

DISTRICT OF COLUMBIA CONTRACT APPEALS BOARD

APPEAL OF:

DYNAMIC CORPORATION)
) CAB No. D-1365
Under Contract No. POFB -2005-B-0016EW)

PREHEARING ORDER

Filing ID 51765135

The District conducted a prehearing conference on this matter on April 11, 2013. Pursuant to Board Rule 210.2, the Board issues the following Prehearing Order:

- (1) The District shall substantively respond to Dynamic’s outstanding settlement offer, and the parties shall provide the Board’s General Counsel with a status update on settlement, no later than April 22, 2013.
- (2) The parties shall exchange hearing exhibits no later than April 18, 2013.
- (3) The District advised the Board that it has discovered three additional witnesses that it will require at the hearing on the merits since the filing of the parties’ March 26, 2013, Amended Joint Pretrial Statement. The District shall disclose its expanded and final witness list, including contact information for all identified witnesses, to the Appellant no later than April 18, 2013.
- (4) The parties are ordered to meet and confer and file a Second Revised Joint Pretrial Statement no later than April 25, 2013. The Second Revised Joint Pretrial Statement shall include more extensive stipulations of fact and stipulations as to the admissibility of documents for the hearing as discussed during the prehearing conference. Further, the District shall identify with further specificity the nature of its hearing exhibits in the Second Revised Joint Pretrial Statement that is filed with the Board, including any new documents which the District intends to rely upon at the hearing that were not previously identified to the Board.
- (5) The parties shall supplement the Appeal File to include a complete copy of the contract no later than April 25, 2013.
- (6) The hearing on the merits in this matter shall remain scheduled for May 15 – May 17, 2013, and shall begin promptly at 10:00 a.m. and end at 4:30 p.m. on each hearing day. The District is directed to provide a court reporter for the duration of the hearing and shall ensure that the Board receives a hard or electronic copy of the transcript of these proceedings contemporaneous with the District’s receipt of the same.
- (7) Each party shall bring two indexed exhibit binders to the hearing, which shall include all exhibits that the party intends to introduce at the hearing. Each exhibit in the

parties' trial binders shall be pre-marked with Bates numbering in sequential order, and shall be presented in the binders in the approximate order that the party intends to introduce the exhibits at the hearing.

- (8) The District has indicated a desire to use the Board's courtroom technology for the display of evidence to facilitate the hearing, and shall confirm the intended use of this courtroom technology with the Board's Clerk in advance of the hearing date. The Board may also direct the use of court provided technology to better facilitate better hearing management at its discretion.

SO ORDERED.

Date: April 12, 2013

/s/ Monica C. Parchment
MONICA C. PARCHMENT
Administrative Judge

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