

**DISTRICT OF COLUMBIA  
OFFICE OF ADMINISTRATIVE HEARINGS**

Marion S. Barry Jr. Building  
441 Fourth Street, NW, Suite 450 North  
Washington, DC 20001-2714

TEL: (202) 442-9094 · FAX: (202) 442-4789 · EMAIL: oah.filing@dc.gov  
eFiling: <https://ecourt.oah.dc.gov/public-portal/>

HARRY GURAL,  
Tenant/Petitioner,

v.

EQUITY RESIDENTIAL/ SMITH PROPERTY  
HOLDINGS VANNESS LP,  
Housing Provider/Respondent.

Case No.: 2016-DHCD-TP 30,855

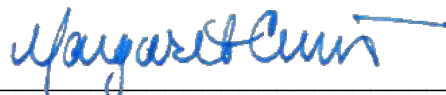
*In re:* 3003 Van Ness Street, NW  
S-707

**ORDER GRANTING  
TENANT/PETITIONER'S MOTION TO ISSUE SUBPOENAS**

This matter is before me on Tenant/Petitioner Harry Gural's Motion to Issue Subpoenas filed on December 19, 2023. The request is in compliance with all applicable OAH Rules and Tenant/Petitioner provided blank subpoenas. Accordingly, Tenant/Petitioner's Motion is **GRANTED**. The signed subpoenas are attached to this order.

**So ordered.**

**This Order is dated when it is served, as certified on the Certificate of Service found at the end of this document.**



\_\_\_\_\_  
M. Colleen Currie [Electronically signed]  
Administrative Law Judge

**Certificate of Service:**

**By First-Class Mail (Postage Prepaid):**

Harry Gural  
3003 Van Ness Street, NW, Apt. S-707  
Washington, DC 20008

email: harygural@gmail.com

Natasha N. Mishra, Esq.  
Spencer B. Ritchie, Esq.  
Gwynne L. Booth, Esq.  
Richard Luchs, Esq.  
GREENSTEIN DELORME & LUCHS, PC  
801 17th Street, NW Suite 1000  
Suite 1000  
Washington, DC 20006

Equity Residential/ Smith Property Holdings VanNess LP  
3003 Van Ness Street, NW  
Washington, DC 20008

I hereby certify that on December 22, 2023 this document was caused to be served upon the above-named parties at the addresses and by the means stated.

          C. Draughn /S/            
Clerk / Deputy Clerk



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Harry Gural  
Petitioner(s),  
  
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Equity Residential Management  
Respondent(s)

Case No(s): 2016-DHCD-TP 30,855

**SUBPOENA TO APPEAR AND TESTIFY AT A HEARING**

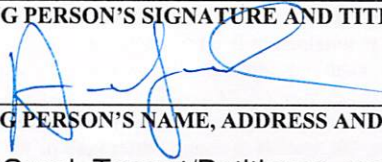
**TO:** Avis DuVall

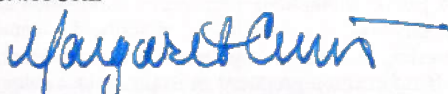
**YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the above case.**

LOCATION (if in-person hearing) or ACCESS INFORMATION (if remote hearing)	DATE	TIME
Office of Administrative Hearings 441 4th Street, NW Suite 450N Washington, DC 20001	Jan. 24, 2024 and Jan. 25, 2024	10:00 am

**YOU MUST ALSO bring with you the following documents, electronically stored information, or objects.**  
(Leave blank if not applicable)

<b>DOCUMENTS OR OBJECTS</b>

<b>ISSUING PERSON'S SIGNATURE AND TITLE</b> (indicate if attorney for Petitioner or Respondent)	<b>DATE</b>
	12/19/2023
<b>ISSUING PERSON'S NAME, ADDRESS AND PHONE NUMBER</b>	
Harry Gural, Tenant/Petitioner, pro se	

<b>AUTHORIZING ADMINISTRATIVE LAW JUDGE</b>	<b>SIGNATURE</b>	<b>DATE</b>
M. Colleen Currie		22 Dec 2023

**This subpoena is enforceable only when signed by an Administrative Law Judge.**

## PROOF OF SERVICE

<b>SERVED ON (Print name)</b> Avis DuVall	<b>TITLE</b>	
<b>PERSONAL DELIVERY LOCATION</b>		
<b>SERVED BY (Print name)</b>	<b>DATE</b>	<b>TIME</b>

### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the District of Columbia that I am at least 18 years of age and that the foregoing information contained in the Proof of Service is true and correct.

Executed on: \_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

**Submission of a false statement is a crime, punishable under D.C. Code § 22-2514**

#### **OAH Rules pertaining to responding to a subpoena and protecting a person subject to a subpoena**

2824.10 A person or entity ordered to produce documents at a hearing: (a) Need not appear in person at the hearing unless ordered by an Administrative Law Judge to do so; (b) Shall produce the documents as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the subpoena; and (c) Shall expressly make any claims of privilege or protection with a description of the documents not produced that is sufficient to enable the requesting party to contest the claim.

2824.11 A subpoena may be served at any place within the District of Columbia, or at any place outside the District of Columbia that is within twenty-five (25) miles of the place of the hearing.

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2824.13 An Administrative Law Judge may quash or modify a subpoena if it: (a) Was issued under Subsections 2824.5, 2934.1 or 2984.1, but does not meet the requirements of those subsections; (b) Was improperly served; (c) Fails to allow reasonable time for compliance; (d) Requires a person who is not a party or an officer of a party to travel to a hearing more than twenty-five (25) miles from where that person resides, is employed, or regularly transacts business, except that such a person may be ordered to appear by telephone; (e) Requires disclosure of a privileged or other protected information; or (f) Subjects a person or entity to undue burden or expense.

2824.14 If a person or entity disobeys a subpoena, an Administrative Law Judge may order compliance with the subpoena. If a person subject to the order fails to comply, the Administrative Law Judge may impose monetary sanctions. In addition, a party may apply to the Superior Court of the District of Columbia for an order to show cause why that person should not be held in civil contempt.

**The OAH Rules also allow administrative law judges to be guided by the D.C. Superior Court Rules of Civil Procedure when the OAH Rules do not address a specific procedural issue. See OAH Rule 2801. Relevant D.C. Superior Court rules include the following:**

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- (2) *Claiming Privilege or Protection.*
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  - (B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.



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Respondent(s)

Case No(s): 2016-DHCD-TP 30,855

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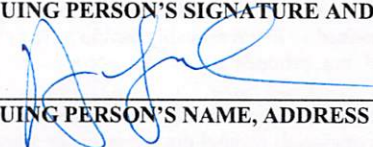
**TO:** Frances Nolan

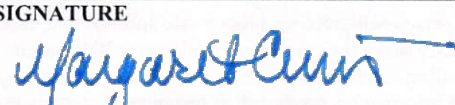
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Harry Gural, Tenant/Petitioner, pro se	

<b>AUTHORIZING ADMINISTRATIVE LAW JUDGE</b>	<b>SIGNATURE</b>	<b>DATE</b>
M. Colleen Currie		22 Dec 2023

**This subpoena is enforceable only when signed by an Administrative Law Judge.**



## PROOF OF SERVICE

<b>SERVED ON (Print name)</b> Frances Nolan	<b>TITLE</b> Senior Vice President, Equity Residential	
<b>PERSONAL DELIVERY LOCATION</b>		
<b>SERVED BY (Print name)</b>	<b>DATE</b>	<b>TIME</b>

### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the District of Columbia that I am at least 18 years of age and that the foregoing information contained in the Proof of Service is true and correct.

Executed on: \_\_\_\_\_  
DATE

\_\_\_\_\_  
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\_\_\_\_\_  
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Case No(s): 2016-DHCD-TP 30,855

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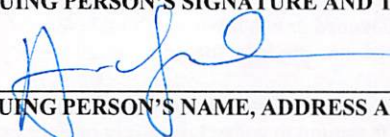
**TO:** Julie Jackson

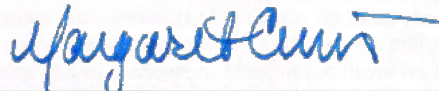
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Harry Gural, Tenant/Petitioner, pro se	

<b>AUTHORIZING ADMINISTRATIVE LAW JUDGE</b>	<b>SIGNATURE</b>	<b>DATE</b>
M. Colleen Currie		22 Dec 2023

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## PROOF OF SERVICE

<b>SERVED ON (Print name)</b> Julie Jackson	<b>TITLE</b> Leasing Manager, Equity Residential	
<b>PERSONAL DELIVERY LOCATION</b>		
<b>SERVED BY (Print name)</b>	<b>DATE</b>	<b>TIME</b>

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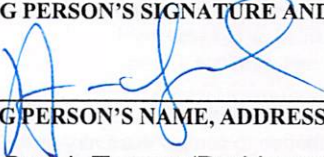
**TO:** Stacey Aguiar

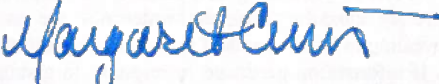
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M. Colleen Currie		22 Dec 2023

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## PROOF OF SERVICE

<b>SERVED ON (Print name)</b> Stacey Aguiar	<b>TITLE</b> VP Property Management, Equity Reside	
<b>PERSONAL DELIVERY LOCATION</b>		
<b>SERVED BY (Print name)</b>	<b>DATE</b>	<b>TIME</b>

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  - (B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
  - (C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.
  - (D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.
- (2) *Claiming Privilege or Protection.*
  - (A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation materials must: (i) expressly make the claim; and (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
  - (B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.