

**DISTRICT OF COLUMBIA CONTRACT APPEALS BOARD**

APPEAL OF:

THE FRENCH INSTITUTE, INC. )  
 ) CAB No. D-1460  
Under 2009 Memorandum of Understanding )

**TELEPHONE STATUS CONFERENCE ORDER  
AND AMENDED SCHEDULING ORDER**

*Filing ID #59926445*

The Board conducted a telephone status conference in the above-captioned appeal on December 7, 2016. Participating for the Appellant was F. Douglas Hartnett, Esq. Participating for the District of Columbia were Assistant Attorneys General Matthew G. Lane, Esq., and Rebecca Barnes, Esq.

At the status conference, the Board inquired whether Appellant’s new counsel had been able to familiarize himself with the case, and whether the parties were ready to proceed to trial. Appellant’s counsel stated that he had not yet received a complete file—due, in part, to difficulties with File & Serve (the Board’s online docketing system)—but that he believed that Appellant would be able to proceed to trial in the first half of 2017. The Board stated that its appeals clerk would contact Mr. Hartnett to assist with File & Serve.

The Board then established new pretrial and trial dates in this matter. In order to reflect the new dates, the Board’s June 29, 2015, Amended Scheduling Order is further amended as follows—

March 29, 2017: Prehearing conference at the Board beginning at 1:00 p.m. To the extent that the parties’ submit an amended Joint Pretrial Statement, it is due by this date.

April 11-14, 2017 Hearing on the merits of the claims in the Board courtroom, beginning at 10:30 a.m. daily. The District shall provide a court reporter.

It is the Board’s intention to maintain the above schedule to the greatest extent practicable. The instant order may only be amended by Board order upon motion properly filed and served. Such motions shall include proposed dates that are mutually-agreeable to all parties.

At the status conference, the District expressed concern that an online database of documents originally established by Appellant’s former counsel was no longer available. The Board instructed the parties to work cooperatively to obtain the missing documents, and to

ensure that the record in this matter is re-assembled as quickly as possible. The District also requested that the parties be provided with an audio recording of the status conference in this matter which was held in the Board's courtroom on April 1, 2015. The Board will endeavor to provide both parties with a copy of the requested audio recording.

Finally, the parties at the status conference also indicated that they remain open to a possible settlement of the claims herein. The parties are encouraged to pursue settlement throughout these proceedings. Settlement conserves resources and, where pursued early, may prevent delays. The Board is available to assist the parties with settlement discussions upon request.

**SO ORDERED.**

Date: December 7, 2016

/s/ Marc D. Loud, Sr.  
MARC D. LOUD, SR.  
Chief Administrative Judge

Electronic Service:

F. Douglas Hartnett, Esq.  
Elitok & Hartnett at Law, PLLC  
1101 30<sup>th</sup> Street, N.W., Suite 500  
Washington, D.C. 20007

Matthew G. Lane, Esq.  
Rebecca Barnes, Esq.  
Assistant Attorneys General  
Office of the Attorney General  
441 4th Street, N.W.  
6th Floor South  
Washington, D.C. 20001