DCRA employees were issued a directive that they were not to aid in the production of FOIA documents and that FOIA officers were to conduct the search, compile the records for the requestor, and then provide an affidavit for the program officers to sign. By signing the affidavit, which must be produced in a FOIA appeal or lawsuit, the program officers are attesting to a search they never conducted. Ms. Cavendish further commented that the FOIA officers were concerned that they would be unable to provide the requestor a response because of the Agency's lack of support. Director Bolling was informed that the FOIA officers met with Traci Hughes, the Director of the Office of Open Government for the District, and Ms. Cavendish reported that the FOIA officers informed Ms. Hughes that FOIA requests at DCRA were not a priority until September 2017 and there would be delays in responses to requestors. Ms. Cavendish informed Ms. Bolling that Ms. Hughes was the Director of an independent agency with advisory and enforcement authority over D.C. agencies and the Mayor's Open Government officer was reviewing the claims of the FOIA officers.

12. Ms. Cavendish cautioned Ms. Bolling that “[i]t is imperative that the agency apply its best efforts to comply with the FOIA law” and warned that FOIA was “one of the few statutes that has clear, statutory deadlines and DCRA needs a process to ensure that it is successful in complying with FOIA law. The penalties and potential lawsuits are serious, and efforts to comply will greatly mitigate the rise of any claims that the Department is arbitrarily engaging in non-compliance. We do not view lawsuits as risking merely a slap on the wrist.” Ms. Cavendish further commented, “we understand the FOIA officers are not yet trained in all the relevant databases where responsive documents can be stored. So until they are trained, they cannot be responsible for personally conducting the initial searches and initial draft affidavits. Bottom line, at all times, the program people will still need some level of involvement in responding to FOIA requests and we hope that through your leadership, any lack of clarity or in-fighting among staff can be resolved to respond to FOIA requests. We’d hope to avoid delays that extend responses beyond the statutory timeline and we certainly don’t want to lose FOIA cases on appeal . . . especially when it’s not a close case with a lack of legal precedent.”

13. Ms. Bolling responded to Ms. Cavendish’s email on November 1, 2017 and stated that she told the FOIA officers that during the interim 45 days while DCRA recruited, hired and trained administrative assistant staff to serve as primary points of contact for FOIA requests in the Inspections and Enforcement Administrations, she wanted the FOIA officers to begin the online search of responsive documents. Ms. Cavendish responded and advised Ms. Bolling that she agreed that the FOIA officers should begin the search, but the FOIA officers had indicated that they had not been trained. She informed Ms. Bolling that Karuna Seshasai was available to work with the FOIA officers to help with solutions to clear the backlog.

14. On November 2, 2017, Ms. Cavendish sent an email to Ms. Bolling inquiring if she and Ms. Seshasai could come to DCRA to participate in a team building exercise, and to emphasize that the Mayor's office did not want any ethics or legal issues. Ms. Bolling declined the offer and responded that DCRA's General Counsel would provide a copy of the revised letter regarding the FOIA request for 3234 N Street to Ms. Cavendish and the DCRA General Counsel would provide a copy of the schedule of program office and online training for DCRA's FOIA officers.
15. After the exchange with Ms. Cavendish, Ms. Bolling made it known that she was displeased that the FOIA officers reported her actions to the Mayor's office and that she was being held accountable for her conduct. Director Bolling personally came into the General Counsel's office, in the absence of Mr. Thomas, directed Plaintiff Amare follow her to the first floor lobby of DCRA and back up to the fourth floor, where Inspection Compliance Administration is located, to locate the documents that were responsive to the request on appeal. Plaintiff Amare was troubled by this behavior and uncomfortable with the Director's conduct. Plaintiff Amare reported this to Mr. Thomas and he was equally troubled. Mr. Thomas shared an email he received from the Director, which detailed what she had done with Plaintiff Amare and that she showed Plaintiff Amare how to get out of her seat and pull the records. Plaintiff Amare felt this was an attempt to bully and humiliate her and to show Plaintiff Amare who was in charge.
16. In December 2017, DCRA's General Counsel, Charles Thomas, posted two attorney positions in his office with the approval of Director Bolling, Agency Fiscal Officer Rebecca Berry and DCRA-Human Resources. As the former General Counsel for DCRA Office of the General Counsel, Director Bolling understands that each manager has full authority to fill

vacant positions in his or her office. Plaintiff Amare applied for one of the attorney positions. The posting closed on January 9, 2018, yet no one notified Mr. Thomas about the status of the applications, and no one at DCRA notified Ms. Amare about the status of her application. Plaintiff Amare later learned through Mr. Thomas that Director Bolling decided she was going to move in a different direction and filling of the attorney positions would be placed on hold. Plaintiff Amare has yet to receive any notification about the position from DCRA Human Resources department.

17. On February 6, 2018, Plaintiff Amare was issued a notification of termination of her appointment to the position of Government Information Specialist, CS-306-13, by Lori Parris, the DCRA Deputy Director. The letter was delivered to Plaintiff Amare by Human Resources Officer Ingrid Jackson and was dated February 5, 2018. In the letter, she was informed that she was being terminated during her period of probation and that her termination was not appealable or grievable. Mr. Thomas, who directly supervised Plaintiff Amare, was not informed or notified of the Director's plan to terminate Plaintiff Amare. When Plaintiff Amare asked Ms. Ingrid why she was being terminated and if Mr. Thomas knew, Ms. Jackson told Plaintiff Amare that the decision was made by the Director, despite Ms. Parris' signature being on the document.

18. Plaintiff Amare responded by writing a letter to the MOLC and Betsy Cavandish, requesting a review of her termination. Less than one week later, Plaintiff Amare's termination was overturned and she was placed on administrative leave. Plaintiff Amare was notified on February 23, 2018 by DCHR that an investigation was being conducted and she would be interviewed. Plaintiff Amare prepared a statement with her response and forwarded it to the DCHR, MOLC, and Ms. Cavendish on February 24, 2018. DCHR notified Plaintiff Amare

that she was on indefinite administrative leave with pay on February 26, 2018. Plaintiff Amare inquired why she was on leave and she was informed that it was for her own safety and it would remain that way until the investigation had concluded.

19. On March 19, 2018, DCHR Director Ventris Gibson wrote a letter to DCRA Director Bolling, advising that Plaintiff Amare should not have been placed on probation based on her prior employment at MPD, and stated that “DCRA must immediately return Plaintiff Amare to full duty. Additionally, DCRA will need to issue Plaintiff Amare a revised offer letter to reflect that she is a Career Service (Permanent) employee, and not subject to a probationary period.” Plaintiff Amare was not returned to work until April 9, 2018. She did not receive a revised offer letter, as Director Gibson ordered.
20. DCHR assigned Justin Zimmerman, Associate Director for Policy to conduct an investigation of Plaintiff Amare’s termination. Plaintiff Amare has not been provided the findings of the investigation, but she was issued a letter on March 26, 2018 informing her she was to return to work on April 9, 2018. She responded on March 27, 2018 inquiring why she could not return to work before April 9, 2018, and what was the significance of April 9, 2018. She also advised Mr. Zimmerman under the District’s personnel manual, Chapter 8, Section 813.9, it appeared that her position was misclassified.
21. DCRA terminated its General Counsel, Mr. Thomas, on April 6, 2018. Plaintiff Amare returned to work on April 9, 2018, and learned that she would report to Susan Burnett, and updated Justin Zimmerman, Ronald Ross, Director of MOLC, and Ventris Gibson, upon her return to work. She also sent an email to DCRA management, inquiring about her other titles and duties, and specifically that prior to her termination she was the EEO Officer, Sexual Harassment Officer and ADA Officer. There was no response to her inquiry.

22. On April 12, 2018, DCRA again posted an Attorney Advisor position, and Plaintiff Amare applied for the position. Plaintiff Amare checked her online personnel file through PeopleSoft and learned that DCRA Human Resources changed her job title from Government Information Specialist to Attorney Advisor, without her knowledge, and without adjusting her pay. Plaintiff Amare continued to monitor her online personnel file for a week and then brought it to DCRA management's attention, however, she received an incoherent reason for the change and later an explanation that the change in her title was an error. Plaintiff Amare does not believe it was an error but believes that DCRA was hoping she would not notice the change in her title, and because the Agency intended that the second job Plaintiff Amare applied for in April 2018 was for another attorney who was working as a paralegal specialist in the Enforcement Division. DCRA Human Resources pulled the attorney position, for the second time after Plaintiff Amare applied, and this time the Human Resources Manager Walter Crawford stated that DCRA felt that the permanent General Counsel should be able to choose his or her own staff. Ms. Amare knew this explanation was false because when the former General Counsel, Charles Thomas, tried to hire more attorneys and select his own staff, Director Bolling and DCRA Human Resources prevented him from doing so.

23. On April 16, 2018, DCRA appointed Esther McGraw as the Interim General Counsel. Ms. McGraw was given a 120-day detail into the position. From the beginning of the detail, Ms. McGraw had a negative disposition towards Plaintiff Amare and began a campaign to target Plaintiff Amare for removal. One of the first acts Ms. McGraw took was to eliminate telework for Plaintiff Amare and Erin Roberts. Before the prior General Counsel was terminated, Mr. Thomas authorized designated telework days for Plaintiff Amare and Ms. Roberts, as well as for other employees in the Office of the General Counsel. Mr. Thomas

used the telework policy supplied by DCHR, which was approved by DCRA-HR, similar to what other agencies have done in the D.C. Government. Ms. McGraw told Plaintiff Amare and Ms. Roberts that they could no longer telework because DCRA does not have a policy in place, which permits it. Plaintiff Amare and Ms. Roberts knew this statement to be false and believed that the intended goal of the revocation of their telework days was to get a reaction from Plaintiff Amare and Ms. Roberts. Rather than react, Plaintiff Amare and Ms. Roberts acknowledged the termination of their telework days and said nothing else. This conversation took place in Plaintiff Amare's office.

24. On April 23, 2018, Ms. McGraw met with OGC staff. During this meeting, Ms. McGraw introduced Anna Kaprelova, a paralegal specialist and announced that she would be detailed to the Office of General Counsel for 120-days from the Civil Infraction Division. Ms. Kaprelova was a former attorney fellow with OGC. Ms. McGraw stated that Assistant General Counsel Adrienne Lord-Sorenson and Paralegal Specialist April Ransome would be handling all Zoning cases. Ms. Kaprelova is licensed in Maryland but not in the District of Columbia, and therefore is unable to represent DCRA as an attorney. As a paralegal specialist, Ms. Kaprelova was tasked with reviewing Notices of Infractions in the Civil Infraction Division and under the prior General Counsel, a review of her work revealed several errors and issues. Ms. McGraw did not ask any other attorney at DCRA to work on the Zoning cases. During the meeting, Plaintiff Amare alerted Ms. McGraw again that she was interested in working on cases as an attorney, and Ms. McGraw simply ignored Plaintiff Amare. Thus, Ms. McGraw permitted someone outside the Office of General Counsel who is not licensed as an attorney in the District of Columbia and cannot independently represent the Agency as an attorney, to handle cases, but denied the same opportunity to Plaintiff

Amare, an attorney already working in the Office of General Counsel and who is a member of the District of Columbia bar. The Office of General Counsel only has four attorneys and is overwhelmed with work, but Ms. McGraw, at the direction of Ms. Bolling and Ms. Parris, has made it her mission that Plaintiff Amare will not work on any matters other than FOIA matters.

25. Next, Ms. McGraw required the FOIA Officers to send her all of their response letters and documents for review prior to releasing the documents to the requestors. Over the period of a month, Ms. McGraw focused on Plaintiff Amare's work and scrutinized all of her work. Plaintiff Amare suspected that she was being singled out for scrutiny of her work and conferred with Ms. Roberts who confirmed that Ms. McGraw did not scrutinize her work. Plaintiff Amare believes that Ms. McGraw was directed by Director Bolling and Deputy Director Lori Parris to target Plaintiff Amare. Ms. McGraw's direct report at DCRA is Lori Parris and she also reports to the Director.
26. On May 7, 2018, Ms. McGraw announced that two former attorney fellows were asked to return to DCRA to assist with cases, and would be working in the Office of General Counsel. Ms. McGraw stated that the individuals would be helping with caseloads because they wanted additional experience as litigators. Once again, Ms. McGraw overlooked Plaintiff Amare.
27. In June 2018, Plaintiff Amare applied for the Certified Public Manager Program (CPM), and part of the application required that the applicant's supervisor complete a confidential evaluation. Plaintiff Amare was contacted before the deadline by Vivian Liu in DCHR and advised that her supervisor had not completed the evaluation. Ms. Liu informed Plaintiff Amare that Ms. McGraw finally completed the evaluation on June 7, 2018, and simply

checked the box that read, Do Not Recommend, for the program. She issued the recommendation, despite the fact that Ms. McGraw had been on the detail for less than two months. Ms. McGraw did not provide a reason or justification for her evaluation and also waited until the deadline to submit her recommendation, which effectively prevented Plaintiff Amare from taking any steps to challenge her recommendation before the deadline. This was deeply upsetting to Plaintiff Amare and even Ms. Liu believed it was odd that Ms. McGraw provided no justification or rating. When Plaintiff Amare contacted Ms. McGraw by email to inquire why she did not recommend Plaintiff Amare, Ms. McGraw was unable to provide an explanation. Ms. McGraw refused to respond to the email, and offered to discuss the matter with Plaintiff Amare, and later made excuses about being unable to talk about the matter, and suggested they discuss it “next week.” To date, Ms. McGraw has not provided her explanation in writing for not recommending her for the program.

COUNT I

Violation of the District of Columbia Whistleblower Protection Act D.C. Code Ann § 1-615.51 *et seq.*

Plaintiff Amare adopts by reference each of the allegations in the paragraphs above.

28. At all pertinent times, the Defendants, the District of Columbia and Bolling were employers subject to provisions of the D.C. Whistleblower Protection Act, D.C. Code Ann § 1-615.51 *et seq.* Defendant Bolling is personally liable for her actions under the D.C. Whistleblower Protection Act.
29. At all pertinent times, Plaintiff Amare was an employee entitled to protection under the D.C. Whistleblower Protection Act.
30. The D.C. Whistleblower Protection Act prohibits personnel action being taken against an employee because she refuses to comply with an illegal order or because she has made a

protected disclosure. The D.C. Whistleblower Protection Act guarantees that a D.C. employee is free to disclose information that is illegal or unethical or that threatens public funds and public health and safety without fear of retaliation. Plaintiff Amare reported violations of the D.C. Freedom of Information Act, including efforts to force FOIA officers to ignore FOIA timelines or to knowingly and intentionally fail to comply with timelines for responding to FOIA requests and to submit fraudulent affidavits attesting to record searches, which they had not conducted.

31. Defendants took “prohibited personnel actions,” as defined by the Whistleblower Protection Act § 1-615.52(a)(5), and otherwise retaliated against Plaintiff Amare because of her protected activity. These actions included subjecting her to and placing her in a hostile work environment, withdrawing and/or cancelling attorney positions for which she applied; terminating her employment; cancelling her telework agreement; refusing to consider her for vacant attorney positions within DCRA while selecting attorneys from elsewhere within the Agency for the positions; scrutinizing her work and refusing to recommend her for the CPM program. Plaintiff Amare’s exercise of her whistleblower rights was a substantial or motivating factor in the adverse actions taken against her by DCRA and the individual Defendant.

32. As a direct and proximate cause of the Defendants’ actions, Plaintiff Amare lost wages and benefits, and suffered damage to her professional reputation, emotional distress, embarrassment, anxiety, fatigue, mental distress, humiliation, illness, and damage to her employment and personal reputation.

Prayer for Relief

WHEREFORE, Plaintiff Genet Amare prays as follows:

A. That the court issue an Order declaring Defendants' actions to be a violation of the D.C. Whistleblower Protection Act, D.C. Code Ann § 1-615.51 *et seq.* and declaring Plaintiff eligible to receive equitable and other relief;

B. Enter judgment against the Defendants in an amount to be determined at trial;

C. Order Defendant District of Columbia Government to remove all disciplinary action taken against Plaintiff Amare;

D. Issue a permanent injunction prohibiting Defendants from engaging in any violations of the D.C. Whistleblower Protection Act, D.C. Code Ann § 1-615.51 *et seq.*;

E. Enter judgment in favor of Plaintiff against Defendants for all equitable monetary damages available under the law, including but not limited to back pay and front pay in amounts to be determined at trial;

F. Order Defendants to refrain from any retaliation against Plaintiff or any other person, for participating in or supporting this case in any manner;

G. Order Defendants to pay compensatory damages in amounts to be determined at trial;

H. Order Defendants to pay Plaintiff's reasonable attorneys' fees, expert fees and costs; and

I. Order Defendants to pay pre-judgment and post-judgment interest as provided by law.

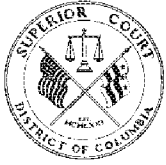
Respectfully submitted,

/s/

David A. Branch #438764
Law Offices of David A. Branch &
Associates, PLLC
1828 L Street, NW, Suite 820
Washington, DC 20036
(202) 785-2805

Jury Trial Demand

Plaintiff demands a jury trial on all claims against Defendants.



Superior Court of the District of Columbia
CIVIL DIVISION
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Telephone: (202) 879-1133

GENET AMARE

Plaintiff

vs.

Case Number _____

DISTRICT OF COLUMBIA GOVERNMENT and MELINDA BOLLING

Defendant

Serve on:
 Melinda Bolling
 1100 4th Street, S.W.
 Washington, D.C. 20024

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 (20) 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 party 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 five (5) 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 A. Branch

Clerk of the Court

Name of Plaintiff's Attorney

1828 L Street NW, Suite 820

Address

Washington, DC 20036

202-785-2805

Telephone

如需翻译,请打电话 (202) 879-4828

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

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

번역을 원하시면, (202) 879-4828 로 전화하십시오

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By _____

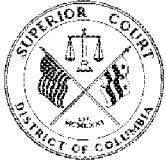
Deputy Clerk

Date _____

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**

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

_____ Demandante
contra _____
Número de Caso: _____
_____ Demandado

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 veinte (20) 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 cinco (5) 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.

SECRETARIO DEL TRIBUNAL

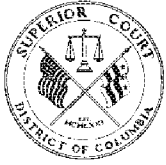
Nombre del abogado del Demandante _____
Dirección _____
Teléfono _____
Por: _____ Subsecretario
Fecha _____

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bản dịch, hãy gọi (202) 879-4828
번역을 원하시면 (202) 879-4828 로 전화하십시오 የአግርኛ 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, PODRÍAN RETENERLE SUS INGRESOS, O PODRÍAN TOMAR SUS BIENES PERSONALES O RAÍCES Y VENDERLOS 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 afrontar el costo de 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 de 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
500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Telephone: (202) 879-1133**

GENET AMARE

Plaintiff

vs.

Case Number _____

DISTRICT OF COLUMBIA GOVERNMENT and MELINDA BOLLING

Defendant

Serve on:
Karl Racine
441 Fourth St., N.W., Suite 630 S
Washington, DC 20001

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 (20) 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 party 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 five (5) 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 A. Branch

Clerk of the Court

Name of Plaintiff's Attorney

1828 L Street NW, Suite 820

Address

Washington, DC 20036

202-785-2805

Telephone

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bản dịch, hãy gọi (202) 879-4828
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By _____

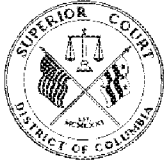
Deputy Clerk

Date _____

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.

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



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

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

_____ Demandante
 contra _____
 Número de Caso: _____
 _____ Demandado

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 veinte (20) 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 cinco (5) 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.

SECRETARIO DEL TRIBUNAL

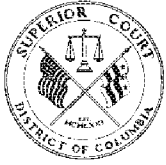
Nombre del abogado del Demandante _____
 Dirección _____
 Teléfono _____
 Por: _____ Subsecretario
 Fecha _____

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

GENET AMARE

Plaintiff

vs.

Case Number _____

DISTRICT OF COLUMBIA GOVERNMENT and MELINDA BOLLING

Defendant

Serve on:
Muriel Bowser
Mayor of the District of Columbia
1350 Pennsylvania Ave., NW
Washington, DC 20004

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 (20) 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 party 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.

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David A. Branch

Clerk of the Court

Name of Plaintiff's Attorney

1828 L Street NW, Suite 820

Address

Washington, DC 20036

202-785-2805

Telephone

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By _____

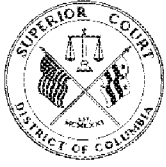
Deputy Clerk

Date _____

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DIVISIÓN CIVIL**

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

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contra _____

Número de Caso: _____

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SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante _____

Por: _____
Subsecretario

Dirección _____

Fecha _____

Teléfono _____

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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 INFORMATION SHEET

GENET AMARE

Case Number: _____

vs

Date: _____ August 10, 2018 _____

DISTRICT OF COLUMBIA GOVERNMENT and MELINDA BOLLING

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

Name: <i>(Please Print)</i> David A. Branch	Relationship to Lawsuit
Firm Name: Law Office of David A. Branch & Associates, PLLC	<input checked="" type="checkbox"/> Attorney for Plaintiff
Telephone No.: (202) 785-2805 Six digit Unified Bar No.: #438764	<input type="checkbox"/> Self (Pro Se)
	<input type="checkbox"/> Other: _____

TYPE OF CASE: Non-Jury 6 Person Jury 12 Person Jury
Demand: \$ No Less than \$1,000,000. 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 | <input type="checkbox"/> 26 Insurance/Subrogation |
| <input type="checkbox"/> 07 Personal Property | Over \$25,000 Pltf. Grants Consent | Over \$25,000 Consent Denied |
| <input checked="" type="checkbox"/> 13 Employment Discrimination | <input type="checkbox"/> 07 Insurance/Subrogation | <input type="checkbox"/> 34 Insurance/Subrogation |
| <input type="checkbox"/> 15 Special Education Fees | Under \$25,000 Pltf. Grants Consent | Under \$25,000 Consent Denied |
| | <input type="checkbox"/> 28 Motion to Confirm Arbitration | |
| | Award (Collection Cases Only) | |

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 |

SEE REVERSE SIDE AND CHECK HERE IF USED

Information Sheet, Continued

C. OTHERS

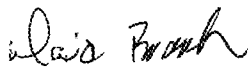
- | | |
|---|---|
| <input type="checkbox"/> 01 Accounting | <input type="checkbox"/> 17 Merit Personnel Act (OEA) |
| <input type="checkbox"/> 02 Att. Before Judgment | (D.C. Code Title 1, Chapter 6) |
| <input type="checkbox"/> 05 Ejectment | <input type="checkbox"/> 18 Product Liability |
| <input 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 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

August 10, 2018

Date

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
Civil Division

GENET AMARE
3556 Fort Lincoln Drive, NE
Washington, DC 20018

Plaintiff

v.

DISTRICT OF COLUMBIA GOVERNMENT
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Serve on:

Muriel Bowser, DC Mayor
1350 Pennsylvania Ave., NW
Washington, DC 20004

Karl Racine, DC Attorney General
441 Fourth Street, NW, Suite 630S
Washington, DC 20001

and

MELINDA BOLLING
1100 4th Street, SW
Washington, DC 20024

Defendants

Civil Action No. 2018 CA 005787 B

Jury Trial Demand

COMPLAINT

Comes now Plaintiff Genet Amare, by and through her attorneys, and files this Complaint against Defendants, the District of Columbia Government and Melinda Bolling.

JURISDICTION and VENUE

1. This Court has jurisdiction over the subject matter of this complaint pursuant to D.C. Code § 11-921.
2. Venue is proper in this court in that the events giving rise to Plaintiff Amare's claims occurred here in the District of Columbia and Defendants may be found here.

PARTIES

3. Plaintiff Amare is an African American female, a citizen of the United States and a resident of the District of Columbia. She is employed as a FOIA Officer with the District of Columbia Government, Department of Consumer and Regulatory Affairs (DCRA).
4. Defendant Melinda Bolling is the Director of the Department of Consumer and Regulatory Affairs. Defendant Bolling is being sued in her individual capacity. The District of Columbia Government is a municipal government. All defendants are Plaintiff's employers within the meaning of the District of Columbia Whistleblower Protection Act.

FACTUAL ALLEGATIONS

5. Plaintiff Amare, a District of Columbia resident and single mother, began employment with DCRA as a FOIA Officer in September 2017, after working as a FOIA Specialist for the District of Columbia Metropolitan Police Department for five years. At DCRA, Plaintiff Amare worked with Erin Roberts, an African-American female, and reported to the former DCRA General Counsel, Charles Thomas. Mr. Thomas reported to DCRA Director Melinda Bolling. At DCRA, Plaintiff Amare's performance exceeded the expectations for her position.

6. Shortly after Plaintiff Amare and Ms. Roberts began employment, they were provided limited training on retrieving information from all relevant databases, and they learned that DCRA had a significant FOIA backlog. In planning sessions to address the backlog, Director Bolling made it known that she was not concerned about strict adherence to the FOIA deadlines or with any lawsuits or appeals which may be filed as a result of FOIA violations. She issued a directive to DCRA division managers, who then disseminated the information to their staff that they were not to aid Plaintiff Amare and Ms. Roberts in the production of FOIA documents; that FOIA officers were to conduct the search, provide the records to a program officer, provide an affidavit for the program officer to sign, and then the FOIA officers or OGC would compile the information for the requestor. Director Bolling instructed the FOIA officers to attest to methods followed in responding to FOIA requests, which were false. Plaintiff Amare was shocked that Ms. Bolling, who is an attorney, a member of the D.C. Bar, former General Counsel for DCRA, and the Director of the agency would request that FOIA officers make false attestations, and making such false attestations would be unethical and could jeopardize the FOIA officers' bar licenses. The FOIA officers were concerned that they would be unable to provide the requestor a response because of the Agency's lack of support. As a result of the limited training, the significant backlog, and the DCRA Director's decision that other DCRA employees would not assist in responding to FOIA requests, the FOIA officers knew they would be unable to comply with the FOIA requests.
7. The FOIA Officers sought the assistance of former Director for the Office of Open Government for the District, Traci Hughes. Ms. Hughes, who is an attorney herself, knew the implications such actions would have on the officers' bar licenses. Ms. Hughes wrote an

email to Plaintiff Amare and Ms. Roberts stressing the importance of compliance with FOIA, the requirement that each employee adhere to the FOIA statute, and the requirement that each employee with producing records that may be determined responsive comply with FOIA requests. She also stated in an email, which was later sent to General Counsel Charles Thomas and forwarded to Director Bolling, that as the subject matter experts of the records, the identified FOIA contacts in each unit were required to conduct a search for responsive documents. General Counsel Charles Thomas told the FOIA Officers that the Director was continuing with her directive, despite the email from Traci Hughes.

8. Plaintiff Amare refused to make false attestations, and in October 2017, Plaintiff Amare and Ms. Roberts reported the illegal request to the Mayor's office. In a response to a FOIA appeal that was submitted by a requestor to the Mayor's Office of Legal Counsel (MOLC), Plaintiff Amare emailed DCRA's response to the appeal to Ms. Melissa Tucker, Associate Director of MOLC. In that letter, Plaintiff Amare notified Ms. Tucker that the Agency could not comply with the FOIA request in a timely manner due to limited resources and non-compliance by DCRA personnel. Subsequently, Ms. Tucker contacted Plaintiff Amare and Ms. Roberts about the letter via telephone. Plaintiff Amare and Ms. Roberts advised Ms. Tucker of their concerns and the issues they were facing at DCRA and the Director's directive specifically. Ms. Tucker told Plaintiff Amare and Ms. Roberts that she would advise her superiors and reach out to the Director. Later, the former Director of MOLC, Mark Tuohey, then-Deputy Director Ronald Ross (now the Director of MOLC), and Associate Director Melissa Tucker had a phone conference with the Director.
9. Several hours after Director Bolling's phone call with Mr. Tuohey, Mr. Ross, and Ms. Tucker, she called Mr. Thomas, Plaintiff Amare, and Ms. Roberts into a meeting in the

director's conference room. Assistant General Counsel Runako Allsopp, Deputy Director Lori Parris, and Enforcement Administration Officer Susan Burnett were also present at this meeting. During the meeting, Director Bolling misrepresented the facts and made a point to mention in the meeting that Plaintiff Amare and Ms. Roberts were the ones who contacted MOLC about the matter. In that meeting, Director Bolling directed Mr. Thomas to have the attorneys in the office work on FOIA requests for two weeks while the FOIA Officers were given training on the databases because the FOIA Officers were going to do the record searches. When Plaintiff Amare and Ms. Roberts stressed the current backlog and the impending backlog, how those backlogs could turn into appeals and lawsuits, Director Bolling told the FOIA Officers that appeals and lawsuits are slaps on the wrist. Deputy Director Parris told the FOIA Officers to ask the requestors for additional time to respond. When Ms. Parris was advised of the law and the number of days allotted under the statute to respond to FOIA requests, Ms. Parris did not say anything. At the conclusion of the meeting and in the presence of all attendees, Director Bolling told the FOIA Officers that they could go back again and report to MOLC about the meeting. Uncomfortable with what was discussed and Director Bolling's parting words (that the FOIA Officers could go back and report to MOLC), the FOIA Officers contacted Ms. Tucker and advised her of what happened at the meeting. The FOIA Officers told Ms. Tucker they felt the meeting was a blatant bullying tactic. This was also shared with Mr. Thomas.

10. The FOIA Officers shared with Mr. Thomas that they were concerned for their jobs and that they felt they were going to be retaliated against by the Director and her Deputy. Plaintiff Amare and Ms. Roberts contacted BEGA and spoke with Ms. Traci Hughes and reported the issue to her. Both FOIA Officers told Ms. Hughes that they were concerned for their jobs and

for their bar licenses. Ms. Hughes told the FOIA Officers that she would reach out to her counterpart in the Mayor's Office, Karuna Seshasai. After meeting with Ms. Hughes, Plaintiff Amare and Ms. Roberts went to DCHR to file a Whistleblower complaint, however, both FOIA Officers left because they were unable to speak to someone at that time. When Plaintiff Amare and Ms. Roberts returned back to DCRA, they advised Mr. Thomas of their meeting.

11. On November 1, 2017, Ms. Cavendish sent an email to Director Bolling regarding the concerns raised by the FOIA officers and noted that the letter submitted by the FOIA officers, presented "a potentially embarrassing and serious situation for the Mayor and administration." She recounted that the FOIA officers reported that DCRA employees were issued a directive that they were not to aid in the production of FOIA documents and that FOIA officers were to conduct the search, compile the records for the requestor, and then provide an affidavit for the program officers to sign. By signing the affidavit, which must be produced in a FOIA appeal or lawsuit, the program officers are attesting to a search they never conducted. Ms. Cavendish further commented that the FOIA officers were concerned that they would be unable to provide the requestor a response because of the Agency's lack of support. Director Bolling was informed that the FOIA officers met with Traci Hughes, the Director of the Office of Open Government for the District, and Ms. Cavendish reported that the FOIA officers informed Ms. Hughes that FOIA requests at DCRA were not a priority until September 2017 and there would be delays in responses to requestors. Ms. Cavendish informed Ms. Bolling that Ms. Hughes was the Director of an independent agency with advisory and enforcement authority over D.C. agencies and the Mayor's Open Government officer was reviewing the claims of the FOIA officers.

12. Ms. Cavendish cautioned Ms. Bolling that “[i]t is imperative that the agency apply its best efforts to comply with the FOIA law” and warned that FOIA was “one of the few statutes that has clear, statutory deadlines and DCRA needs a process to ensure that it is successful in complying with FOIA law. The penalties and potential lawsuits are serious, and efforts to comply will greatly mitigate the rise of any claims that the Department is arbitrarily engaging in non-compliance. We do not view lawsuits as risking merely a slap on the wrist.” Ms. Cavendish further commented, “we understand the FOIA officers are not yet trained in all the relevant databases where responsive documents can be stored. So until they are trained, they cannot be responsible for personally conducting the initial searches and initial draft affidavits. Bottom line, at all times, the program people will still need some level of involvement in responding to FOIA requests and we hope that through your leadership, any lack of clarity or in-fighting among staff can be resolved to respond to FOIA requests. We’d hope to avoid delays that extend responses beyond the statutory timeline and we certainly don’t want to lose FOIA cases on appeal . . . especially when it’s not a close case with a lack of legal precedent.”

13. Ms. Bolling responded to Ms. Cavendish’s email on November 1, 2017 and stated that she told the FOIA officers that during the interim 45 days while DCRA recruited, hired and trained administrative assistant staff to serve as primary points of contact for FOIA requests in the Inspections and Enforcement Administrations, she wanted the FOIA officers to begin the online search of responsive documents. Ms. Cavendish responded and advised Ms. Bolling that she agreed that the FOIA officers should begin the search, but the FOIA officers had indicated that they had not been trained. She informed Ms. Bolling that Karuna Seshasai was available to work with the FOIA officers to help with solutions to clear the backlog.

14. On November 2, 2017, Ms. Cavendish sent an email to Ms. Bolling inquiring if she and Ms. Seshasai could come to DCRA to participate in a team building exercise, and to emphasize that the Mayor's office did not want any ethics or legal issues. Ms. Bolling declined the offer and responded that DCRA's General Counsel would provide a copy of the revised letter regarding the FOIA request for 3234 N Street to Ms. Cavendish and the DCRA General Counsel would provide a copy of the schedule of program office and online training for DCRA's FOIA officers.
15. After the exchange with Ms. Cavendish, Ms. Bolling made it known that she was displeased that the FOIA officers reported her actions to the Mayor's office and that she was being held accountable for her conduct. Director Bolling personally came into the General Counsel's office, in the absence of Mr. Thomas, directed Plaintiff Amare follow her to the first floor lobby of DCRA and back up to the fourth floor, where Inspection Compliance Administration is located, to locate the documents that were responsive to the request on appeal. Plaintiff Amare was troubled by this behavior and uncomfortable with the Director's conduct. Plaintiff Amare reported this to Mr. Thomas and he was equally troubled. Mr. Thomas shared an email he received from the Director, which detailed what she had done with Plaintiff Amare and that she showed Plaintiff Amare how to get out of her seat and pull the records. Plaintiff Amare felt this was an attempt to bully and humiliate her and to show Plaintiff Amare who was in charge.
16. In December 2017, DCRA's General Counsel, Charles Thomas, posted two attorney positions in his office with the approval of Director Bolling, Agency Fiscal Officer Rebecca Berry and DCRA-Human Resources. As the former General Counsel for DCRA Office of the General Counsel, Director Bolling understands that each manager has full authority to fill

vacant positions in his or her office. Plaintiff Amare applied for one of the attorney positions. The posting closed on January 9, 2018, yet no one notified Mr. Thomas about the status of the applications, and no one at DCRA notified Ms. Amare about the status of her application. Plaintiff Amare later learned through Mr. Thomas that Director Bolling decided she was going to move in a different direction and filling of the attorney positions would be placed on hold. Plaintiff Amare has yet to receive any notification about the position from DCRA Human Resources department.

17. On February 6, 2018, Plaintiff Amare was issued a notification of termination of her appointment to the position of Government Information Specialist, CS-306-13, by Lori Parris, the DCRA Deputy Director. The letter was delivered to Plaintiff Amare by Human Resources Officer Ingrid Jackson and was dated February 5, 2018. In the letter, she was informed that she was being terminated during her period of probation and that her termination was not appealable or grievable. Mr. Thomas, who directly supervised Plaintiff Amare, was not informed or notified of the Director's plan to terminate Plaintiff Amare. When Plaintiff Amare asked Ms. Ingrid why she was being terminated and if Mr. Thomas knew, Ms. Jackson told Plaintiff Amare that the decision was made by the Director, despite Ms. Parris' signature being on the document.

18. Plaintiff Amare responded by writing a letter to the MOLC and Betsy Cavandish, requesting a review of her termination. Less than one week later, Plaintiff Amare's termination was overturned and she was placed on administrative leave. Plaintiff Amare was notified on February 23, 2018 by DCHR that an investigation was being conducted and she would be interviewed. Plaintiff Amare prepared a statement with her response and forwarded it to the DCHR, MOLC, and Ms. Cavendish on February 24, 2018. DCHR notified Plaintiff Amare

that she was on indefinite administrative leave with pay on February 26, 2018. Plaintiff Amare inquired why she was on leave and she was informed that it was for her own safety and it would remain that way until the investigation had concluded.

19. On March 19, 2018, DCHR Director Ventris Gibson wrote a letter to DCRA Director Bolling, advising that Plaintiff Amare should not have been placed on probation based on her prior employment at MPD, and stated that “DCRA must immediately return Plaintiff Amare to full duty. Additionally, DCRA will need to issue Plaintiff Amare a revised offer letter to reflect that she is a Career Service (Permanent) employee, and not subject to a probationary period.” Plaintiff Amare was not returned to work until April 9, 2018. She did not receive a revised offer letter, as Director Gibson ordered.

20. DCHR assigned Justin Zimmerman, Associate Director for Policy to conduct an investigation of Plaintiff Amare’s termination. Plaintiff Amare has not been provided the findings of the investigation, but she was issued a letter on March 26, 2018 informing her she was to return to work on April 9, 2018. She responded on March 27, 2018 inquiring why she could not return to work before April 9, 2018, and what was the significance of April 9, 2018. She also advised Mr. Zimmerman under the District’s personnel manual, Chapter 8, Section 813.9, it appeared that her position was misclassified.

21. DCRA terminated its General Counsel, Mr. Thomas, on April 6, 2018. Plaintiff Amare returned to work on April 9, 2018, and learned that she would report to Susan Burnett, and updated Justin Zimmerman, Ronald Ross, Director of MOLC, and Ventris Gibson, upon her return to work. She also sent an email to DCRA management, inquiring about her other titles and duties, and specifically that prior to her termination she was the EEO Officer, Sexual Harassment Officer and ADA Officer. There was no response to her inquiry.

22. On April 12, 2018, DCRA again posted an Attorney Advisor position, and Plaintiff Amare applied for the position. Plaintiff Amare checked her online personnel file through PeopleSoft and learned that DCRA Human Resources changed her job title from Government Information Specialist to Attorney Advisor, without her knowledge, and without adjusting her pay. Plaintiff Amare continued to monitor her online personnel file for a week and then brought it to DCRA management's attention, however, she received an incoherent reason for the change and later an explanation that the change in her title was an error. Plaintiff Amare does not believe it was an error but believes that DCRA was hoping she would not notice the change in her title, and because the Agency intended that the second job Plaintiff Amare applied for in April 2018 was for another attorney who was working as a paralegal specialist in the Enforcement Division. DCRA Human Resources pulled the attorney position, for the second time after Plaintiff Amare applied, and this time the Human Resources Manager Walter Crawford stated that DCRA felt that the permanent General Counsel should be able to choose his or her own staff. Ms. Amare knew this explanation was false because when the former General Counsel, Charles Thomas, tried to hire more attorneys and select his own staff, Director Bolling and DCRA Human Resources prevented him from doing so.

23. On April 16, 2018, DCRA appointed Esther McGraw as the Interim General Counsel. Ms. McGraw was given a 120-day detail into the position. From the beginning of the detail, Ms. McGraw had a negative disposition towards Plaintiff Amare and began a campaign to target Plaintiff Amare for removal. One of the first acts Ms. McGraw took was to eliminate telework for Plaintiff Amare and Erin Roberts. Before the prior General Counsel was terminated, Mr. Thomas authorized designated telework days for Plaintiff Amare and Ms. Roberts, as well as for other employees in the Office of the General Counsel. Mr. Thomas

used the telework policy supplied by DCHR, which was approved by DCRA-HR, similar to what other agencies have done in the D.C. Government. Ms. McGraw told Plaintiff Amare and Ms. Roberts that they could no longer telework because DCRA does not have a policy in place, which permits it. Plaintiff Amare and Ms. Roberts knew this statement to be false and believed that the intended goal of the revocation of their telework days was to get a reaction from Plaintiff Amare and Ms. Roberts. Rather than react, Plaintiff Amare and Ms. Roberts acknowledged the termination of their telework days and said nothing else. This conversation took place in Plaintiff Amare's office.

24. On April 23, 2018, Ms. McGraw met with OGC staff. During this meeting, Ms. McGraw introduced Anna Kaprelova, a paralegal specialist and announced that she would be detailed to the Office of General Counsel for 120-days from the Civil Infraction Division. Ms. Kaprelova was a former attorney fellow with OGC. Ms. McGraw stated that Assistant General Counsel Adrienne Lord-Sorenson and Paralegal Specialist April Ransome would be handling all Zoning cases. Ms. Kaprelova is licensed in Maryland but not in the District of Columbia, and therefore is unable to represent DCRA as an attorney. As a paralegal specialist, Ms. Kaprelova was tasked with reviewing Notices of Infractions in the Civil Infraction Division and under the prior General Counsel, a review of her work revealed several errors and issues. Ms. McGraw did not ask any other attorney at DCRA to work on the Zoning cases. During the meeting, Plaintiff Amare alerted Ms. McGraw again that she was interested in working on cases as an attorney, and Ms. McGraw simply ignored Plaintiff Amare. Thus, Ms. McGraw permitted someone outside the Office of General Counsel who is not licensed as an attorney in the District of Columbia and cannot independently represent the Agency as an attorney, to handle cases, but denied the same opportunity to Plaintiff

Amare, an attorney already working in the Office of General Counsel and who is a member of the District of Columbia bar. The Office of General Counsel only has four attorneys and is overwhelmed with work, but Ms. McGraw, at the direction of Ms. Bolling and Ms. Parris, has made it her mission that Plaintiff Amare will not work on any matters other than FOIA matters.

25. Next, Ms. McGraw required the FOIA Officers to send her all of their response letters and documents for review prior to releasing the documents to the requestors. Over the period of a month, Ms. McGraw focused on Plaintiff Amare's work and scrutinized all of her work. Plaintiff Amare suspected that she was being singled out for scrutiny of her work and conferred with Ms. Roberts who confirmed that Ms. McGraw did not scrutinize her work. Plaintiff Amare believes that Ms. McGraw was directed by Director Bolling and Deputy Director Lori Parris to target Plaintiff Amare. Ms. McGraw's direct report at DCRA is Lori Parris and she also reports to the Director.
26. On May 7, 2018, Ms. McGraw announced that two former attorney fellows were asked to return to DCRA to assist with cases, and would be working in the Office of General Counsel. Ms. McGraw stated that the individuals would be helping with caseloads because they wanted additional experience as litigators. Once again, Ms. McGraw overlooked Plaintiff Amare.
27. In June 2018, Plaintiff Amare applied for the Certified Public Manager Program (CPM), and part of the application required that the applicant's supervisor complete a confidential evaluation. Plaintiff Amare was contacted before the deadline by Vivian Liu in DCHR and advised that her supervisor had not completed the evaluation. Ms. Liu informed Plaintiff Amare that Ms. McGraw finally completed the evaluation on June 7, 2018, and simply

checked the box that read, Do Not Recommend, for the program. She issued the recommendation, despite the fact that Ms. McGraw had been on the detail for less than two months. Ms. McGraw did not provide a reason or justification for her evaluation and also waited until the deadline to submit her recommendation, which effectively prevented Plaintiff Amare from taking any steps to challenge her recommendation before the deadline. This was deeply upsetting to Plaintiff Amare and even Ms. Liu believed it was odd that Ms. McGraw provided no justification or rating. When Plaintiff Amare contacted Ms. McGraw by email to inquire why she did not recommend Plaintiff Amare, Ms. McGraw was unable to provide an explanation. Ms. McGraw refused to respond to the email, and offered to discuss the matter with Plaintiff Amare, and later made excuses about being unable to talk about the matter, and suggested they discuss it “next week.” To date, Ms. McGraw has not provided her explanation in writing for not recommending her for the program.

COUNT I

Violation of the District of Columbia Whistleblower Protection Act D.C. Code Ann § 1-615.51 *et seq.*

Plaintiff Amare adopts by reference each of the allegations in the paragraphs above.

28. At all pertinent times, the Defendants, the District of Columbia and Bolling were employers subject to provisions of the D.C. Whistleblower Protection Act, D.C. Code Ann § 1-615.51 *et seq.* Defendant Bolling is personally liable for her actions under the D.C. Whistleblower Protection Act.
29. At all pertinent times, Plaintiff Amare was an employee entitled to protection under the D.C. Whistleblower Protection Act.
30. The D.C. Whistleblower Protection Act prohibits personnel action being taken against an employee because she refuses to comply with an illegal order or because she has made a

protected disclosure. The D.C. Whistleblower Protection Act guarantees that a D.C. employee is free to disclose information that is illegal or unethical or that threatens public funds and public health and safety without fear of retaliation. Plaintiff Amare reported violations of the D.C. Freedom of Information Act, including efforts to force FOIA officers to ignore FOIA timelines or to knowingly and intentionally fail to comply with timelines for responding to FOIA requests and to submit fraudulent affidavits attesting to record searches, which they had not conducted.

31. Defendants took “prohibited personnel actions,” as defined by the Whistleblower Protection Act § 1-615.52(a)(5), and otherwise retaliated against Plaintiff Amare because of her protected activity. These actions included subjecting her to and placing her in a hostile work environment, withdrawing and/or cancelling attorney positions for which she applied; terminating her employment; cancelling her telework agreement; refusing to consider her for vacant attorney positions within DCRA while selecting attorneys from elsewhere within the Agency for the positions; scrutinizing her work and refusing to recommend her for the CPM program. Plaintiff Amare’s exercise of her whistleblower rights was a substantial or motivating factor in the adverse actions taken against her by DCRA and the individual Defendant.

32. As a direct and proximate cause of the Defendants’ actions, Plaintiff Amare lost wages and benefits, and suffered damage to her professional reputation, emotional distress, embarrassment, anxiety, fatigue, mental distress, humiliation, illness, and damage to her employment and personal reputation.

Prayer for Relief

WHEREFORE, Plaintiff Genet Amare prays as follows:

A. That the court issue an Order declaring Defendants' actions to be a violation of the D.C. Whistleblower Protection Act, D.C. Code Ann § 1-615.51 *et seq.* and declaring Plaintiff eligible to receive equitable and other relief;

B. Enter judgment against the Defendants in an amount to be determined at trial;

C. Order Defendant District of Columbia Government to remove all disciplinary action taken against Plaintiff Amare;

D. Issue a permanent injunction prohibiting Defendants from engaging in any violations of the D.C. Whistleblower Protection Act, D.C. Code Ann § 1-615.51 *et seq.*;

E. Enter judgment in favor of Plaintiff against Defendants for all equitable monetary damages available under the law, including but not limited to back pay and front pay in amounts to be determined at trial;

F. Order Defendants to refrain from any retaliation against Plaintiff or any other person, for participating in or supporting this case in any manner;

G. Order Defendants to pay compensatory damages in amounts to be determined at trial;

H. Order Defendants to pay Plaintiff's reasonable attorneys' fees, expert fees and costs; and

I. Order Defendants to pay pre-judgment and post-judgment interest as provided by law.

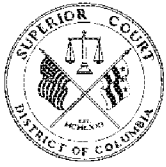
Respectfully submitted,

/s/

David A. Branch #438764
Law Offices of David A. Branch &
Associates, PLLC
1828 L Street, NW, Suite 820
Washington, DC 20036
(202) 785-2805

Jury Trial Demand

Plaintiff demands a jury trial on all claims against Defendants.



Superior Court of the District of Columbia
CIVIL DIVISION
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Telephone: (202) 879-1133

GENET AMARE

Plaintiff

vs.

Case Number 2018 CA 005787 B

DISTRICT OF COLUMBIA GOVERNMENT and MELINDA BOLLING

Defendant

Serve on:
 Melinda Bolling
 1100 4th Street, S.W.
 Washington, D.C. 20024

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 (20) 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 party 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 five (5) 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 A. Branch

Clerk of the Court

Name of Plaintiff's Attorney

1828 L Street NW, Suite 820

Address

Washington, DC 20036

202-785-2805

Telephone

如需翻译,请打电话 (202) 879-4828

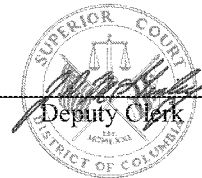
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Để có một bản dịch, hãy gọi (202) 879-4828

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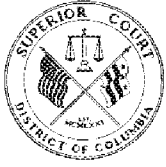
Date

08/17/2018

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.

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 Vea al dorso la traducción al español



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

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

_____ Demandante
contra _____

Número de Caso: _____

_____ Demandado

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 veinte (20) 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 cinco (5) 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.

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante _____

Por: _____
Subsecretario

Dirección _____

Fecha _____

Teléfono _____

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bản dịch, hãy gọi (202) 879-4828
번역을 원하시면, (202) 879-4828 로 전화하십시오 የአግርኛ 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, PODRÍAN RETENERLE SUS INGRESOS, O PODRÍAN TOMAR SUS BIENES PERSONALES O RAÍCES Y VENDERLOS 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 afrontar el costo de 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 de 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
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Telephone: (202) 879-1133

GENET AMARE

Plaintiff

vs.

Case Number 2018 CA 005787 B

DISTRICT OF COLUMBIA GOVERNMENT and MELINDA BOLLING

Defendant

Serve on:
 Karl Racine
 441 Fourth St., N.W., Suite 630 S
 Washington, DC 20001

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 (20) 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 party 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.

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David A. Branch

Name of Plaintiff's Attorney

Clerk of the Court

1828 L Street NW, Suite 820

Address

Washington, DC 20036

202-785-2805

Telephone

如需翻译,请打电话 (202) 879-4828

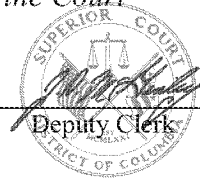
Veillez appeler au (202) 879-4828 pour une traduction

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

번역을 원하시면, (202) 879-4828 로 전화하십시오

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By



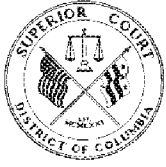
08/17/2018

Date

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**

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

_____ Demandante
contra _____
Número de Caso: _____
_____ Demandado

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 veinte (20) 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 cinco (5) 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.

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante

Dirección

Teléfono

Por: _____
Subsecretario

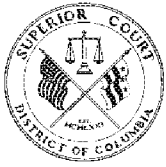
Fecha _____

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



Superior Court of the District of Columbia
CIVIL DIVISION
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Telephone: (202) 879-1133

GENET AMARE

Plaintiff

vs.

Case Number 2018 CA 005787 B

DISTRICT OF COLUMBIA GOVERNMENT and MELINDA BOLLING

Defendant

Serve on:
 Muriel Bowser
 Mayor of the District of Columbia
 1350 Pennsylvania Ave., NW
 Washington, DC 20004

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 (20) 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 party 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 five (5) 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 A. Branch

Name of Plaintiff's Attorney

1828 L Street NW, Suite 820

Address

Washington, DC 20036

202-785-2805

Telephone

如需翻译,请打电话 (202) 879-4828

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

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

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Clerk of the Court



By

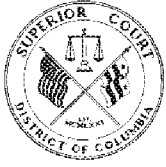
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SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante _____
 Dirección _____
 Teléfono _____
 Por: _____ Subsecretario
 Fecha _____

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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 INFORMATION SHEET

GENET AMARE

Case Number: **2018 CA 005787 B**

vs

Date: August 10, 2018

DISTRICT OF COLUMBIA GOVERNMENT and MELINDA BOLLING

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

Name: <i>(Please Print)</i> David A. Branch	Relationship to Lawsuit
Firm Name: Law Office of David A. Branch & Associates, PLLC	<input checked="" type="checkbox"/> Attorney for Plaintiff
Telephone No.: (202) 785-2805 Six digit Unified Bar No.: #438764	<input type="checkbox"/> Self (Pro Se) <input type="checkbox"/> Other: _____

TYPE OF CASE: Non-Jury 6 Person Jury 12 Person Jury
 Demand: \$ No Less than \$1,000,000. Other: _____

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: _____ Judge: _____ Calendar #: _____

Case No.: _____ Judge: _____ Calendar#: _____

NATURE OF SUIT: <i>(Check One Box Only)</i>		
A. CONTRACTS	COLLECTION CASES	
<input type="checkbox"/> 01 Breach of Contract <input type="checkbox"/> 02 Breach of Warranty <input type="checkbox"/> 06 Negotiable Instrument <input type="checkbox"/> 07 Personal Property <input checked="" type="checkbox"/> 13 Employment Discrimination <input type="checkbox"/> 15 Special Education Fees	<input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent <input type="checkbox"/> 27 Insurance/Subrogation Over \$25,000 Pltf. Grants Consent <input type="checkbox"/> 07 Insurance/Subrogation Under \$25,000 Pltf. Grants Consent <input type="checkbox"/> 28 Motion to Confirm Arbitration Award (Collection Cases Only)	<input type="checkbox"/> 16 Under \$25,000 Consent Denied <input type="checkbox"/> 18 OVER \$25,000 Consent Denied <input type="checkbox"/> 26 Insurance/Subrogation Over \$25,000 Consent Denied <input type="checkbox"/> 34 Insurance/Subrogation Under \$25,000 Consent Denied
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		

SEE REVERSE SIDE AND CHECK HERE IF USED

Information Sheet, Continued

C. OTHERS

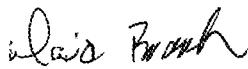
- | | |
|---|---|
| <input type="checkbox"/> 01 Accounting | <input type="checkbox"/> 17 Merit Personnel Act (OEA) |
| <input type="checkbox"/> 02 Att. Before Judgment | (D.C. Code Title 1, Chapter 6) |
| <input type="checkbox"/> 05 Ejectment | <input type="checkbox"/> 18 Product Liability |
| <input 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 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

August 10, 2018

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

GENET AMARE

Vs.

C.A. No. 2018 CA 005787 B

DISTRICT OF COLUMBIA GOVERNMENT et al

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 MICHAEL L RANKIN

Date: August 16, 2018

Initial Conference: 10:30 am, Friday, November 09, 2018

Location: Courtroom 517

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