

Superior Court of the District of Columbia

Filed
D.C. Superior Court
03/18/2021 09:31AM
Clerk of the Court

CIVIL DIVISION- CIVIL ACTIONS BRANCH INFORMATION SHEET

Natasha Kay

Case Number: 2021 CA 000862 B

vs

Date: March 17, 2021

District of Columbia

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

Name: (Please Print) Yaida O. Ford, Esq.		Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff <input type="checkbox"/> Self (Pro Se) <input type="checkbox"/> Other: _____
Firm Name: FORD LAW PROS PC		
Telephone No.: 202-792-4946	Six digit Unified Bar No.: 497013	

TYPE OF CASE: ☒ Non-Jury ☐ 6 Person Jury ☐ 12 Person Jury
Demand: \$ To be determined 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 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 |
| | <input checked="" type="checkbox"/> Freedom of Information Act |

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) | |

Gaida O. Ford
Attorney's Signature

March 17, 2021
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

Natasha Kay

Plaintiff

vs.

Case Number **2021 CA 000862 B**

District of Columbia c/o Office of the Attorney General

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Yaida O. Ford

Name of Plaintiff's Attorney

10 G Street, NE Ste. 600

Address

Washington, DC 20002

360-903-3460

Telephone


如需翻译, 请打电话 (202) 879-4828

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

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

번역을 원하 시면, (202) 879-4828로 전화주세요

የአግዛዥ ትርጉም ለማግኘት (202) 879-4828 ይያውቁ

By  Deputy Clerk

Date **3/18/2021**

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
 Vea al dorso la traducción al español



TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA

DIVISIÓN CIVIL

Sección de Acciones Civiles

500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001

Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

Natasha Kay

Demandante

contra

Número de Caso: 2021 CA 000862 B

District of Columbia c/o Office of the Attorney General

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 veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

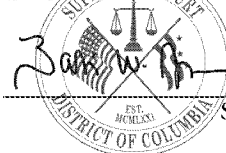
Yaida O. Ford, Esq.

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante

10 G Street, NE Ste. 600

Por:



Subsecretario

Dirección

Washington, D.C. 20002

360-903-3460

Fecha 3/18/2021

Teléfono

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반려문자로 전화 (202) 879-4828 또는 전화 (202) 879-4828

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይያውቁ

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedir ayuda al respecto.

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

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

Natasha Kay
761 Columbia Rd, NW
Washington, D.C. 20001
Plaintiff,

Civil Action No. 2021 CA 000862 B

v.

DISTRICT OF COLUMBIA,
c/o Office of the Attorney General
for the District of Columbia
400 6th Street, NW Ste. 10100
Washington, D.C. 20001

Defendant.

COMPLAINT
(Freedom of Information Act)

Plaintiff Natasha Kay, by and through her attorney Yaida Ford, brings this action against the District of Columbia under the D.C. Freedom of Information Act (FOIA), D.C. Code § 2-531 *et seq.*, seeking declaratory and injunctive relief to compel compliance with the requirements of FOIA and to immediately release the Body Worn Camera Footage of Officers: Alvarez, Farley, Wilkes and the unidentified African American Officer who were all present at the scene of the killing of Deon Kay on September 9, 2020 by MPD Officer Alvarez in the vicinity of Southeast Orange Street.

JURISDICTION

1. This Court has jurisdiction over this action pursuant to **D.C. Code § 1-204.3(a)** which vests the Court with “jurisdiction of any civil action or other matter (at law or in equity) brought in the District”.
2. Plaintiff’s claim arises under the D.C. FOIA, which provides that a person “deemed to have exhausted . . . administrative remedies . . . may institute proceedings for injunctive or declaratory relief”. D.C. Code § 2-537(a)(1). This Court may “enjoin the public body from withholding records and order the production of any records improperly withheld.” D.C. Code § 2-537(b).
3. Plaintiff has met the administrative exhaustion requirement. Where, as here, a public body subject to the requirements of FOIA “fail[s] . . . to comply with a request . . . within the time provisions,” such failure is deemed a “denial of the request” and the requester “shall be deemed too have exhausted . . . administrative remedies.” D.C. Code § 2-532(e).

PARTIES

4. Plaintiff is the attorney for the Mother of 18 year-old Deon Kay who was fatally shot and killed by Officer Alvarez on September 2, 2020.
5. The Metropolitan Police Department (MPD) is the agency to whom a request for a body camera recording must be made. D.C. Code § 2-532(c)(2)(A).
6. As an agency of the District of Columbia and a public body, MPD is subject to the D.C. Freedom of Information Act. D.C. Code § 2-539(a); D.C. Code § 2-502(18A).

FACTS

7. On September 2, 2020 18 year-old Deon Kay was shot and killed by MPD Officer Alvarez during an encounter in a parking lot in the vicinity of southeast Orange Street.
8. An investigation into the shooting was subsequently conducted by the United States Attorney's Office and concluded on or about November 19, 2020.
9. On or about November 20, Plaintiff, through Counsel, submitted a FOIA request under D.C. Code § 2-532(c)(2)(B) to the Metropolitan Police Department for footage of the Body Worn Cameras of MPD Officers Alvarez, Farley, Wilkes and an African-American Officer who were all present at the scene of the incident at the time Deon Kay was killed. **Ex. A.**
10. On November 27, 2021, Plaintiff's FOIA request was received and acknowledged by staff assistant Latrina Crumlin of the MPD FOIA office. **Ex. B.**
11. After receiving confirmation of Deon Kay's mother's engagement of legal services letter from her attorney, Yaida Ford, Latrina Crumlin notified the undersigned that the MPD FOIA Office would move forward with the processing of the FOIA request.
Id.
12. On December 9, 2020 Counsel for Plaintiff wrote to the MPD FOIA Department as a follow up inquiry into the FOIA request that was submitted. **Ex. C.**
13. The MPD FOIA office did not respond.

14. On January 4, 2021 Counsel for Plaintiff again reached out to the MPD FOIA office requesting an update on the status of Plaintiff's FOIA request noting that the statutory time deadline had passed. **Ex. D.**

15. A FOIA specialist Supervisor by the name of Lisa Archie-Mills responded to Counsel stating:

"We do regret the delay regarding your request for Body Worn Camera (BWC) footage under 2021-BWC-00055; however, we are processing requests that pre-date yours. In addition, pursuant to section 808 of the Coronavirus Support Congressional Review Emergency Amendment Act of 2020, effective June 9, 2020, D.C. Act 23-328, all FOIA deadlines may be extended during a period of time for which the Mayor has declared a public health emergency. Pursuant to this provision, we have claimed an extension of the time in which to provide a response to your request, which means:

Pursuant to D.C. Official Code § 2-532(c), the statutory allotted time of 15 business-days, subject to the possibility of a ten (10) business day extension from the date of receipt to respond to a FOIA request has been extended. Note: This does not include weekends and holidays.

Additionally, the statutory allotted time of 25 business days subject to the possibility of 15 working-day extension from the date of receipt to respond to a Body Worn Camera (BWC) footage request has been extended. Note: This does not include weekends and holidays. Note: BWC video footage is not proceed by MPD personnel. They are processed by an outside vendor who processes on a first come, first basis. We stay in touch with the vendor to obtain a status to provide an update to our requesters." **Ex. E.**

16. After waiting a few more weeks, on January 25, 2021, Counsel for Plaintiff again wrote to Lisa Archie-Mills and stated in *pertinent part*:

"Hi Ms. Archie-Mills:

I hope your new year is getting off to a good start. January 18, 2020 was the deadline factoring in the 15-day extension. Although it doesn't appear that MPD requested such an extension, we provided that consideration. Can you advise where things stand?" **Ex. F.**

17. To date and as of the writing of this complaint, MPD has neither provided a response nor the information Plaintiff requested over three months ago.
18. Under the provisions of D.C. Code § 2-532(e), MPD's failure to comply with the Provisions of the Freedom of Information Act within the statutory time provision, is deemed a denial and Plaintiff's administrative remedies are thereby exhausted.
19. The public policy of the District of Columbia is that all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. D.C. Code § 2-531.
20. If the public record requested is a body-worn camera recording recorded by the Metropolitan Police Department, the Metropolitan Police Department, upon request reasonably describing the recording, shall within 25 days (except Saturdays, Sundays, and legal public holidays) of the receipt of any such request either make the requested recording accessible or notify the person making such request of its determination not to make the requested recording or any part thereof accessible and the reasons therefor. D.C. Code § 2-532(c)(2)(A).
21. In unusual circumstances, the time limits prescribed in subsection (c)(1) and (c)(2) of this section may be extended by written notice to the person making such request setting forth the reasons for extension and expected date for determination. Such extension shall not exceed 10 days (except Saturdays, Sundays, and legal public holidays) for records requested under subsection (c)(1) of this section and 15 days (except Saturdays, Sundays, and legal public holidays) for records requested under subsection (c)(2) of this section. D.C. Code § 2-532(d)(1).

22. Under D.C. Code § 2-532 (d)(2) “unusual circumstances” are limited to:

(A) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request;

(B) The need for consultation, which shall be conducted with all practicable speed, with another public body having a substantial interest in the determination of the request or among 2 or more components of a public body having substantial subject-matter interest therein; or

(C) For body-worn camera recordings covered by subsection (c)(2) of this section, the inability to procure a vendor that is able to perform the redactions within the 25-day time period provided under subsection (c)(2) of this section.

23. Assuming arguendo that November 27, 2020¹ is the actual date triggering the 25-day time provision for body worn camera requests, January 8, 2021 would have been the approximate deadline by which MPD should have turned over the requested footage. A 15-day extension under the provisions of D.C. Code § 2-532(d)(1) would then toll the time provision to approximately February 3, 2021. To date it has been more than ninety (90) days since Plaintiff submitted her FOIA request to MPD for the body camera recordings as described above and MPD has yet to turn over the requested footage.

24. Under the provisions of D.C. Code section 2-532(d)(1) MPD was mandated to provide Plaintiff with written notice of any extension of time requested, setting forth the reasons and the expected date of determination. MPD did not provide such notice to Plaintiff nor did they provide an expected date of determination.

25. MPD has a statutory obligation to comply with the provisions of D.C. Code § 2-532 *et seq.* but it has not.

¹ Plaintiff submitted the request on November 20, 2021 and submitted the engagement letter on November 23, 2021.

CLAIM FOR RELIEF

(Violation of FOIA, D.C. Code § 2-531)

26. FOIA provides that, within 25 days (except Saturdays, Sundays, and legal public holidays) of the receipt of a request for body worn camera the MPD is required to make the requested recording accessible or notify the person making such request of its determination not to make the requested recording or any part thereof accessible and the reasons therefor. D.C. Code § 2-532(c)(2)(A). Even with the 15-day extension, MPD has violated that obligation because they have neither provided the recording nor stated their reasons for denial.

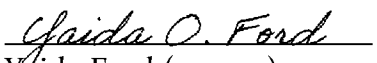
PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully asks this Court to:

- a) Declare that Defendant has violated its obligations under the Freedom of Information Act, D.C. Code § 2-531 *et seq.*;
- b) Enjoin Defendants from continuing to withhold the recordings and other documents as requested by Plaintiff;
- c) Order the Defendants to produce the requested recordings forthwith;
- d) Award Plaintiff costs and attorneys' fees; and
- e) Grant Plaintiff such other and further relief as this Court may deem just and proper.

Dated: March 18, 2021

Respectfully Submitted,


Yaida Ford (497013)
FORD LAW PROS, P.C.

10 G Street NE, Suite 600
Washington, DC 20002
Office: (202) 792-4946
yford@fordlawpros.com
Counsel for Plaintiff

EXHIBIT A

From: <latrina.crumlin2@dc.gov>
Date: Fri, Nov 20, 2020, 10:42 AM
Subject: Duplicate Request Letter 2021-FOIA-01216
To: <yoflawfirm@gmail.com>
Cc: <latrina.crumlin2@dc.gov>, <lisa.archie-mills@dc.gov>

Dear Mr./Mrs. Ford,

This email is to advise this request is a duplicate of your FOIA request made on November 20, 2020. A review of your request determined it is a duplicate; therefore will be closed. The records you are seeking are the same records you have requested under FOIA Request No.; **2021-BWC-00055**. Be advised you will receive a response as it relates to your request for BWC footage under **2021-BWC-00055**. Please be advised this **2021-FOIA-01216** FOIA request will be closed as a duplicate.

Regards,

Latrina Crumlin
Staff Assistant, FOIA
Metropolitan Police Department
300 Indiana Ave NW RM 4153
Washington, DC 20001

EXHIBIT B

From: **Crumlin, Latrina (MPD)** <Latrina.Crumlin2@dc.gov>

Date: Fri, Nov 27, 2020, 10:15 AM

Subject: RE: Duplicate Request Letter 2021-FOIA-01216

To: Attorney Yaida Ford <yoflawfirm@gmail.com>, Archie-Mills, Lisa (MPD) <lisa.archie-mills@dc.gov>

Cc: Tate, Tracy (MPD) <Tracy.Tate@dc.gov>

Good morning Ms./Mrs. Ford,

We are in receipt of your client documents, and will move forward with processing your FOIA request. If additional information is needed your assigned FOIA specialist Tracy Tate will contact you.

Thank you

Latrina Crumlin

Staff Assistant, FOIA

Metropolitan Police Department

300 Indiana Avenue, Rm 4153

Washington, DC 20001

202-727-3721

EXHIBIT C

From: **Attorney Yaida Ford** <yoflawfirm@gmail.com>

Date: Wed, Dec 9, 2020, 1:54 PM

Subject: Re: Duplicate Request Letter 2021-FOIA-01216

To: Crumlin, Latrina (MPD) <Latrina.Crumlin2@dc.gov>

Cc: Archie-Mills, Lisa (MPD) <lisa.archie-mills@dc.gov>, Tate, Tracy (MPD) <Tracy.Tate@dc.gov>

Hello everyone:

I'm just following up on this request. It's been more than 2 weeks so I wanted to check in on the status. Was the video uploaded to my portal? I have not seen it so wanted to confirm

EXHIBIT D

From: **Attorney Yaida Ford** <yoflawfirm@gmail.com>
Date: Mon, Jan 4, 2021, 4:30 PM
Subject: Re: Duplicate Request Letter 2021-FOIA-01216
To: Crumlin, Latrina (MPD) <Latrina.Crumlin2@dc.gov>
Cc: Archie-Mills, Lisa (MPD) <lisa.archie-mills@dc.gov>, Tate, Tracy (MPD) <Tracy.Tate@dc.gov>

All:

The 25 days that MPD had to submit our footage has long lapsed since I made the request and supplemented documents. Nothing is in my portal. I would like to avoid litigation over this request but MPD will leave us no choice if the footage is not uploaded to the portal or sent to my email quickly. Please advise me of the status. If I do not hear back, I will assume that MPD has no intention of complying with our request.

EXHIBIT E

From: **Archie-Mills, Lisa (MPD)** <lisa.archie-mills@dc.gov>
Date: Mon, Jan 4, 2021, 6:26 PM
Subject: Re: Duplicate Request Letter 2021-FOIA-01216
To: Attorney Yaida Ford <yoflawfirm@gmail.com>
Cc: Tate, Tracy (MPD) <Tracy.Tate@dc.gov>

Good Evening, Ms/Mr. Ford,

We do regret the delay regarding your request for Body Worn Camera (BWC) footage under 2021-BWC-00055; however, we are processing requests that pre-date yours. In addition, pursuant to section 808 of the Coronavirus Support Congressional Review Emergency Amendment Act of 2020, **effective June 9, 2020**, D.C. Act 23-328, all FOIA deadlines may be extended during a period of time for which the Mayor has declared a public health emergency. Pursuant to this provision, we have claimed an extension of the time in which to provide a response to your request, which means:

Pursuant to D.C. Official Code § 2-532(c), the statutory allotted time of 15 business-days, subject to the possibility of a ten (10) business day extension from the date of receipt to respond to a **FOIA request** has been extended. Note: This does not include weekends and holidays.

Additionally, the statutory allotted time of 25 business days subject to the possibility of 15 working-day extension from the date of receipt to respond to a **Body Worn Camera (BWC) footage** request has been extended. Note: This does not include weekends and holidays. Note: BWC video footage is not processed by MPD personnel. They are processed by an outside vendor who processes on a first come, first basis. We stay in touch with the vendor to obtain a status to provide an update to our requesters.

Please know, your request is important to us and we will make every effort to provide a response as soon as possible.

Thank you,

Lisa Archie-Mills
Supervisory FOIA Specialist
Freedom of Information Act (FOIA) Office
Metropolitan Police Department
Washington, DC. 20001
(202) 727-3721
lisa.archie-mills@dc.gov

EXHIBIT F

From: **Attorney Yaida Ford** <yoflawfirm@gmail.com>
Date: Mon, Jan 25, 2021, 5:32 PM
Subject: Re: Duplicate Request Letter 2021-FOIA-01216
To: Archie-Mills, Lisa (MPD) <lisa.archie-mills@dc.gov>
Cc: Tate, Tracy (MPD) <Tracy.Tate@dc.gov>

Hi Ms. Archie-Mills:

I hope your new year is getting off to a good start. January 18, 2020 was the deadline factoring in the 15 day extension. Although it doesn't appear that MPD requested such an extension, we provided that consideration. Can you advise where things stand? And can you advise if the new 45 day timeline for requests made between 3/11/20 and 1/15/21 applies a request where the requestor has already waited the statutorily required 25 days plus 15 days? Thus, making the 45 days an additional waiting period for the requestor?

Thank you



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

NATASHA KAY
Vs.
DISTRICT OF COLUMBIA

C.A. No. 2021 CA 000862 B

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) This case is assigned to the judge and 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.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of service on each defendant of copies of (a) the summons, (b) the complaint, and (c) this Initial Order and Addendum. The court will dismiss the claims against any defendant for whom such proof of service has not been filed by this deadline, unless the court extended the time for service under Rule 4(m).

(3) Within 21 days of service (unless otherwise provided in Rule 12), each defendant must respond to the complaint by filing an answer or other responsive pleading. The court may enter a default and a default judgment against any defendant who does not meet this deadline, unless the court extended the deadline under Rule 55(a).

(4) At the time stated below, all counsel and unrepresented parties shall participate in a remote hearing to establish a schedule and discuss the possibilities of settlement. Counsel shall discuss with their clients **before** the hearing 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 hearing.**

(5) If the date or time is inconvenient for any party or counsel, the Civil Actions Branch may continue the Conference **once**, with the consent of all parties, to either of the two succeeding Fridays. To reschedule the hearing, a party or lawyer may call the Branch at (202) 879-1133. Any such request must be made at least seven business days before the scheduled 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 Anita M. Josey-Herring

Case Assigned to: Judge TODD E EDELMAN

Date: March 18, 2021

Initial Conference: **REMOTE HEARING - DO NOT COME TO COURTHOUSE**
SEE REMOTE HEARING INSTRUCTIONS ATTACHED TO INITIAL ORDER

9:30 am, Friday, June 18, 2021
Location: Courtroom JM-4
500 Indiana Avenue N.W.
WASHINGTON, DC 20001

ADDENDUM TO INITIAL ORDER AFFECTING ALL MEDICAL MALPRACTICE CASES

D.C. Code § 16-2821, which part of the Medical Malpractice Proceedings Act of 2006, provides, "[a]fter 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."

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. Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to earlymedmal@dcsc.gov. Unrepresented plaintiffs who elect not to eFile must either mail the form to the Multi-Door Dispute Resolution Office at, Suite 2900, 410 E Street, N.W., Washington, DC 20001, or deliver it in person if the Office is open for in-person visits.

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 people are required by D.C. Code § 16-2824 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.

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 unrepresented may mail the form to the Civil Actions Branch at [address] or deliver it in person if the Branch is open for in-person visits. The forms to be used for early mediation reports are available at www.dccourts.gov/medmalmediation.

Chief Judge Anita M. Josey-Herring

Civil Remote Hearing Instructions for Participants

The following instructions are for participants who are scheduled to have cases heard before a Civil Judge in a **Remote Courtroom**

Option1: (AUDIO ONLY/Dial-in by Phone):

Toll 1 (844) 992-4762 or (202) 860-2110, enter the Meeting ID from the attachment followed by #, press again to enter session.

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If you select **Option 2** or **Option 3** use the **Audio Alternative**

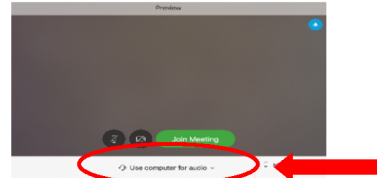
Option 2: (LAPTOP/ DESKTOP USERS 1):

Open Web Browser in Google Chrome and copy and paste following address from the next page:
<https://dccourts.webex.com/meet/XXXXXXXXX>

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- Click join and make sure your microphone is muted and your video is unmuted (if you need to be seen). If you only need to speak and do not need to be seen, use the audio only option.
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For Technical Questions or issues Call: (202) 879-1928, Option #2

Superior Court of the District of Columbia
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Division	Courtroom	Types of Hearings Scheduled in Courtroom	Public Access via WebEx	
			WebEx Direct URL	WebEx Meeting ID
Auditor Master	206	Auditor Master Hearings	https://dccourts.webex.com/meet/ctbaudmaster	129 648 5606
Civil	100	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb100	129 846 4145
	205	Foreclosure Matters	https://dccourts.webex.com/meet/ctb205	129 814 7399
	212	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb212	129 440 9070
	214	Title 47 Tax Liens; and Foreclosure Hearings	https://dccourts.webex.com/meet/ctb214	129 942 2620
	219	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb219	129 315 2924
	221	Civil 1 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb221	129 493 5162
	318	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb318	129 801 7169
	320	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb320	129 226 9879

	400	Judge in Chambers Matters including Temporary Restraining Orders, Preliminary Injunctions and Name Changes	https://dccourts.webex.com/meet/ctb400	129 339 7379
	415	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb415	129 314 3475
	516		https://dccourts.webex.com/meet/ctb516	129 776 4396
	517		https://dccourts.webex.com/meet/ctb517	129 911 6415
	518		https://dccourts.webex.com/meet/ctb518	129 685 3445
	519		https://dccourts.webex.com/meet/ctb519	129 705 0412
	JM-4		https://dccourts.webex.com/meet/ctbjm4	129 797 7557
	A-47	Housing Conditions Matters	https://dccourts.webex.com/meet/ctba47	129 906 2065
	B-52	Debt Collection and Landlord and Tenant Trials	https://dccourts.webex.com/meet/ctbb52	129 793 4102
	B-53	Landlord and Tenant Matters including Lease Violation Hearings and Post Judgment Motions	https://dccourts.webex.com/meet/ctbb53	129 913 3728
	B-109	Landlord and Tenant Matters	https://dccourts.webex.com/meet/ctbb109	129 127 9276
	B-119	Small Claims Hearings and Trials	https://dccourts.webex.com/meet/ctbb119	129 230 4882



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NATASHA KAY
Vs.
DISTRICT OF COLUMBIA

C.A. No. 2021 CA 000862 B

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Chief Judge Anita M. Josey-Herring

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9:30 am, Friday, June 18, 2021
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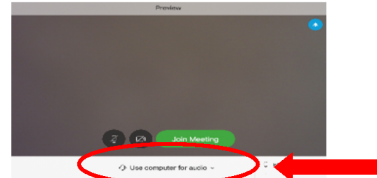
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Civil	100	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb100	129 846 4145
	205	Foreclosure Matters	https://dccourts.webex.com/meet/ctb205	129 814 7399
	212	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb212	129 440 9070
	214	Title 47 Tax Liens; and Foreclosure Hearings	https://dccourts.webex.com/meet/ctb214	129 942 2620
	219	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb219	129 315 2924
	221	Civil 1 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb221	129 493 5162
	318	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb318	129 801 7169
	320	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb320	129 226 9879

	400	Judge in Chambers Matters including Temporary Restraining Orders, Preliminary Injunctions and Name Changes	https://dccourts.webex.com/meet/ctb400	129 339 7379
	415	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	https://dccourts.webex.com/meet/ctb415	129 314 3475
	516		https://dccourts.webex.com/meet/ctb516	129 776 4396
	517		https://dccourts.webex.com/meet/ctb517	129 911 6415
	518		https://dccourts.webex.com/meet/ctb518	129 685 3445
	519		https://dccourts.webex.com/meet/ctb519	129 705 0412
	JM-4		https://dccourts.webex.com/meet/ctbjm4	129 797 7557
	A-47	Housing Conditions Matters	https://dccourts.webex.com/meet/ctba47	129 906 2065
	B-52	Debt Collection and Landlord and Tenant Trials	https://dccourts.webex.com/meet/ctbb52	129 793 4102
	B-53	Landlord and Tenant Matters including Lease Violation Hearings and Post Judgment Motions	https://dccourts.webex.com/meet/ctbb53	129 913 3728
	B-109	Landlord and Tenant Matters	https://dccourts.webex.com/meet/ctbb109	129 127 9276
	B-119	Small Claims Hearings and Trials	https://dccourts.webex.com/meet/ctbb119	129 230 4882