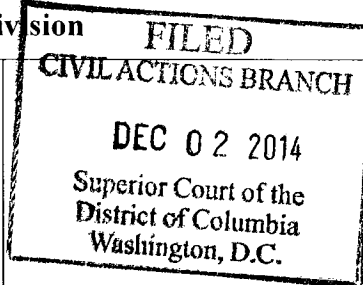


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SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Civil Division



**JANE DOE,**  
c/o SILVERMAN, THOMPSON, SLUTKIN & WHITE,  
LLC  
201 N. Charles Street, Suite 2600  
Baltimore, Maryland 21201

*Plaintiff,*

v.

**THE GEORGETOWN UNIVERSITY,**  
37<sup>th</sup> & O Streets, NW  
204 Healy Hall  
Washington, D.C. 20057

**SERVE ON:**

Lisa Brown, Registered Agent  
37<sup>th</sup> & O Streets, NW  
202 Healy Hall  
Washington, D.C. 20057

and

**THE GEORGETOWN SYNAGOGUE –  
KESHER ISRAEL CONGREGATION,**  
2801 N Street, NW  
Washington, D.C. 20007

**SERVE ON:**

The Georgetown Synagogue – Keshar  
Israel Congregation  
2801 N Street, NW  
Washington, D.C. 20007

and

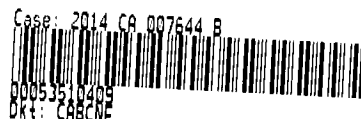
**THE NATIONAL CAPITAL MIKVAH, INC.,**  
1308 28<sup>th</sup> Street, NW  
Washington, D.C. 20007

**SERVE ON:**

Sarah Barak, Registered Agent  
1559 33<sup>rd</sup> Street, NW  
Washington, D.C. 20007

*Defendants.*

CIVIL ACTION No. **14-0007644**



**CLASS ACTION & INDIVIDUAL COMPLAINT  
AND DEMAND FOR JURY TRIAL**

Plaintiff Jane Doe (“Plaintiff” or “Named Plaintiff”),<sup>1</sup> individually and on behalf of the class of similarly situated individuals,<sup>2</sup> by and through her undersigned attorneys, hereby sues Defendants, The Georgetown University (“Georgetown”), The Georgetown Synagogue – Keshet Israel Congregation (“Keshet Israel”), and The National Capital Mikvah, Inc. (“NCM”) (collectively, the “Defendants”), and states as follows:

**I. INTRODUCTION**

1. This case arises from an unfathomable breach of trust by a Georgetown professor and religious leader and Defendants’ utter failure to prevent and/or to stop it. Rabbi Bernard “Barry” Freundel, Ph.D. (“Freundel”) lured his students, congregants, and others into the sacred religious cleansing ritual of “mikvah” to sexually exploit the women by capturing their naked images using concealed cameras and recording devices without their knowledge or consent. For years, Defendants turned a blind eye to obvious signs of Freundel’s increasingly bizarre behavior, ignoring the bright red flags that Freundel was acting inappropriately with women subjected to his authority. Defendants were derelict in their duties to their congregants and students, thereby permitting Freundel’s devastating sexual exploitation of Plaintiff and other similarly situated women.

2. Plaintiff is a third-year law student at Georgetown University Law Center (“Georgetown Law”) who is devoted to her Jewish faith and who selected Georgetown Law because of its reputation for excellence and diversity.

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<sup>1</sup> Pursuant to the D.C. Superior Court Rules of Civil Procedure, contemporaneous with the filing of this Complaint, Plaintiff has filed a motion to proceed under a pseudonym that sets forth the precise legal and factual basis for Plaintiff’s need to conduct this litigation in this manner.

<sup>2</sup> Plaintiff asserts class action claims against The Georgetown Synagogue – Keshet Israel Congregation and The National Capital Mikvah, Inc. only. The claims against The Georgetown University are brought solely in Plaintiff’s individual capacity at this stage of the proceedings.

3. Plaintiff was excited to enroll in a “Jewish Law Seminar” course (the “Jewish Studies” class) co-taught by Freundel and Rabbi David Saperstein. Freundel suggested that Plaintiff write the mandatory research paper on the mikvah ritual and, as part of her Georgetown Law Jewish Studies class, Freundel required Plaintiff to participate in the immersion ritual at the mikvah built by Keshet Israel and owned and operated by NCM (the “NCM/Keshet Israel Mikvah”). Freundel also invited Plaintiff to attend services at Keshet Israel on numerous occasions. Freundel further invited Plaintiff to join his family and the Keshet Israel community at various religious dinners at the Keshet Israel Rabbinical Residence where Freundel resided (hereinafter defined), including Friday night Sabbath dinner and Passover Seder. Plaintiff was delighted to be part of a religious community and to be integrating her legal education with her Jewish faith.

4. Plaintiff was devastated when she learned that, under the guise of his positions with Georgetown Law, Keshet Israel, and NCM, Freundel had lured her to the NCM/Keshet Israel Mikvah to sexually exploit her. Freundel’s breach of trust has cut Plaintiff to her core—shattering her trust in religious and educational institutions that have failed to live up to their reputations for excellence.

5. Plaintiff asserts this claim against Georgetown for its obvious lack of due diligence in hiring, training, retaining, and supervising Freundel and/or investigating the NCM/Keshet Israel Mikvah in any manner.

6. Plaintiff also asserts this claim against Georgetown for its liability for the acts of its professor, employee, and/or agent – Freundel.

7. Plaintiff asserts this claim against Keshet Israel and NCM on behalf of the entire class of women who were sexually exploited at the NCM/Keshet Israel Mikvah based on these

Defendants' utter failure to investigate Freundel prior to hiring him and their utter failure to take any meaningful action to prevent the obvious harm Freundel posed to congregants and conversion students.

8. Plaintiff also asserts this claim against Kesher Israel and NCM on behalf of the entire class of women who were sexually exploited at the NCM/Kesher Israel Mikvah through the acts of their employee, agent, and/or servant – Freundel.

## **II. PARTIES, JURISDICTION, & VENUE**

9. Plaintiff Jane Doe is a natural person who resides in the District of Columbia.

10. Defendant Georgetown is a private educational institution organized and existing under the laws of the District of Columbia with its principal place of business at 37<sup>th</sup> & O Streets, NW, 204 Healy Hall, Washington, D.C. 20057.

11. Defendant Kesher Israel is a private religious institution organized and existing under the laws of the District of Columbia with its principal place of business at 2801 N Street, NW, Washington, D.C. 20007. Kesher Israel raised the money necessary to build the mikvah owned and operated by NCM.

12. Defendant NCM owns and operates the NCM/Kesher Israel Mikvah and is organized and existing under the laws of the District of Columbia with its principal place of business at 1308 28<sup>th</sup> Street, NW, Washington, D.C. 20007.

13. This Court has subject matter jurisdiction over this action pursuant to D.C. Code Ann. § 11–921(a) because this action is being brought in the District of Columbia.

14. This Court has personal jurisdiction over each of the above-named Defendants pursuant to D.C. Code Ann. § 13–422 because each of the Defendants is organized under the laws of the District of Columbia and is domiciled in the District of Columbia.

15. In addition and in the alternative, this Court has personal jurisdiction over each of the above-named Defendants pursuant to D.C. Code Ann. § 13–423(a)(1) and (3) because each Defendant transacts business in the District of Columbia and caused tortious injury to Plaintiff in the District of Columbia by an act or omission in the District of Columbia.

16. Venue in this Court is proper because each of the above-mentioned Defendants' acts and omissions described in this Complaint occurred within the District of Columbia.

### **III. FACTS COMMON TO ALL COUNTS**

17. At all relevant times, Freundel was an Adjunct Professor at Georgetown, where he taught Georgetown Law school students, including Plaintiff, educational courses including, but not limited to, the Jewish Studies class. Freundel did so at all times as an actual and/or apparent agent, servant, and/or employee of Georgetown.

18. At all relevant times, Freundel also served as the Rabbi at Keshet Israel. Freundel did so as an actual and/or apparent agent, servant, and/or employee of Keshet Israel.

19. At all relevant times, Freundel also served as the supervising Rabbi of the NCM/Keshet Israel Mikvah. Freundel did so at all times as an actual and/or apparent agent, servant, and/or employee of NCM.

#### **A. FREUNDEL CREATES FOR HIMSELF A POWERFUL LEADERSHIP POSITION IN THE WASHINGTON METROPOLITAN JEWISH COMMUNITY**

20. Keshet Israel selected Freundel to be its leader in 1987. According to Keshet Israel's website, "with his exceptional intellectual mind, Rabbi Freundel helped Keshet Israel become a beacon of modern orthodoxy and a shul that sees traditional Judaism as essential, while also understanding the value of modern society." Keshet Israel's website also indicates: "During Rabbi Freundel's tenure, Keshet Israel experienced growth in membership and the expansion of

the congregant demographic to include college and graduate students, young professionals, interns . . . .”

21. At all relevant times, Freundel resided at 2801 N Street, NW, Washington, D.C. 20007, in a dwelling that was owned, operated and managed by Keshet Israel and that was used by Freundel in connection with his official Keshet Israel functions (the “Rabbinical Residence”).

22. In addition to leading the Keshet Israel congregation, Freundel also maintained a leadership role in the broader Orthodox community.

23. Most notably, Freundel was a leader in the Rabbinical Council of America (“RCA”), a national non-profit organization whose mission is “to advance the cause and voice of the Torah and the rabbinic tradition by promoting the welfare, interests, and professionalism of Orthodox rabbis all around the world.”

24. In particular, Freundel was the architect of the RCA’s Gerus Policies and Standards (“GPS”) system, and served as the long-time chair of that committee within the RCA.

25. The GPS’s primary mission is to provide a centralized system of standards Orthodox rabbis must follow for “converts” and/or individuals not recognized by the RCA as “Jewish” who wish to convert to Judaism. Conversion is critical to certain individuals because in the Orthodox community it serves as a prerequisite to a Jewish marriage, can determine whether an individual’s offspring are considered to be “Jewish,” is a prerequisite to Israeli citizenship, and it can affect an individual’s right to purchase real property in Israel.

26. Freundel devised a system of regional “courts” that function under the direction and leadership of local rabbis and that are sanctioned by the RCA’s GPS program, which Freundel headed.

27. Because of his leadership position, Freundel served as the ultimate arbiter for any person seeking to convert to Judaism in the Washington Metropolitan area and, with the full knowledge and support of Keshet Israel, Freundel placed himself in an excellent position to sexually and otherwise exploit converts, over whom he exercised great power and control.

28. Freundel also served as the head of the Rabbinical Council of Greater Washington, the Orthodox body that supervises kosher dietary laws in the greater Washington area.

**B. FREUNDEL OPENS A MIKVAH AS A SEXUAL EXPLOITATION DEVICE**

29. A “mikvah” is a pool of water in which members of the Jewish faith completely immerse themselves (the immersion is of the entire body including one’s hair) while they are completely naked and stripped of all “barriers,” including jewelry, makeup, and any other beauty products on the hair or skin. The purpose of the immersion ritual is to cleanse the soul and purify the participant. In recent years, survivors of sexual assault have participated in the mikvah ritual to help them heal emotionally and spiritually from the pain associated with sexual assault. The pool of water at the NCM/Keshet Israel Mikvah resembles a large bathtub and is adjacent to a bathroom that participants use to shower and prepare for the immersion ritual (the “Changing Room”).

30. Converts to Judaism are required to immerse in a mikvah as the final step in the conversion process. Although a mikvah is traditionally used only by Jewish persons and those persons about to convert to Judaism, Freundel often urged individuals traditionally not welcome in a mikvah, including non-Jews and unmarried women, to use the NCM/Keshet Israel Mikvah.

31. Despite serious concerns within Keshet Israel and in the greater Jewish Orthodox community concerning Freundel’s behavior toward converts, Keshet Israel permitted Freundel to establish a mikvah that would essentially be controlled by Freundel under the auspices of Keshet

Israel. Upon information and belief, Freundel wanted to set up a mikvah that would be completely under his control, that no other Orthodox rabbi would be permitted to use, and that would be open to conversion students and converts to Judaism.

32. Upon information and belief, Freundel used Kesher Israel's assets to plan and fund the proposed mikvah and, with Kesher Israel's knowledge and consent, he began diverting donations made to Kesher Israel to his effort to found and construct what ultimately became the NCM/Kesher Israel Mikvah.

33. According to public filings with the Department of Consumer and Regulatory Affairs for the District of Columbia ("DCRA"), NCM incorporated in 2000 for the sole purpose of operating the mikvah.

34. DCRA filings indicate that NCM's "business address" is the same as the address used by Kesher Israel: 2801 N. Street, NW, Washington, D.C. 20007.

35. Further, DCRA filings reveal that NCM's Director and Resident Agent is Sarah Barak. Upon information and belief, Sarah Barak is the wife of David Barak, who sat on Kesher Israel's Board of Directors, is a former President of the NCM/Kesher Israel Mikvah, and who has maintained a leadership role in the Kesher Israel congregation.

36. Upon information and belief, Defendants Kesher Israel and NCM opened the NCM/Kesher Israel Mikvah in 2005 in the basement of the building adjacent to Kesher Israel.

37. At all relevant times, Freundel was in charge of performing and overseeing the sacred religious immersion rituals at the NCM/Kesher Israel Mikvah.<sup>3</sup>

38. Defendants Kesher Israel and NCM operated the NCM/Kesher Israel Mikvah with the assistance of their agent/employee Freundel and Freundel oversaw and performed the

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<sup>3</sup> Pursuant to the law associated with mikvah, Freundel was not present in the mikvah bathing area during the immersion. Instead, a female attendant was present throughout the ritual and Freundel remained in the building.



immersion rituals on the property of NCM and/or Keshet Israel. Freundel did so as an actual and/or apparent agent, servant, and/or employee of NCM and/or Keshet Israel.

**C. FREUNDEL USES HIS POSITION AT GEORGETOWN LAW TO LURE PLAINTIFF TO THE NCM/KESHER ISRAEL MIKVAH**

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39. In 2014, Plaintiff was enrolled in Freundel's Jewish Studies class at Georgetown Law, which is co-taught by Rabbi David Saperstein, President Obama's recent nominee to serve as Ambassador-at-Large for International Religious Freedom. The Jewish Studies class requires, among other things, that each student write a 25-page research paper on an approved topic that is related to Jewish law.

40. On or about January 22, 2014, and prior to the start of that evening's class, Plaintiff approached Freundel seeking assistance in selecting a topic for her research paper. While acting in his capacity as a Georgetown Adjunct Professor, Freundel immediately, and without hesitation, urged the Plaintiff to write her research paper about the mikvah ritual. Freundel advised Plaintiff that one of his former Georgetown Law students previously wrote a research paper about mikvah, that the paper was "very successful," and that the former student "got an A." Freundel insisted that Plaintiff write about mikvah, going so far as to, on the spot, provide Plaintiff with an outline of the various issues to be addressed in her research paper. After that evening's class, Freundel approached Plaintiff and invited her to immerse at the NCM/Keshet Israel Mikvah. Freundel urged Plaintiff, as research for her paper, to call him to set up a time to attend the NCM/Keshet Israel Mikvah.

41. By virtue of Plaintiff seeking Rabbi Freundel's assistance in selecting a topic for her research paper, Plaintiff became one of a handful of students assigned to be mentored by Freundel in the Jewish Studies class.

42. Plaintiff visited the NCM/Kesher Israel Mikvah and immersed two separate times as part of the research for her Georgetown Law-required research paper.

43. In February 2014, Freundel and Plaintiff communicated via e-mail regarding scheduling Plaintiff's first visit to the NCM/Kesher Israel Mikvah.

44. On or about March 2, 2014, Plaintiff went to the NCM/Kesher Israel Mikvah. Before the immersion rituals began, Freundel entered the Changing Room to prepare it for the participants in the mikvah ritual. Thereafter, Freundel accompanied Plaintiff into the Changing Room and specifically directed Plaintiff as to where she should place her clothing when she undressed, where and how to shower, and what shower products to use. Once Freundel had exited the Changing Room area, Plaintiff disrobed, showered, entered the mikvah's ritual bath area, and immersed herself while fully nude in the NCM/Kesher Israel Mikvah in accordance with Freundel's instructions. Following her immersion, Freundel invited Plaintiff to Passover services at Kesher Israel and to a Passover Seder being held at the Kesher Israel Rabbinical Residence.

45. In or around March 2014, Freundel approached Plaintiff and inquired about her experience immersing in the NCM/Kesher Israel Mikvah. After discussing Plaintiff's first mikvah experience, Freundel urged that Plaintiff participate in a second immersion at the NCM/Kesher Israel Mikvah where just Plaintiff and Freundel would be present. Plaintiff did not follow up on Freundel's invitation.

46. On or about March 31, 2014, and without request or prior inquiry from Plaintiff, Freundel e-mailed Plaintiff and asked her to return to the NCM/Kesher Israel Mikvah on the following Thursday to participate in a second immersion.

47. On or about April 2, 2014, Freundel called Plaintiff to confirm she would attend the NCM/Kesher Israel Mikvah on April 3, 2014 because Freundel wanted to make sure he was present during Plaintiff's second visit.

48. On or about April 3, 2014, Plaintiff returned to the NCM/Kesher Israel Mikvah. As he had before, Freundel entered the Changing Room to organize it for Plaintiff's pre-immersion preparations. Freundel once again accompanied Plaintiff into the Changing Room and, again, specifically directed her where she should place her clothing when she undressed, where and how to shower, and what shower products to use. As before, once Freundel had exited the Changing Room, Plaintiff disrobed, showered, went into the mikvah's ritual bath area, and immersed herself while fully nude in the NCM/Kesher Israel Mikvah in accordance with Freundel's instructions.

49. Following her second immersion in the NCM/Kesher Israel Mikvah, Freundel reiterated his prior invitation of Plaintiff to attend Passover services at Kesher Israel and, after the services, to attend a Passover Seder with his family and others at the Kesher Israel Rabbinical Residence. On several occasions, Freundel had also invited Plaintiff to attend Shabbat services at Kesher Israel and, following those services, to attend Shabbat dinners with his family and others at the Kesher Israel Rabbinical Residence.

50. Upon information and belief, on each of Plaintiff's visits to the NCM/Kesher Israel Mikvah, Freundel intentionally placed in the Changing Room a clock-radio containing an electronic recording device capable of capturing video, audio, and/or still images. Freundel did so for the purpose of surreptitiously observing, electronically recording, and intentionally capturing video, audio, and still images of Plaintiff's private areas while Plaintiff was using the Changing Room, was disrobing and showering, and was totally or partially undressed in both the

Changing Room and the ritual bath area of the mikvah. Freundel further willfully and intentionally intercepted, or in the alternative, willfully endeavored to intercept, through the means of an electronic recording device, Plaintiff's oral communications while Plaintiff was using the Changing Room and the mikvah. Freundel committed all of these acts without notice to Plaintiff and without Plaintiff's knowledge or consent.

51. Upon information and belief, on each of Plaintiff's visits to the NCM/Kesher Israel Mikvah, Freundel had installed cameras and/or other electronic surveillance and recording devices in the ritual bath area of the NCM/Kesher Israel Mikvah and, without Plaintiff's knowledge or consent, Freundel captured images and/or recorded video and audio of Plaintiff while she was completely naked for the express purpose of sexually exploiting her.

52. Upon information and belief, Freundel willfully and intentionally captured, possessed, and/or distributed images, audio-recordings, and/or video depicting Plaintiff while in a state of undress, without her knowledge or consent.

53. Upon information and belief, Freundel used equipment owned by Kesher Israel to capture Plaintiff's images, oral communications, and/or video and, upon information and belief, Freundel stored the video, audio-recordings, and/or photographs depicting Plaintiff in or on devices and/or equipment owned by Kesher Israel in his Kesher Israel office and/or at the Rabbinical Residence.

54. In or around May 2014, Plaintiff submitted her research paper to Georgetown Law as her official final examination in the Jewish Studies class. Plaintiff's research paper was entitled: "The *Mikveh*: Expanding the Ritual for Jewish Women" (the "Paper").

55. In her Paper, Plaintiff explicitly states she immersed in the NCM/Kesher Israel Mikvah "as a research tool for this paper."

56. Indeed, the Paper details how Plaintiff twice immersed herself in the NCM/Kesher Israel Mikvah at the request of her Georgetown Law professor. Plaintiff notes that her second immersion was to “continue my research for this paper” and “to connect to Judaism on a deeper level.” Plaintiff notes, with the facilitation of her trusted Georgetown Law professor, “I transformed the meanings of those waters and made it my own. I reinterpreted the ritual to purify my soul.”

57. Freundel and Saperstein gave Plaintiff’s Paper an “A” and conferred on Plaintiff an award for achieving the highest grade of all final research papers submitted in the Jewish Studies class. Georgetown Law also posted Plaintiff’s Paper to an electronic database permitting other students to view the Paper as a “model examination.”

**D. FREUNDEL’S CRIMINAL WRONGDOING COMES TO LIGHT**

58. On or about September 28, 2014, a woman in charge of maintaining the NCM/Kesher Israel Mikvah’s Changing Room who, upon information and belief, is or was an employee of Kesher Israel and/or NCM, noticed Freundel place a “Dream Machine” clock-radio in the Changing Room adjacent to the shower. The woman advised Freundel that there was already a clock on the wall of the Changing Room, to which Freundel responded “this clock will help with the ventilation in the shower.”

59. On or about October 12, 2014, the same Kesher Israel/NCM employee removed the “Dream Machine” clock-radio she had seen Freundel place in the Changing Room, examined it, and discovered that it contained hidden electronic recording devices including, but not limited to, a hidden camera and memory card.

60. On or about October 14, 2014, officers of the District of Columbia Metropolitan Police Department (“MPD”) arrested Freundel and criminally charged him with, among other charges, voyeurism. MPD’s investigation is ongoing.

61. Also on or about October 14, 2014, MPD officers executed search warrants on both Keshet Israel and the Rabbinical Residence.

62. To date, police searches of the Rabbinical Residence, Keshet Israel, and other offices maintained by Freundel have revealed, among other things, the following: several laptop computers, desktop computers, external computer hard drives, digital cameras, memory cards, flash drives, electronically deleted files labeled with women's names, a second clock with a hidden camera and memory card, a tissue box containing a hidden camera, a computer charger containing a hidden camera, and nude photographs of women.

63. MPD and several other area law enforcement agencies are conducting investigations into Freundel's criminal sexual exploitation.

**E. RED FLAGS IGNORED BY KESHER ISRAEL AND NCM**

64. Based upon Freundel's planning and urging, Defendants Keshet Israel and NCM opened the NCM/Keshet Israel Mikvah in 2005 under the name "National Capital Mikvah."

65. The manner in which the NCM/Keshet Israel Mikvah was operated and Freundel's use and management of it raised serious concern both within Keshet Israel and NCM and in the community at large.

66. Fundamentally, although Freundel purported to be an Orthodox rabbi, he used the NCM/Keshet Israel Mikvah in ways that were directly at odds with Keshet Israel's Orthodox Jewish foundations, including (without limitation):

- a. Freundel opened the NCM/Keshet Israel Mikvah to non-Jews and unmarried women, who ordinarily are not welcomed at an Orthodox mikvah.
- b. The unmarried women and conversion candidates Freundel encouraged to attend the NCM/Keshet Israel Mikvah were predominately young attractive women and

it was common knowledge and openly remarked upon at Keshet Israel and NCM that Freundel's "converts" were predominately attractive young women.

- c. Freundel developed an entirely new exercise, which he called "practice dunks," to encourage conversion candidates to come to the NCM/Keshet Israel Mikvah more than once – a practice completely at odds with Orthodox Judaism and the conversion process – as emergence from the mikvah completes an individual's conversion from non-Jew to Jew.
- d. Since Freundel's arrest, the RCA has publicly rebuked the concept of "practice dunking," confirming the practice has no basis in Judaism.
- e. Freundel brought so many young attractive young women through the NCM/Keshet Israel Mikvah, a member of Keshet Israel's own staff stated that Freundel "treated that mikvah like a car wash. Every Sunday, six students at a time."

67. Keshet Israel congregants had also launched numerous complaints regarding Freundel's "constant" comments praising female congregant's appearance, remarking on their dating life, and discouraging them from dressing "so modestly."

68. Freundel generally behaved in an inappropriate manner with young female converts and congregants and he was commonly described by female members of the Keshet Israel and NCM communities as "creepy."

69. Defendants were, or should have been, aware of public accusations of impropriety by Freundel.

70. Upon information and belief, Kesher Israel received numerous complaints that Freundel was using the NCM/Kesher Israel Mikvah in an inappropriate manner and was otherwise acting not in accordance with Orthodox Jewish tenets, including (without limitation):

- a. As early as 2006, Kesher Israel congregants, other rabbis, and Orthodox religious leaders were made aware of accusations that Freundel was intimidating, extorting, and otherwise mistreating his conversion students, who were mostly attractive young women.
- b. Reports were made that Freundel had brought his young female conversion students to his home, where they were alone with him, and forced them to perform various clerical and other duties at the Kesher Israel Rabbinical Residence.
- c. Freundel's exercise of "practice dunks" was also brought to the attention of Kesher Israel, other rabbis, and other Orthodox religious leaders.
- d. Media reports indicate that, as early as 2009, the former Vice President of Kesher Israel's Board of Directors was aware of inappropriate conduct by Freundel against his conversion students.
- e. Kesher Israel congregants complained that Freundel routinely made inappropriate comments to young women, treated attractive young women preferentially, and "manipulated and controlled" conversion students in his care.

71. According to media reports, approximately ten (10) years ago around the same time Freundel was leading the charge to construct the NCM/Kesher Israel Mikvah, Kesher Israel responded to persistent complaints, concerns, and criticism of Freundel from members of its congregation by issuing a statement to the congregation, essentially a religious "gag" order,



ordering congregants “to cease to participate in any Lashon Hara,<sup>4</sup> to stop listening to insinuations and attacks, to disassociate ourselves from them, and finally to respond forcefully in opposition to Lashon Hara” against Freundel. From that point on, Kesher Israel congregants were forbidden from complaining about or criticizing Freundel and were further *required* to affirmatively support Freundel if they overheard any such complaints.

72. In addition, Kesher Israel was made aware of two formal complaints launched against Freundel with the RCA. Although the full details of the complaints are not known, it is clear that Freundel was accused of abusing converts and of potential sexual impropriety with at least one convert. The RCA’s investigations into the complaints involving one of its own leaders were handled by two prominent attorneys who now head major Jewish organizations: Allen Fagin of the Orthodox Union and Eric Goldstein of UJA-Federation of New York. The RCA’s investigation and the subsequent slap on the wrist it administered to Freundel were described by one critic as “totally incompetent.”

73. Kesher Israel was specifically aware of the complaints to the RCA and it was further advised of the RCA’s failure to take any meaningful action.

74. MPD’s investigation has revealed that the “Dream Machine” clock-radio that ultimately led to Freundel’s downfall was observed in the NCM/Kesher Israel Mikvah Changing Room at least two years before any action was taken to investigate the out-of-place item.

75. Kesher Israel and/or NCM negligently and/or recklessly permitted Freundel to place the “Dream Machine” clock-radio and/or other electronic recording devices in the Changing Room and the ritual bath area of the NCM/Kesher Israel Mikvah. Kesher Israel and/or NCM, with negligent and/or reckless disregard for the safety, privacy, and well-being of the

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<sup>4</sup> “Lashon Hara” means slanderous, negative talk, which is considered sinful in Judaism.

Kesher Israel congregants, female conversion candidates, and other women using the NCM/Kesher Israel Mikvah, including, but not limited to, Plaintiff and other students, failed to inquire, inspect, or investigate why Freundel was placing electronic devices in the Changing Room and the ritual bath area of the mikvah.

**F. GEORGETOWN’S WILLFUL BLINDNESS TOWARD THE PLAIN WARNING SIGNS**

76. Georgetown has a long association with Freundel, who has taught classes and has been involved in Jewish life in various capacities at both Georgetown’s main campus and at Georgetown Law.

77. Kesher Israel is located in the same community as Georgetown’s main campus, where members of Washington’s elite reside and socialize.

78. Upon information and belief, members of the Georgetown faculty were congregants at Kesher Israel and were active in the congregation throughout Freundel’s tenure as Kesher Israel’s Rabbi.

79. Freundel generally behaved in an inappropriate manner with young female students and congregants and, like the female members of the Kesher Israel and NCM communities, the female members of the Georgetown community commonly described Freundel as “creepy.”

80. Upon information and belief, Freundel had lured other Georgetown Law students before Plaintiff to the NCM/Kesher Israel Mikvah using his position at Georgetown Law to sexually exploit these young women.

81. Upon information and belief, despite Freundel’s widespread reputation for abusing his young female students and conversion candidates and for engaging in other inappropriate behaviors, Georgetown undertook no investigation into Freundel’s background prior to hiring him as an adjunct professor at Georgetown Law.

82. Furthermore, upon information and belief, Georgetown undertook no investigation prior to allowing Freundel to invite Georgetown Law students to participate in the immersion ritual at the NCM/Kesher Israel Mikvah, despite widespread public controversy concerning the NCM/Kesher Israel Mikvah and Freundel's practices and policies with regard to the same.

83. Upon information and belief, Georgetown undertook no efforts to warn its students and/or members of its community about widespread public concerns surrounding Freundel and/or the NCM/Kesher Israel Mikvah.

#### **IV. CLASS ALLEGATIONS AGAINST KESHER ISRAEL AND NCM**

##### **A. MAINTAINABILITY OF CLASS ACTION**

84. Plaintiff adopts by reference all allegations contained in the paragraphs above as if fully set forth herein.

85. The "Class" consists of all women who participated in an immersion ritual at the NCM/Kesher Israel Mikvah (the "immersion"): (i) while Freundel was an actual and/or apparent agent, servant, and/or employee of Kesher Israel and/or NCM, (ii) where Freundel initiated, arranged, participated in or was otherwise involved in the immersion, and (iii) who were involuntarily and secretly photographed by any means or otherwise subjected to invasions of their privacy in connection with the immersion. The Class is maintainable under D.C. Super. Ct. Civ. P. Rule 23(a) for the reasons that follow.

86. The identity of the members of the Class will be readily ascertainable through the records of Defendants NCM and/or Kesher Israel in conjunction with records and documents obtained by the MPD and other law enforcement organizations.

87. The members of the Class are likely to exceed 100 or more individuals and, therefore, are so numerous that joinder of all members is impracticable.

88. The questions of law and fact in this action are common to the Class and predominate over any question affecting only individual Class members. These common questions include (without limitation):

- a. Whether Freundel was an actual and/or apparent agent, servant, and/or employee of Kesher Israel and/or NCM at any or all relevant times;
- b. Whether Freundel obtained consent to take videos and/or photographs of the Class members;
- c. Whether Freundel acted within the scope of his employment and/or agency when he captured videos and/or photographs of the Class members while the Class members were participating in the immersion ritual and the “practice dunks” that Freundel supervised and oversaw at the NCM/Kesher Israel Mikvah;
- d. Whether Kesher Israel and/or NCM’s actions and/or failures to act, including (without limitation) their failure to properly investigate, qualify, select, monitor, and/or supervise Freundel, resulted in foreseeable injuries or damages to the Class members;
- e. Whether Defendants had actual knowledge of or were on notice of Freundel’s illicit behavior;
- f. Whether sufficient indicia of Freundel’s wrongdoing existed to put the Defendant’s on notice of Freundel’s wrongdoing;
- g. Whether Defendants are directly liable to Plaintiff and the Class members for failing to prevent Freundel’s wrongdoing that harmed Plaintiff and the members of the Class;

- h. Whether Defendants are vicariously liable for failing to prevent the wrongdoing of their agent, employee, and servant; and
- i. Whether Freundel's wrongdoing took place within the scope and performance of his duties as an employee, agent and servant of the Defendants.

89. The claims of the Named Plaintiff, who is representative of the other members of the Class, is typical of the claims of the Class members and the defenses applicable to Plaintiff's claims are typical of the defenses likely to be asserted as to the claims asserted by members of the Class.

90. Because the Named Plaintiff shares legal interests identical to those of the Class members, the Named Plaintiff will fairly and adequately protect the interests of the Class.

**B. DESIRABILITY OF CLASS ACTION**

91. This action should proceed as a class action as to Keshet Israel and NCM under D.C. Super. R. Civ. P. 23(b)(1) because separate actions by individual members of the Class would create a risk of adjudications with respect to individual Class members that, as a practical matter, would be dispositive of the interests of other members not parties to the individual adjudications or would substantially impair or impede their ability to protect their interests.

92. Alternatively, this action should proceed as a class action as to Keshet Israel and NCM under D.C. Super. R. Civ. P. 23(b)(1) because questions of law or fact common to the Class predominate over any questions affecting individual plaintiffs and class action treatment is superior to other available methods for the fair and efficient adjudication of this controversy between the Class and Defendants Keshet Israel and NCM.

93. No member of the Class has a substantial interest in individually controlling the prosecution of a separate action but if she does, she may exclude herself from the Class upon the receipt of notice under D.C. Super. R. Civ. P. 23(c).

94. This class action can be managed without undue difficulty because the Class representatives will vigorously pursue the interests of the Class by virtue of, and as evidenced by, their actions in initiating this proceeding.

95. Furthermore, Plaintiff's counsel is experienced in class actions and in complex civil litigation, recently having been counsel in a similar class action and currently litigating two national class actions against the National Hockey League and the National Football League. Plaintiff's counsel will adequately represent the interests of the Class.

## **V. CAUSES OF ACTION**

### **COUNT I**

#### **NEGLIGENT HIRING, TRAINING, RETENTION AND SUPERVISION**

96. Plaintiff adopts by reference all allegations contained in the paragraphs above as if fully set forth herein.

97. Plaintiff asserts this claim against Defendants Kesher Israel and NCM individually and on behalf of the Class.

98. Plaintiff asserts this claim against Defendant Georgetown in her individual capacity.

99. At all relevant times, Defendants appointed, engaged, employed, and/or contracted with Freundel to act as their actual and/or apparent, duly authorized agent, servant, and/or employee and permitted him to remain as such for all relevant periods.

100. At all relevant times, Defendants granted privileges to Freundel to practice as a rabbi and/or professor and, thereby, to render spiritual and educational services to their students and/or congregants, including Plaintiff.

101. At all relevant times, Defendants acted by and through Freundel – their agent, servant, and/or employee – acting within the scope and course of his agency and/or employment.

102. At all relevant times, Defendants owed a continuing duty to: reasonably, carefully, and conscientiously secure the services of qualified and well-trained agents, servants, and/or employees; to properly investigate, credential, qualify, select, monitor, and supervise their agents, servants, and/or employees; to promulgate and enforce proper and effective standards, procedures, protocols, systems, and rules to ensure quality care, safety, and privacy of Plaintiff and members of the Class; and to otherwise assure and maintain the safety and privacy of Plaintiff and members of the Class.

103. Defendants negligently breached the above-mentioned duties by hiring, retaining, failing to properly train, and failing to properly supervise Freundel, despite his reputation for improper, unlawful, inappropriate, lewd, and unprofessional conduct.

104. Defendants knew or should have known that Freundel engaged in improper, unlawful, inappropriate, lewd, and unprofessional conduct, including, but not limited to, photographing and/or videotaping Plaintiff and other Class Members while naked and without consent or authorization, and distributing and/or publishing those images and/or videos without consent or authorization.

105. As a direct and proximate result of Defendants' negligent hiring, training, retention, and supervision of Freundel, Plaintiff and the Class have suffered, and will continue to suffer, permanent economic and non-economic damages including (without limitation): great indignity, humiliation, shame, embarrassment, mortification, and other injuries to their physical, mental, emotional, and nervous systems; severe emotional anguish, mental anguish, and psychological distress; the past, present and future cost of medical care including (without limitation) therapy and psychological counseling; lost earnings and diminished capacity; and other pecuniary losses to be established at trial.

**COUNT II**  
**NEGLIGENT ENTRUSTMENT**

106. Plaintiff adopts by reference all allegations contained in the paragraphs above as if fully set forth herein.

107. Plaintiff asserts this claim against Defendants Keshet Israel and NCM individually and on behalf of the Class.

108. Plaintiff asserts this claim against Defendant Georgetown in her individual capacity.

109. At all relevant times, Defendants appointed, engaged, employed, and/or contracted with Freundel to act as their actual and/or apparent, duly authorized agent, servant, and/or employee and permitted him to remain as such for all relevant periods.

110. At all relevant times, Defendants granted privileges to Freundel to practice as a rabbi and/or professor and, thereby, to render spiritual and educational services to their students and/or congregants, including Plaintiff.

111. At all relevant times, Defendant Georgetown owed a continuing duty to Plaintiff to use reasonable care to ensure Freundel was trustworthy, competent, and fit to safely and appropriately utilize the facilities, devices, equipment, machines, and/or supplies entrusted to him for spiritual and/or educational purposes.

112. At all relevant times, Defendants Keshet Israel and NCM owed a continuing duty to Plaintiff and the Class to use reasonable care to ensure Freundel was trustworthy, competent, and fit to safely and appropriately utilize the facilities, devices, equipment, machines, and/or supplies entrusted to him for spiritual and/or educational purposes.

113. At all relevant times, Defendants knew or should have known, and/or had actual knowledge, constructive knowledge, and/or reasonable suspicion that Freundel was using the



Defendants' facilities, devices, equipment, machines, and/or supplies to engage in unprofessional, unlawful, and outrageous conduct by photographing and/or video-recording his (and Defendants') congregants and/or students, including Plaintiff and, for Kesher Israel and NCM, members of the Class, without authorization or consent.

114. Defendants breached these duties by entrusting Freundel with the facilities, devices, equipment, machines, and/or supplies that he used to perform the tortious and illegal acts alleged herein, and Defendants knew or should have known Freundel would use the facilities, devices, equipment, machines, and/or supplies entrusted to him to harm his (and Defendants') congregants and/or students.

115. As a direct and proximate result of Defendants' negligence, Plaintiff and the Class have suffered, and will continue to suffer, permanent economic and non-economic damages including (without limitation): great indignity, humiliation, shame, embarrassment, mortification, and other injuries to their physical, mental, emotional, and nervous systems; severe emotional anguish, mental anguish, and psychological distress; the past, present and future cost of medical care including (without limitation) therapy and psychological counseling; lost earnings and diminished capacity; and other pecuniary losses to be established at trial.

### **COUNT III**

#### **VICARIOUS LIABILITY – *RESPONDEAT SUPERIOR* NEGLIGENCE & NEGLIGENCE *PER SE***

116. Plaintiff adopts by reference all allegations contained in the paragraphs above as if fully set forth herein.

117. Plaintiff asserts this claim against Defendants Kesher Israel and NCM individually and on behalf of the Class.

118. Plaintiff asserts this claim against Defendant Georgetown in her individual capacity.

119. At all relevant times, Defendants appointed, engaged, employed, and/or contracted with Freundel to act as their actual and/or apparent, duly authorized agent, servant, and/or employee and permitted Freundel to remain as such for all relevant periods.

120. At all relevant times, Defendants granted privileges to Freundel to practice as a rabbi and/or professor and, thereby, to render spiritual and educational services to their students and/or congregants, including Plaintiff.

121. At all relevant times, Freundel owed a continuing duty to assure and maintain the safety and privacy of his Georgetown Law students, Keshet Israel congregants, participants in the immersion ritual at the NCM/Keshet Israel Mikvah, and various other members of the public.

122. Freundel breached this duty by, among other things, photographing, videotaping, and/or otherwise sexually exploiting Plaintiff when she participated in the immersion ritual at the NCM/Keshet Israel Mikvah in furtherance of her research paper for the Jewish Studies class she was enrolled in at Georgetown Law.

123. Freundel breached this duty by, among other things, photographing, videotaping, and/or otherwise sexually exploiting members of the Class other than the Named Plaintiff while they participated in the immersion ritual and/or “practice dunks” at the mikvah owned and/or controlled by Keshet Israel and/or NCM.

124. In addition and in the alternative, Defendants owed Plaintiff duties grounded in criminal statutes designed to protect Plaintiff and members of the Class from sexual exploitation including, without limitation: D.C. Code Ann. §§ 22–3531(b), (c), (d), and, upon information and belief, (f)(2).

125. Defendants breached these duties by virtue of Freundel's violation of these statutes while he was Defendants' agent, employee, and/or servant. Freundel's violation of those statutes constitutes negligence *per se* as a matter of the law of the District of Columbia.

126. As a direct, proximate, immediate, and foreseeable result of the foregoing breaches of Defendants' duties, Plaintiff and the Class have suffered, and will continue to suffer, permanent economic and non-economic damages including (without limitation): great indignity, humiliation, shame, embarrassment, mortification, and other injuries to their physical, mental, emotional, and nervous systems; severe emotional anguish, mental anguish, and psychological distress; the past, present and future cost of medical care including (without limitation) therapy and psychological counseling; lost earnings and diminished capacity; and other pecuniary losses to be established at trial.

127. As the principals, masters, and/or employers of Freundel, Defendants are liable for all of the injuries and damages caused by the negligent acts committed by Freundel within the scope of his employment and/or for his negligence *per se* in violating wiretapping and criminal voyeurism statutes while acting as Defendants' agent, employee, and/or servant.

#### **COUNT IV**

#### **DIRECT NEGLIGENCE**

128. Plaintiff adopts by reference all allegations contained in the paragraphs above as if fully set forth herein.

129. Plaintiff asserts this claim against Defendants Keshar Israel and NCM individually and on behalf of the Class.

130. Plaintiff asserts this claim against Defendant Georgetown in her individual capacity.

131. At all relevant times, Defendants appointed, engaged, employed, and/or contracted with Freundel to act as their actual and/or apparent, duly authorized agent, servant, and/or employee and permitted Freundel to remain as such for all relevant periods.

132. At all relevant times, Defendants granted privileges to Freundel to practice as a rabbi and/or professor and, thereby, to render spiritual and educational services to their students and/or congregants, including Plaintiff.

133. At all relevant times, Defendants owed a continuing duty to assure and maintain the safety and privacy of their students, congregants, and participants in the immersion ritual at the NCM/Kesher Israel Mikvah.

134. In addition and in the alternative, Defendants owed Plaintiff and the Class a duty to exercise reasonable care under all of the circumstances to protect persons lawfully on their premises from dangers of which they were or should have been aware and over which they had the ability to exercise control. As discussed above, Defendants had actual and/or constructive knowledge and/or notice of the danger posed by Freundel and had the ability to exercise control over him.

135. In addition and in the alternative, Defendants Kesher Israel and/or NCM owed Plaintiff and the Class special legal duties to preserve and protect the sanctity of religious exercise.

136. In addition and in the alternative, Georgetown owed Plaintiff a special duty of care by virtue of Plaintiff's relationship as a student enrolled at Georgetown Law.

137. Defendants breached these duties by failing to take any meaningful action to prevent Freundel from sexually exploiting Plaintiff and members of the Class, despite clear warning signs and numerous red flags.

138. As a direct, proximate, immediate, and foreseeable result of Defendants' conduct, Plaintiff and the Class have suffered, and will continue to suffer, permanent economic and non-economic damages including (without limitation): great indignity, humiliation, shame, embarrassment, mortification, and other injuries to their physical, mental, emotional, and nervous systems; severe emotional anguish, mental anguish, and psychological distress; the past, present and future cost of medical care including (without limitation) therapy and psychological counseling; lost earnings and diminished capacity; and other pecuniary losses to be established at trial.

#### **COUNT V**

#### **VICARIOUS LIABILITY – *RESPONDEAT SUPERIOR* INVASION OF PRIVACY—INTRUSION UPON SECLUSION**

139. Plaintiff adopts by reference all allegations contained in the paragraphs above as if fully set forth herein.

140. Plaintiff asserts this claim against Defendants Keshet Israel and NCM individually and on behalf of the Class.

141. Plaintiff asserts this claim against Defendant Georgetown in her individual capacity.

142. At all relevant times, Defendants appointed, engaged, employed, and/or contracted with Freundel to act as their actual and/or apparent, duly authorized agent, servant, and/or employee and permitted Freundel to remain as such for all relevant periods.

143. At all relevant times, Defendants granted privileges to Freundel to practice as a rabbi and/or professor and, thereby, to render spiritual and educational services to their students and/or congregants, including Plaintiff.

144. Freundel invaded the privacy of Plaintiff by, among other things, photographing, videotaping, and/or otherwise sexually exploiting Plaintiff when she participated in the immersion ritual at the NCM/Kesher Israel Mikvah in furtherance of her research paper for the Jewish Studies class she was enrolled in at Georgetown Law.

145. Freundel invaded the privacy of members of the Class other than the Named Plaintiff by, among other things, photographing, videotaping, and/or otherwise sexually exploiting them while they were in the Changing Room and participated in the immersion ritual and/or “practice dunks” at the mikvah owned and/or controlled by Kesher Israel and/or NCM.

146. The Changing Room and the mikvah’s ritual bath areas are objectively and subjectively private, secure, and intimate places and Plaintiff and the Class reasonably expected that they would have privacy in the NCM/Kesher Israel Mikvah’s Changing Room and ritual bath area because, among other things, the individual participating disrobes, showers naked, and participates naked in the mikvah ritual. In addition, only one person at a time is permitted to participate in the mikvah ritual, so the participant reasonably assumes she is alone in a private, secure, and intimate setting.

147. Freundel’s conduct is and would be highly offensive to an ordinary, reasonable person.

148. As a direct, proximate, immediate, and foreseeable result of Freundel’s conduct, Plaintiff and the Class have suffered, and will continue to suffer, permanent economic and non-economic damages including (without limitation): great indignity, humiliation, shame, embarrassment, mortification, and other injuries to their physical, mental, emotional, and nervous systems; severe emotional anguish, mental anguish, and psychological distress; the past, present and future cost of medical care including (without limitation) therapy and psychological

counseling; lost earnings and diminished capacity; and other pecuniary losses to be established at trial.

149. As the principals, masters, and/or employers of Freundel, Defendants are liable for all of the injuries and damages caused by the intentional acts committed by Freundel within the scope of his employment.

#### **COUNT VI**

#### **VICARIOUS LIABILITY – *RESPONDEAT SUPERIOR* VIOLATION OF D.C. CODE ANN. § 23–542(a)--WIRETAPPING**

150. Plaintiff adopts by reference all allegations contained in the paragraphs above as if fully set forth herein.

151. Plaintiff asserts this claim against Defendants Keshet Israel and NCM individually and on behalf of the Class.

152. Plaintiff asserts this claim against Defendant Georgetown in her individual capacity.

153. This Count is brought pursuant to D.C. Code Ann. § 23-554(a).

154. At all relevant times, Defendants appointed, engaged, employed, and/or contracted with Freundel to act as their actual and/or apparent, duly authorized agent, servant, and/or employee and permitted Freundel to remain as such for all relevant periods.

155. At all relevant times, Defendants granted privileges to Freundel to practice as a rabbi and/or professor and, thereby, to render spiritual and educational services to their students and/or congregants, including Plaintiff.

156. Freundel willfully intercepted and/or willfully endeavored to intercept Plaintiff's oral communications by means of one or more audio electronic recording devices while Plaintiff

participated in the immersion ritual at the NCM/Kesher Israel Mikvah in furtherance of her research paper for the Jewish Studies class she was enrolled in at Georgetown Law.

157. Freundel willfully intercepted and/or willfully endeavored to intercept the oral communications of the members of the Class other than the Named Plaintiff by means of one or more audio electronic recording devices while they were in the Changing Room and participated in the immersion ritual and/or “practice dunks” at the mikvah owned and/or controlled by Kesher Israel and/or NCM.

158. The Changing Room and the mikvah’s ritual bath areas are objectively and subjectively private, secure, and intimate places and Plaintiff and the Class reasonably expected that they would have privacy in the NCM/Kesher Isreal Mikvah’s Changing Room and ritual bath area because, among other things, the individual participating disrobes, showers naked, and participates naked in the mikvah ritual. In addition, only one person at a time is permitted to participate in the mikvah ritual, so the participant reasonably assumes she is alone in a private, secure, and intimate setting.

159. As a direct, proximate, immediate, and foreseeable result of Freundel’s conduct, Plaintiff and the Class have suffered, and will continue to suffer, permanent economic and non-economic damages including (without limitation): great indignity, humiliation, shame, embarrassment, mortification, and other injuries to their physical, mental, emotional, and nervous systems; severe emotional anguish, mental anguish, and psychological distress; the past, present and future cost of medical care including (without limitation) therapy and psychological counseling; lost earnings and diminished capacity; and other pecuniary losses to be established at trial.



160. As the principals, masters, and/or employers of Freundel, Defendants are liable for all of the injuries and damages caused by the intentional acts committed by Freundel within the scope of his employment.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for judgment as follows:

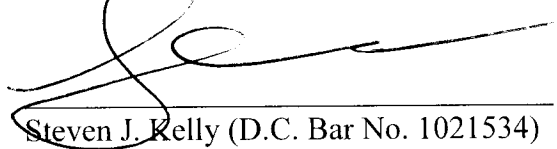
- a. Awarding Plaintiff compensatory damages against Defendant Georgetown in excess of the jurisdictional minimum in an amount to be proven at trial;
- b. Awarding Plaintiff and the Class compensatory damages against Defendants Keshet Israel and NCM in excess of the jurisdictional minimum in an amount to be proven at trial;
- c. Awarding Plaintiff and the Class such other relief as may be appropriate; and
- d. Granting Plaintiff and the Class their prejudgment interest, costs, and reasonable attorneys' fees.

**DEMAND FOR JURY TRIAL**

Plaintiff demands that this case be tried by a jury on all counts.

Dated: December 1, 2014

Respectfully submitted,



Steven J. Kelly (D.C. Bar No. 1021534)  
Anne T. McKenna (D.C. Bar No. 450414)  
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Stephen G. Grygiel (*Pro Hac Vice* Pending)  
Sima G. Fried (*Pro Hac Vice* Pending)  
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*Counsel for Plaintiff*



Superior Court of the District of Columbia  
CIVIL DIVISION

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

Jane Doe

Plaintiff

14-0007644

vs.

Case Number

The Georgetown University, et al.

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 (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.

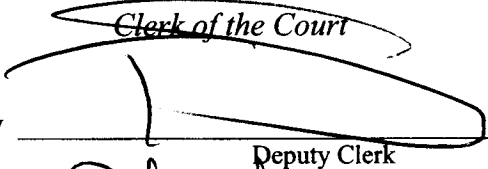
You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the 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.

Steven J. Kelly, DC Bar No. 1021534  
Name of Plaintiff's Attorney

Silverman, Thompson, Slutkin & White, LLC  
Address

201 N. Charles St., Ste. 2600 Baltimore, MD  
21201

410-385-2225  
Telephone

Clerk of the Court  
By   
Deputy Clerk  
Date 12/2/14

如需翻译, 请打电话 (202) 879-4828

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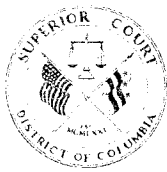
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**IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF 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 (202-682-2700) 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**

**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.

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: \_\_\_\_\_

Dirección \_\_\_\_\_

Subsecretario

Fecha \_\_\_\_\_

Teléfono \_\_\_\_\_

如需翻译, 请打电话 (202) 879-4828

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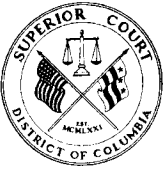
번역을 원하시면, (202) 879-4828 로 전화하십시오

የአማርኛ 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 (202-682-2700) 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

Jane Doe

Plaintiff

vs.

Case Number **14-0007644**

The National Capital Mikvah, Inc., et al.  
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 (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.

Steven J. Kelly DC Bar No. 1021534  
Name of Plaintiff's Attorney

Silverman, Thompson, Slutkin & White, LLC  
Address  
201 N. Charles St., Ste 2600 Baltimore, MD  
21201

410-385-2225  
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 원하시면, (202) 879-4828 로 전화하십시오 የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

Clerk of the Court  
By   
Deputy Clerk  
Date 12/21/14

**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 (202-682-2700) 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**

**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.

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 \_\_\_\_\_

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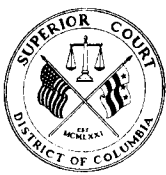
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የአግርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

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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 (202-682-2700) 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

Jane Doe

Plaintiff

vs.

14-0007644

Case Number

The Georgetown Synagogue - Keshet  
Israel Congregation, et. al. 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 (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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Steven J. Kelly, DC Bar No. 1021534  
Name of Plaintiff's Attorney

Silverman, Thompson, Slutkin & White, LLC  
Address  
201 N. Charles St., Ste. 2600 Baltimore, MD  
21201  
410-385-2225  
Telephone

Clerk of the Court

By

Deputy Clerk

Date

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contra

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*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante \_\_\_\_\_

Por: \_\_\_\_\_

Dirección \_\_\_\_\_

Subsecretario \_\_\_\_\_

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

14-0007644

Jane Doe

Case Number: \_\_\_\_\_

vs

Date: December 1, 2014

The Georgetown University, et al.

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

|  |  |
|--|--|
| Name: (Please Print)<br><b>Steven J. Kelly</b>                     | Relationship to Lawsuit<br><input checked="" type="checkbox"/> Attorney for Plaintiff<br><input type="checkbox"/> Self (Pro Se)<br><input type="checkbox"/> Other: _____ |
| Firm Name:<br><b>Silverman, Thompson, Slutkin &amp; White, LLC</b> |  |
| Telephone No.:<br><b>410.385.2225</b>                              | Six digit Unified Bar No.:<br><b>1021534</b>   |

TYPE OF CASE: ☐ Non-Jury ☒ 6 Person Jury ☐ 12 Person Jury  
Demand: \$ In Excess of Jurisdictional Amt. Other: \_\_\_\_\_

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: N/A Judge: \_\_\_\_\_ Calendar #: \_\_\_\_\_

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar#: \_\_\_\_\_

|  |  |   |
|--|--|---|
| NATURE OF SUIT: (Check One Box Only)   |  |   |
| <b>A. CONTRACTS</b>  | <b>COLLECTION CASES</b>  |   |
| <input type="checkbox"/> 01 Breach of Contract<br><input type="checkbox"/> 02 Breach of Warranty<br><input type="checkbox"/> 06 Negotiable Instrument<br><input type="checkbox"/> 15 Special Education Fees<br><input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale  | <input type="checkbox"/> 07 Personal Property<br><input type="checkbox"/> 09 Real Property-Real Estate<br><input type="checkbox"/> 12 Specific Performance<br><input type="checkbox"/> 13 Employment Discrimination  | <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent<br><input type="checkbox"/> 16 Under \$25,000 Consent Denied<br><input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent<br><input type="checkbox"/> 18 OVER \$25,000 Consent Denied  |
| <b>B. PROPERTY TORTS</b>   |  |   |
| <input type="checkbox"/> 01 Automobile<br><input type="checkbox"/> 02 Conversion<br><input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a)  | <input type="checkbox"/> 03 Destruction of Private Property<br><input type="checkbox"/> 04 Property Damage   | <input type="checkbox"/> 05 Trespass<br><input type="checkbox"/> 06 Traffic Adjudication  |
| <b>C. PERSONAL TORTS</b>   |  |   |
| <input type="checkbox"/> 01 Abuse of Process<br><input type="checkbox"/> 02 Alienation of Affection<br><input type="checkbox"/> 03 Assault and Battery<br><input type="checkbox"/> 04 Automobile- Personal Injury<br><input type="checkbox"/> 05 Deceit (Misrepresentation)<br><input type="checkbox"/> 06 False Accusation<br><input type="checkbox"/> 07 False Arrest<br><input type="checkbox"/> 08 Fraud | <input type="checkbox"/> 09 Harassment<br><input type="checkbox"/> 10 Invasion of Privacy<br><input type="checkbox"/> 11 Libel and Slander<br><input type="checkbox"/> 12 Malicious Interference<br><input type="checkbox"/> 13 Malicious Prosecution<br><input type="checkbox"/> 14 Malpractice Legal<br><input type="checkbox"/> 15 Malpractice Medical (Including Wrongful Death)<br><input checked="" type="checkbox"/> 16 Negligence- (Not Automobile, Not Malpractice) | <input type="checkbox"/> 17 Personal Injury- (Not Automobile, Not Malpractice)<br><input type="checkbox"/> 18 Wrongful Death (Not Malpractice)<br><input type="checkbox"/> 19 Wrongful Eviction<br><input type="checkbox"/> 20 Friendly Suit<br><input type="checkbox"/> 21 Asbestos<br><input type="checkbox"/> 22 Toxic/Mass Torts<br><input type="checkbox"/> 23 Tobacco<br><input type="checkbox"/> 24 Lead Paint |

SEE REVERSE SIDE AND CHECK HERE ☐ IF USED

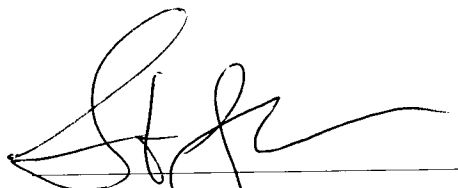
# Information Sheet, Continued

## C. OTHERS

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> 01 Accounting                  | <input type="checkbox"/> 10 T.R.O./ Injunction              | <input type="checkbox"/> 25 Liens: Tax/Water Consent Granted |
| <input type="checkbox"/> 02 Att. Before Judgment        | <input type="checkbox"/> 11 Writ of Replevin                | <input type="checkbox"/> 26 Insurance/ Subrogation           |
| <input type="checkbox"/> 04 Condemnation (Emin. Domain) | <input type="checkbox"/> 12 Enforce Mechanics Lien          | Under \$25,000 Consent Denied                                |
| <input type="checkbox"/> 05 Ejectment                   | <input type="checkbox"/> 16 Declaratory Judgment            | <input type="checkbox"/> 27 Insurance/ Subrogation           |
| <input type="checkbox"/> 07 Insurance/Subrogation       | <input type="checkbox"/> 17 Merit Personnel Act (OEA)       | Over \$25,000 Pltf. Grants Consent                           |
| Under \$25,000 Pltf.                                    | (D.C. Code Title 1, Chapter 6)                              | <input type="checkbox"/> 28 Motion to Confirm Arbitration    |
| Grants Consent  | <input type="checkbox"/> 18 Product Liability               | Award (Collection Cases Only)                                |
| <input type="checkbox"/> 08 Quiet Title                 | <input type="checkbox"/> 24 Application to Confirm, Modify, | <input type="checkbox"/> 29 Merit Personnel Act (OHR)        |
| <input type="checkbox"/> 09 Special Writ/Warrants       | Vacate Arbitration Award                                    | <input type="checkbox"/> 30 Liens: Tax/ Water Consent Denied |
| (DC Code § 11-941)                                      | (DC Code § 16-4401)   | <input type="checkbox"/> 31 Housing Code Regulations         |
|   |   | <input type="checkbox"/> 32 Qui Tam                          |
|   |   | <input type="checkbox"/> 33 Whistleblower                    |
|   |   | <input type="checkbox"/> 34 Insurance/Subrogation            |
|   |   | Over \$25,000 Consent Denied                                 |

## II.

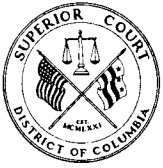
- |   |   |  |
|---|---|--|
| <input type="checkbox"/> 03 Change of Name                  | <input type="checkbox"/> 15 Libel of Information          | <input type="checkbox"/> 21 Petition for Subpoena              |
| <input type="checkbox"/> 06 Foreign Judgment                | <input type="checkbox"/> 19 Enter Administrative Order as | [Rule 28-I (b)]  |
| <input type="checkbox"/> 13 Correction of Birth Certificate | Judgment [ D.C. Code §                                    | <input type="checkbox"/> 22 Release Mechanics Lien             |
| <input type="checkbox"/> 14 Correction of Marriage          | 2-1802.03 (h) or 32-1519 (a)]                             | <input type="checkbox"/> 23 Rule 27(a) (1)                     |
| Certificate   | <input type="checkbox"/> 20 Master Meter (D.C. Code §     | (Perpetuate Testimony)   |
|   | 42-3301, et seq.)   | <input type="checkbox"/> 24 Petition for Structured Settlement |
|   |   | <input type="checkbox"/> 25 Petition for Liquidation           |



Attorney's Signature

December 1, 2014

Date



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

JANE DOE

Vs.

C.A. No. 2014 CA 007644 B

THE GEORGETOWN UNIVERSITY

**INITIAL ORDER AND ADDENDUM**

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure (“SCR Civ”) 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. 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 SCR Civ 4(m).

(3) Within 20 days of service as described above, except as otherwise noted in SCR Civ 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 SCR Civ 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 six 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 Lee F. Satterfield

Case Assigned to: Judge HERBERT B DIXON JR

Date: December 2, 2014

Initial Conference: 9:30 am, Friday, March 06, 2015

Location: Courtroom 415

500 Indiana Avenue N.W.

WASHINGTON, DC 20001

Caio.doc

## 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. Two separate Early Mediation Forms are available. Both forms may be obtained at [www.dccourts.gov/medmalmediation](http://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](mailto: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](http://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 Clerk's Office. The forms to be used for early mediation reports are available at [www.dccourts.gov/medmalmediation](http://www.dccourts.gov/medmalmediation).

Chief Judge Lee F. Satterfield