

**SUPPLEMENT TO GENERAL ORDER
JUDGE HIRAM E. PUIG-LUGO
CIVIL CALENDAR 11**

I. GENERAL INFORMATION

Judge: Hiram E. Puig-Lugo

Chambers: Room 6610
Moultrie Courthouse
500 Indiana Avenue N.W.
Washington, DC 20001

Phone: (202) 879-8370

Fax: (202) 879-8374

Email Address: JudgePuig-LugoChambers@dcsc.gov

Courtroom: Courtroom 318
Moultrie Courthouse

Consistent with the Court's current operating procedures, the only business conducted live in Courtroom 318 will be jury trials, bench trials, and contested hearings where witnesses will be called to testify. Other proceedings can be accessed virtually in the following ways:

- (1) going to the WebEx website at <https://dccourts.webex.com/meet/ctb318> or going to <https://dccourts.webex.com> and entering meeting ID number 129 801 7169; or
- (2) downloading the WebEx Meetings app, opening the app, selecting Join Meeting, and entering <https://dccourts.webex.com/meet/ctb318>; or
- (3) calling 1-844-992-4726 or 202-860-2110 and entering meeting ID number 129 801 7169#, press # again to enter session.

For updates on the DC Superior Court's operating guidelines, please continue to check: <https://www.dccourts.gov/reimaginingdcsc>.

Parties having trouble connecting to their remote hearing may email chambers at JudgePuig-LugoChambers@dcsc.gov for assistance. Failure to appear at a remote proceeding may result in the same sanctions as would result from failing to appear at an in-person hearing, including dismissal of a case or entry of default.

II. COMMUNICATIONS WITH CHAMBERS

Except as specifically authorized in this Supplement, no party or lawyer may contact chambers by telephone. Judge Puig-Lugo's staff may not and will not provide advice of any kind

about court rules, practices or procedures. Judge Puig-Lugo does not accept letters from parties or lawyers about a case. If a party requires clarification of any rule, practice or procedure, it should file a motion. If it is necessary for parties or counsel to contact chambers, they may send an email to all of the law clerks at JudgePuig-LugoChambers@dcsc.gov, copying the other party or parties.

III. WEEKLY SCHEDULE

Unless otherwise directed, matters on Calendar 11 will take place as follows:

Pretrial/Settlement Conferences: Tuesdays, Wednesdays, and Thursdays at 9:30 a.m. and 11:30 a.m.

Trials: Mondays through Thursdays from 9:15 a.m. until 4:45 p.m.

Scheduling Conferences, Oral Examinations, Ex Parte Proofs, and other matters: Fridays beginning at 9:30 a.m., with three matters set every half-hour

Motions Hearings: As scheduled by Chambers.

IV. SCHEDULING PRAECIPES

Notwithstanding the earlier deadline set in Superior Court Rule of Civil Procedure 16(b)(2), Judge Puig-Lugo will approve a Civil Action Form 113 (Praecipe Requesting Schedule Order) submitted up to 9:00 a.m. on the day of the scheduling conference date. In cases in which all parties are represented by counsel and there are no pending motions or other matters requiring the Court's attention, Judge Puig-Lugo strongly encourages attorneys to consult with opposing counsel and submit a CA Form 113 rather than appearing in court for a scheduling conference.

V. MOTIONS

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

Proposed order: Administrative Order 06-17 requires that a party eFiling a motion include as part of the submission a proposed order that can be edited in Microsoft Word. If an attorney does not submit a proposed order in such format, Judge Puig-Lugo may summarily deny the motion.

Length of filings: No party may submit a motion and memorandum (or an opposition to a motion and memorandum in support thereof) more than twenty (20) double-spaced pages in length without leave of Judge Puig-Lugo. Judge Puig-Lugo grants leave to file longer documents only upon a showing of good cause. If a party fails to comply with this rule, Judge Puig-Lugo may summarily deny or strike the motion.

Paper copies: During the period of remote operation, Judge Puig-Lugo requires parties to provide a paper copy of any filing that exceeds twenty-five (25) pages in length. Parties must mail the paper copy to Judge Puig-Lugo's chambers at the address listed above.

Reply briefs: Parties who wish to file a reply brief may do so within seven days of the filing of an opposition brief without leave of the Court, unless the Court rules on the motion before the reply is filed. No party may submit a reply to an opposition more than ten (10) double-spaced pages long without leave of Judge Puig-Lugo. Sur-replies may not be filed without leave of Judge Puig-Lugo.

Motions to reschedule a hearing: Any motion to reschedule a hearing shall suggest three alternative dates on which all counsel, unrepresented parties, and other necessary parties will be available.

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

Motions to Compel Discovery: A party filing a motion to compel discovery must comply with the requirements of Superior Court Rules of Civil Procedure 26(h) and 37(a).

Motions for Default Judgment: A party filing a motion for default judgment should obtain the affidavit required by the federal Servicemember Civil Relief Act (form 114) no more than 30 days prior to moving for default judgment. The Court has discretion to require parties that submit an affidavit that is dated more than 30 days prior to the filing for default judgment to submit a more recent affidavit.

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

VI. PRETRIAL CONFERENCES AND PRETRIAL STATUS HEARINGS

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

Joint pretrial statements: Counsel and parties are reminded that Superior Court Rule of Civil Procedure 16(e) requires the filing of a joint pretrial statement no later than one week prior to the pretrial conference. Judge Puig-Lugo may *sua sponte* cancel and continue a pretrial conference if the parties have not timely filed the joint pretrial statement. Parties are requested to submit a copy of the joint pretrial statement to chambers at JudgePuig-LugoChambers@dcsc.gov

in a format that can be edited (generally Word or Word Perfect). During the period of remote operation, as determined by the Chief Judge of the Superior Court, parties are permitted to participate in remote Rule 16(c) conferences if it is not possible for parties to meet in-person.

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

Pretrial status hearing: At the pretrial conference, the Court will schedule a trial date as well as a trial readiness hearing to occur no later than two weeks prior to trial (and preferably on the Friday immediately prior to trial). At that trial readiness hearing, counsel and unrepresented parties are required to appear and be prepared to discuss voir dire questions and procedures, scheduling concerns, any remaining evidentiary issues, and other matters requiring the Court's attention prior to trial.

Objections to exhibits: Trial exhibits will be deemed as admitted unless an objection is made no later than the pretrial conference and resolved no later than the trial readiness hearing.

VII. LANGUAGE ACCESS

The Court provides professional interpreters in all matters, when needed. The parties must notify the Court in advance of any hearing for which an interpreter will be needed. Family members, friends, counsel, or counsel's staff will not be permitted to interpret for parties or witnesses during a hearing.

VIII. MEDIATION

Parties must attend mediation sessions unless a motion is filed to vacate or change the mediation date. Where a party fails to appear for mediation, chambers may issue an order for the party that did not appear to show cause why it should not be sanctioned for its failure to appear. The order will give the party the options of paying the mediation fees expended to the Court Registry or appearing in court for a hearing on the order to show cause. Where both parties fail to appear, each party will be provided the same options.

IX. VIRTUAL COURTROOM PROTOCOL

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

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

X. VIRTUAL TRIALS

Schedule: During the period of remote operation, Judge Puig-Lugo will hold all bench trials remotely in Virtual Courtroom 318. Trials are generally scheduled to begin on Mondays at 9:30 a.m. Parties and attorneys should be prepared, however, to begin trial on Monday, Tuesday, Wednesday, or Thursday during the week that the trial is scheduled. Judge Puig-Lugo generally takes one morning and one afternoon break, as well as a lunch break between approximately 1:00 and 2:00 p.m. By rule, Judge Puig-Lugo will adjourn each day no later than 4:45 p.m.

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

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

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

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