

**DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS**

Cover Sheet for Electronic Filing

1. Check one of the boxes below.

The case number is: 2016 DHCD TP 30,855
Harry Gural v. Equity Residential
Management / Smith Property Holdings
Van Ness LP

This is a new case, and a case number has not yet been assigned.

2. Briefly describe the paper that you are filing:

Tenant's Opposition to Housing Provider Motion to Quash Subpoena to Frances Nolan

3. My name, mailing address, telephone number, and e-mail address are:

Name: Harry Gural
Mailing Address: 144 Ridgeway Drive
City, State, Zip: Lewisburg, PA 17837

Telephone: (202) 527-2280
E-mail address: harygural@gmail.com
Representing: *pro se*

I agree to receive documents from the court at my email address. **Yes**

4. You should complete this form, save it to your computer, and then attach it to an e-mail, along with the papers you are filing. The e-mail address for filing papers at OAH is oah.filing@dc.gov. Papers sent to any other e-mail address will **not** be accepted for filing.

I sent a copy of the attached papers to all other parties or their representatives as listed below.

Person to Whom the Papers Were Sent:

Richard W. Luchs (D.C. Bar No. 243931)
Spencer B. Ritchie (D.C. Bar No. 167352)
Greenstein, DeLorme and Luchs
801 17th Street, N.W., Suite 1000
Washington, DC 20006-3967

Method of sending:

Mail Commercial Carrier
 Fax (Give Fax number)
 Hand delivery
 Email (only if the person has agreed; provide email address sbr@gdllaw.com; RWL@gdllaw.com)

Date the papers were sent: Feb. 26th, 2024

**DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS**

<p>HARRY GURAL <i>Tenant/Petitioner,</i></p> <p style="text-align:center">v.</p> <p>EQUITY RESIDENTIAL MANAGEMENT and SMITH PROPERTY HOLDINGS VAN NESS LP <i>Housing Provider/Respondent</i></p>	<p>2016-DHCD-TP 30,855</p> <p><i>In re:</i> 3003 Van Ness St. NW, S-707</p> <p>Chief Judge M. Colleen Currie</p>
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**TENANT’S OPPOSITION TO HOUSING PROVIDER MOTION TO QUASH
SUBPOENA TO FRANCES NOLAN**

Tenant/Petitioner Harry Gural submits his opposition to the Housing Provider’s Opposed Motion to Quash Subpoena to Frances Nolan.

Frances Nolan is a Senior Vice President of Equity Residential. At the time of the filing of the Tenant’s petition in 2016, Ms. Nolan was the Vice President of Equity Residential’s Washington DC Metro Property Management Group. The Court issued a signed subpoena of Frances Nolan on Feb. 5, 2024. (EXHIBIT A)

The subpoena was delivered successfully to CT Corporation System on Feb. 23, 2024, at 6:00 AM, more than four days before the Feb. 28 evidentiary hearing. The person receiving the subpoena was Reza Lustig, an Intake Specialist and Authorized Agent for CT Corporation System. The process server was Aidan Doyle. An Affidavit of Process Server, sworn and signed by Aidan Doyle of Same Day Process Service Inc., and notarized in the District of Columbia, is attached. (EXHIBIT B)

In addition, repeated efforts have been made by a professional process server to serve Frances Nolan in person in Chicago. Process server Nicholas Currie attempted service five times, on Feb. 9th, 13th, 14th, 16th, and 24th, but he was not allowed to enter Equity Residential corporate offices beyond the front desk. He attempted to call Ms. Nolan repeatedly from the front desk, but all calls went immediately to voicemail. He left several voicemail messages for Ms. Nolan, but she did not return his calls. An Investigative Due Diligence Affidavit containing details of these attempts at service was sworn and signed by process server Nicholas Currie and was notarized with an official seal of Notary Public Marek Skrzydlak in the state of Illinois. (EXHIBIT C)

In order to make every effort to reach Ms Nolan, the Tenant sent emails to the Housing Provider's attorney on Feb. 19th and Feb. 21st, requesting assistance in reaching her. The counsel for the Housing Provider responded on Feb. 20th, stating that "we will not assist you in serving Frances Nolan. (EXHIBIT D)

The Tenant also attempted to contact Ms. Nolan via her corporate email address on Feb. 22nd, 2024, attaching a PDF copy of the subpoena. (EXHIBIT E) Ms. Nolan did not respond.

The Housing Provider's attorney has known about the subpoena since the evidentiary hearing on Jan. 24th, and it received the signed subpoena from the Court on Feb. 5, 2024. Presumably, the Housing Provider's attorney is in contact with its client, and it is extremely unlikely that Ms. Nolan does not know that a subpoena has been issued for her to appear at the hearing on Feb. 28th.

Frances Nolan is critical to the Tenant's case because during the months leading to the filing of the Tenant's 2016 petition, she was the Vice President of Equity Residential's Washington DC Metro Property Management Group, with oversight of properties including the Tenant's residence at 3003 Van Ness. She likely knows whether Equity Residential's overcharges of the Tenant were accidental or made in bad faith.

If the Housing Provider cannot guarantee that Frances Nolan and Jesse Jennell will both appear at the scheduled Jan. 28th hearing, the Tenant request a continuance so that the hearing can be rescheduled, and new subpoenas can be issued.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Gural', with a stylized flourish at the end.

HARRY GURAL
Tenant/Petitioner *pro se*

Email: harrygural@gmail.com
Telephone: (202) 527-2280

Dated: February 26, 2024

EXHIBIT A



**DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS**
441 4TH STREET, NW, SUITE 450 NORTH
WASHINGTON, DC 20001-2714



Tel: (202) 442-9094 • Fax: (202) 442-4789 • Email: oah.filing@dc.gov

Harry Gural
Petitioner(s),

v.

Equity Residential Management
Respondent(s)

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

SUBPOENA TO APPEAR AND TESTIFY AT A HEARING

TO: Frances Nolan

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
https://globalpage-prod.webex.com/join Access Code: 2308 214 0684 Password: 9VYbMP5wFD6 https://dcnet.webex.com/dcnet/j.php?MTID=ma5c7cc363f8921d9f96cf82c36185e1c	Feb. 28, 2024	10:00 am

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

DOCUMENTS OR OBJECTS

ISSUING PERSON'S SIGNATURE AND TITLE (indicate if attorney for Petitioner or Respondent)	DATE
	1/25/2024
ISSUING PERSON'S NAME, ADDRESS AND PHONE NUMBER	
Harry Gural, Tenant/Petitioner, pro se	

AUTHORIZING ADMINISTRATIVE LAW JUDGE	SIGNATURE	DATE
<i>M. Colleen Currie</i>	<i>[Signature]</i>	2-5-2024

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

PROOF OF SERVICE

SERVED ON (Print name) Frances Nolan	TITLE Senior Regional Manager, Equity Resider	
PERSONAL DELIVERY LOCATION		
SERVED BY (Print name)	DATE	TIME

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.

2824.12 To prove service of a subpoena, a party shall file a written statement or shall provide in-court testimony describing the date and manner of service, and names of the persons served.

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:

SCR-CIV 45(d). Duties in Responding to Subpoena.

- (1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:
 - (A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
 - (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.

EXHIBIT B

AFFIDAVIT OF PROCESS SERVER

District of Columbia Office of Administrative Hearings

Harry Gural

Plaintiff(s),

VS.

Equity Residential Management

Defendant(s).

Attorney: NONE

Harry Gural
3003 Van Ness St., NW, #S-707
Washington DC 20008



311917

Case Number: 2016-DHCD-TP 30,855

Legal documents received by Same Day Process Service, Inc. on 02/23/2024 at 6:00 AM to be served upon Frances Nolan, c/o Equity Residential Management, by serving CT Corporation System at 1015 15th St., NW, #1000, Washington, DC 20005

I, Aidan Doyle, swear and affirm that on February 23, 2024 at 12:06 PM, I did the following:

Served Frances Nolan, c/o Equity Residential Management, by serving CT Corporation System by delivering a conformed copy of the Subpoena to Appear and Testify at a Hearing to Reza Lustig as Intake Specialist & Authorized Agent of Frances Nolan, c/o Equity Residential Management, by serving CT Corporation System at 1015 15th St., NW, #1000 , Washington, DC 20005.

Description of Person Accepting Service:

Sex: Male Age: 35 Height: 5ft4in-5ft8in Weight: 161-200 lbs Skin Color: Caucasian Hair Color: Black

Supplemental Data Appropriate to this Service:

I declare under penalty of perjury that the foregoing information contained in this affidavit is true and correct and that I am a professional process server over the age of 18 and have no interest in the above legal matter.

District of Columbia
Signed and sworn to (or affirmed) before me
on 2/23/2024 by Aidan Doyle
Name of Individual(s) Making Statement
Signature of Notarial Officer
Title of Office
My commission expires: 3/14/2026

Aidan Doyle
Aidan Doyle
Process Server
Same Day Process Service, Inc.
1413 K St., NW, 7th Floor
Washington DC 20005
(202)-398-4200
info@samedayprocess.com

Internal Job ID:311917



EXHIBIT C

INVESTIGATIVE DUE DILIGENCE AFFIDAVIT

District of Columbia Office of Administrative Hearings

Harry Gural

Plaintiff(s),

vs.

Attorney: NONE

Harry Gural
3003 Van Ness St., NW, #S-707
Washington DC 20008

Equity Residential Management

Defendant(s).



311842


Case Number: 2016-DHCD-TP 30,855

Legal documents received by Same Day Process Service, Inc. was requested to provide an affidavit of due diligence for subject(s), **Frances Nolan on 02/08/2024 at 11:44 AM at Equity Residential, Two North Riverside Plaza, Chicago, IL 60606**

The undersigned, swear and affirm that on **February 20, 2024 at 1:21 PM**, I did the following:

NON-SERVED: After careful inquiry and diligent attempts, I was unable to serve **Frances Nolan** the **Subpoena to Appear and Testify at a Hearing** for the reason(s) indicated in the comments below:

Date/Time	Address	Remarks
02/09/2024-2:07 PM	Equity Residential, Two North Riverside Plaza Chicago, IL 60606	I spoke on the phone with the front desk of the service address and inquired about the subject's availability. They informed me that they were not sure if the subject was in but provided me with her extension. Upon calling the extension, it rang and went to voicemail. - Attempted by Nicholas Currie
02/13/2024-1:41 PM	Equity Residential, Two North Riverside Plaza Chicago, IL 60606	Upon reaching the service address, I spoke with a coworker of the subject at the front desk. He informed me that he hadn't seen her today and even made some calls to confirm that she was indeed absent. - Attempted by Nicholas Currie
02/14/2024-1:35 PM	Equity Residential, Two North Riverside Plaza Chicago, IL 60606	I called the front desk and was transferred to the subject's extension. After several rings, the call was directed to voicemail. I then called her cell phone number and was also forwarded to her voicemail, I left a message including my contact information for the subject to reach me. - Attempted by Nicholas Currie
02/16/2024-2:55 PM	Equity Residential, Two North Riverside Plaza Chicago, IL 60606	Upon arriving at the service address, I was informed by another Equity employee that she was not present today. I attempted to call her number again, but it went immediately to voicemail without ringing, similar to what occurs when a number is blocked. Additionally, I have not received a response to the voicemail I previously left. - Attempted by Nicholas Currie
02/20/2024-1:21 PM	Equity Residential, Two North Riverside Plaza Chicago, IL 60606	Upon reaching the service address, I asked the front desk to call the subject to check if she was present. The front desk associate confirmed that she was not in. Additionally, I tried calling the subject on her provided direct number, but it went to voicemail again. - Attempted by Nicholas Currie



Nicholas Currie
Process Server

Sworn to and subscribed before me on

February 22, 2024

X

Notary Public

Same Day Process Service, Inc.
1413 K St., NW, 7th Floor
Washington DC 20005
(202)-398-4200
info@samedayprocess.com

Internal Job ID:311042

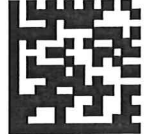


EXHIBIT D



Harry Gural <harrygural@gmail.com>

Subpoena for Frances Nolan

8 messages

Harry Gural <harrygural@gmail.com>
To: "Spencer B. Ritchie" <sbr@gdllaw.com>

Mon, Feb 19, 2024 at 10:35 AM

Mr. Ritchie,

I have tried repeatedly to serve Frances Nolan the court subpoena for the hearing on Feb. 28th, 2024.

Service was attempted by a professional process server at her residence or at her office on Feb. 9, 13, 14 and 16. In addition, service had been attempted for the previous subpoena for last month's hearing on Jan. 8, 9, 11 and 19. Given all these unsuccessful attempts at service, for which I have records from the process server, it appears that Ms. Nolan is ducking the subpoena.

For this reason, I request your assistance in serving the subpoena to Frances Nolan.

If you and your client are not willing to make service possible, I plan to ask the court for a continuance so we can reschedule the hearing after service has been successfully completed.

Will you assist in service of the subpoena?

Harry Gural

 **Subpoena of Frances Nolan for 2-28-2024 hearing.pdf**
173K

Spencer B. Ritchie <sbr@gdllaw.com>
To: Harry Gural <harrygural@gmail.com>
Cc: "Richard W. Luchs" <RWL@gdllaw.com>

Tue, Feb 20, 2024 at 3:31 PM

Hello Mr. Gural:

We are not your attorneys and will not assist you in litigating your case. We will not assist you in serving Frances Nolan. We do not consent to your request to continue the OAH trial.

Additionally, please advise if you will consent to a Motion to Quash the subpoena as to Jesse Jennell.

Finally, please advise if you will consent to a Motion to Continue the Landlord/Tenant matter on the 28th due to the scheduling conflict with the OAH trial. If you do consent, please provide three dates approximately 60 days from now and I will seek to schedule a time we are both available.

Respectfully,

Spencer Ritchie



Spencer B. Ritchie, Esq.
GREENSTEIN DELORME & LUCHS, P.C.

Associate

801 17th Street, N.W., Suite 1000

Washington, D.C. 20006

202.452.1400

sbr@gdllaw.com

www.gdllaw.com

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From: Harry Gural <harrygural@gmail.com>
Sent: Monday, February 19, 2024 10:35 AM
To: Spencer B. Ritchie <sbr@gdllaw.com>
Subject: Subpoena for Frances Nolan

CAUTION: This is an external message. Please verify that it is a trusted source before replying, clicking links or opening attachments.

[Quoted text hidden]

Harry Gural <harrygural@gmail.com>
To: "Spencer B. Ritchie" <sbr@gdllaw.com>
Cc: "Richard W. Luchs" <RWL@gdllaw.com>

Wed, Feb 21, 2024 at 9:24 AM

Mr. Ritchie,

- 1) I will continue to attempt to serve Frances Nolan via all means possible, but if she continues to duck service, I will request a continuance.
- 2) I do not consent to a motion to quash the subpoena to Jesse Jennell.
- 3) Yes, please submit a joint motion to L&T court to continue proceedings in approx. two months. I can attend a hearing any time Tuesday through Friday, April 23rd to 26th, or April 30th through May 3rd, between 10:00 am and 4:00 pm.

Harry Gural
[Quoted text hidden]

Spencer B. Ritchie <sbr@gdllaw.com>
To: Harry Gural <harrygural@gmail.com>
Cc: "Richard W. Luchs" <RWL@gdllaw.com>

Wed, Feb 21, 2024 at 9:35 AM

Understood. I will file the request to the L&T Court today.



Spencer B. Ritchie, Esq.
GREENSTEIN DELORME & LUCHS, P.C.

Associate

801 17th Street, N.W., Suite 1000

Washington, D.C. 20006

202.452.1400

sbr@gdllaw.com

www.gdllaw.com

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From: Harry Gural <harrygural@gmail.com>
Sent: Wednesday, February 21, 2024 9:25 AM
To: Spencer B. Ritchie <sbr@gdllaw.com>
Cc: Richard W. Luchs <RWL@gdllaw.com>
Subject: Re: Subpoena for Frances Nolan

CAUTION: This is an external message. Please verify that it is a trusted source before replying, clicking links or opening attachments.

Mr. Ritchie,

1) I will continue to attempt to serve Frances Nolan via all means possible, but if she continues to duck service, I will request a continuance.

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3) Yes, please submit a joint motion to L&T court to continue proceedings in approx. two months. I can attend a hearing any time Tuesday through Friday, April 23rd to 26th, or April 30th through May 3rd, between 10:00 am and 4:00 pm.

Harry Gural

On Tue, Feb 20, 2024 at 3:32 PM Spencer B. Ritchie <sbr@gdllaw.com> wrote:

Hello Mr. Gural:

We are not your attorneys and will not assist you in litigating your case. We will not assist you in serving Frances Nolan. We do not consent to your request to continue the OAH trial.

Additionally, please advise if you will consent to a Motion to Quash the subpoena as to Jesse Jennell.

Finally, please advise if you will consent to a Motion to Continue the Landlord/Tenant matter on the 28th due to the scheduling conflict with the OAH trial. If you do consent, please provide three dates approximately 60 days from now and I will seek to schedule a time we are both available.

Respectfully,

Spencer Ritchie



Spencer B. Ritchie, Esq.

GREENSTEIN DELORME & LUCHS, P.C.

Associate

[801 17th Street, N.W., Suite 1000](#)

[Washington, D.C. 20006](#)

[202.452.1400](#)

sbr@gdllaw.com

www.gdllaw.com

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From: Harry Gural <harrygural@gmail.com>

Sent: Monday, February 19, 2024 10:35 AM

To: Spencer B. Ritchie <sbr@gdllaw.com>

Subject: Subpoena for Frances Nolan

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Mr. Ritchie,

I have tried repeatedly to serve Frances Nolan the court subpoena for the hearing on Feb. 28th, 2024.

Service was attempted by a professional process server at her residence or at her office on Feb. 9, 13, 14 and 16. In addition, service had been attempted for the previous subpoena for last month's hearing on Jan. 8, 9, 11 and 19. Given all these unsuccessful attempts at service, for which I have records from the process server, it appears that Ms. Nolan is ducking the subpoena.

For this reason, I request your assistance in serving the subpoena to Frances Nolan.

If you and your client are not willing to make service possible, I plan to ask the court for a continuance so we can reschedule the hearing after service has been successfully completed.

Will you assist in service of the subpoena?

Harry Gural

Spencer B. Ritchie <sbr@gdllaw.com>
To: Harry Gural <harrygural@gmail.com>
Cc: "Richard W. Luchs" <RWL@gdllaw.com>

Thu, Feb 22, 2024 at 12:40 PM

Hello Mr. Gural:

Please review the attached and let me know if I have your authorization to add your signature and file this.

Thank you,

Spencer



Spencer B. Ritchie, Esq.
GREENSTEIN DELORME & LUCHS, P.C.

Associate

801 17th Street, N.W., Suite 1000

Washington, D.C. 20006

202.452.1400

| sbr@gdllaw.com
www.gdllaw.com

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From: Harry Gural <harrygural@gmail.com>
Sent: Wednesday, February 21, 2024 9:25 AM
To: Spencer B. Ritchie <sbr@gdllaw.com>
Cc: Richard W. Luchs <RWL@gdllaw.com>

[Quoted text hidden]

[Quoted text hidden]

 **2-22-2024 Praeipce Re Cont, 4855-5703-5432, 1.docx**
24K

Harry Gural <harrygural@gmail.com>
To: "Spencer B. Ritchie" <sbr@gdllaw.com>

Thu, Feb 22, 2024 at 12:45 PM

Yes
[Quoted text hidden]

Spencer B. Ritchie <sbr@gdllaw.com>
To: Harry Gural <harrygural@gmail.com>
Cc: "Richard W. Luchs" <RWL@gdllaw.com>

Thu, Feb 22, 2024 at 12:55 PM

Hello Mr. Gural:

Thanks. The attached has been filed.

Respectfully,

Spencer



Spencer B. Ritchie, Esq.
GREENSTEIN DELORME & LUCHS, P.C.

Associate

801 17th Street, N.W., Suite 1000

Washington, D.C. 20006

202.452.1400

sbr@gdllaw.com

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From: Harry Gural <harrygural@gmail.com>
Sent: Thursday, February 22, 2024 12:45 PM
To: Spencer B. Ritchie <sbr@gdllaw.com>
Subject: Re: Subpoena for Frances Nolan

CAUTION: This is an external message. Please verify that it is a trusted source before replying, clicking links or opening attachments.

Yes

On Thu, Feb 22, 2024 at 12:40 PM Spencer B. Ritchie <sbr@gdllaw.com> wrote:

Hello Mr. Gural:

Please review the attached and let me know if I have your authorization to add your signature and file this.

Thank you,

Spencer



Spencer B. Ritchie, Esq.

GREENSTEIN DELORME & LUCHS, P.C.

Associate

[801 17th Street, N.W., Suite 1000](#)

[Washington, D.C. 20006](#)

[202.452.1400](tel:202.452.1400)

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From: Harry Gural <harrygural@gmail.com>
Sent: Wednesday, February 21, 2024 9:25 AM
To: Spencer B. Ritchie <sbr@gdllaw.com>
Cc: Richard W. Luchs <RWL@gdllaw.com>
Subject: Re: Subpoena for Frances Nolan

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Mr. Ritchie,

- 1) I will continue to attempt to serve Frances Nolan via all means possible, but if she continues to duck service, I will request a continuance.
- 2) I do not consent to a motion to quash the subpoena to Jesse Jennell.
- 3) Yes, please submit a joint motion to L&T court to continue proceedings in approx. two months. I can attend a hearing any time Tuesday through Friday, April 23rd to 26th, or April 30th through May 3rd, between 10:00 am and 4:00 pm.

Harry Gural

On Tue, Feb 20, 2024 at 3:32 PM Spencer B. Ritchie <sbr@gdllaw.com> wrote:

Hello Mr. Gural:

We are not your attorneys and will not assist you in litigating your case. We will not assist you in serving Frances Nolan. We do not consent to your request to continue the OAH trial.

Additionally, please advise if you will consent to a Motion to Quash the subpoena as to Jesse Jennell.

Finally, please advise if you will consent to a Motion to Continue the Landlord/Tenant matter on the 28th due to the scheduling conflict with the OAH trial. If you do consent, please provide three dates approximately 60 days from now and I will seek to schedule a time we are both available.

Respectfully,

Spencer Ritchie



Spencer B. Ritchie, Esq.

GREENSTEIN DELORME & LUCHS, P.C.

Associate

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From: Harry Gural <harrygural@gmail.com>
Sent: Monday, February 19, 2024 10:35 AM
To: Spencer B. Ritchie <sbr@gdllaw.com>
Subject: Subpoena for Frances Nolan

CAUTION: This is an external message. Please verify that it is a trusted source before replying, clicking links or opening attachments.

Mr. Ritchie,

I have tried repeatedly to serve Frances Nolan the court subpoena for the hearing on Feb. 28th, 2024.

Service was attempted by a professional process server at her residence or at her office on Feb. 9, 13, 14 and 16. In addition, service had been attempted for the previous subpoena for last month's hearing on Jan. 8, 9, 11 and 19. Given all these unsuccessful attempts at service, for which I have records from the process server, it appears that Ms. Nolan is ducking the subpoena.

For this reason, I request your assistance in serving the subpoena to Frances Nolan.

If you and your client are not willing to make service possible, I plan to ask the court for a continuance so we can reschedule the hearing after service has been successfully completed.

Will you assist in service of the subpoena?

Harry Gural

 **2-22-2024 Praeipce Re Cont 4855-5703-5432 v.1.pdf**
140K

Harry Gural <harrygural@gmail.com>
To: "Spencer B. Ritchie" <sbr@gdllaw.com>
Cc: "Richard W. Luchs" <RWL@gdllaw.com>

Thu, Feb 22, 2024 at 1:00 PM

Received
[Quoted text hidden]

EXHIBIT E



Harry Gural <harrygural@gmail.com>

Subpoena for Feb. 28th OAH hearing

Harry Gural <harrygural@gmail.com>
To: Frances Nolan <fnolan@eqr.com>

Thu, Feb 22, 2024 at 5:46 PM

Ms. Nolan,

We have attempted in-person service to you many times via your home and workplace. You also have been served via Equity Residential's designated agent in Washington, DC. The subpoena and the cover letter to CT Corporation System are attached.

If you plan not to respond to the subpoena, I will ask the court for postponement of the hearing until you acknowledge the subpoena.

Harry Gural

2 attachments



Letter to CT Corporation System re subpoena to Equity Residential 02-20-2024.pdf

93K



Subpoena of Frances Nolan of Equity Residential for 2-28-2024 hearing.pdf

173K

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Tenant's Opposition to Housing Provider Motion to Quash Subpoena to Frances Nolan was served on this 26th day of February, 2024, by email upon:

Spencer B. Ritchie (D.C. Bar No. 167352)
Richard W. Luchs (D.C. Bar No. 243931)
Greenstein, DeLorme and Luchs
801 17th Street, N.W., Suite 1000
Washington, DC 20006-3967



Feb. 26, 2024

Harry Gural
Tenant/Petitioner, *pro se*

3003 Van Ness St, NW #S-707
Washington, DC 20008