

**District of Columbia  
Court of Appeals**



**No. 20-OA-8**

IN RE: DC APPLESEED CENTER  
FOR LAW & JUSTICE, INC.,  
Petitioner.

BEFORE: Glickman and McLeese, Associate Judges, and Washington, Senior  
Judge.

**ORDER**

On consideration of the petition for writ of mandamus; this court's July 16, 2020, order holding the petition in abeyance and directing a response; this court's August 10, 2020, order continuing to hold the petition in abeyance and directing the parties to file status statements within 90 days; the status statements filed on November 9, 2020, and November 12, 2020; and petitioner's response thereto requesting the court to order the expenditure of the excess funds no longer in dispute, assess interest, appoint a mediator and direct respondent, the Department of Insurance, Securities and Banking (DISB), to issue an expedited briefing schedule, it is

ORDERED that the petition for writ of mandamus shall continue to be held in abeyance pending further order of the court. However, the court is troubled by DISB's excessive delays in taking sufficient action on remand as directed by this over a year ago in *DC Appleseed Ctr. for Law & Justice, Inc. v. DISB*, 214 A.3d 978 (D.C. 2019). It is

FURTHER ORDERED that the parties shall file status statements with this court on December 24, 2020, updating the court on the comments submitted by Maryland and Virginia regulators. It is

FURTHER ORDERED that within 14 days from the date of this order DISB shall set a schedule for expedited briefing addressing the issues on remand. The order shall direct briefing to begin promptly after December 21, regardless of

**No. 20-OA-8**

whether the comments from Maryland and Virginia regulators have been received. Because Appleseed has submitted a brief, responsive briefs shall be scheduled and submitted within a 45-day time frame from December 21, 2020. It is

FURTHER ORDERED that the briefing order shall set the date for a post-briefing evidentiary hearing to occur promptly after the briefs are due, and to render a decision in accordance with *Appleseed II* within 45 days thereafter. It is

FURTHER ORDERED that the parties shall transmit a copy of the briefing order to this court. It is

FURTHER ORDERED that petitioner's request for distribution, assessment of interest, and appointment of a mediator is denied without prejudice to reconsideration in the event the DISB's progress is further delayed.

**PER CURIAM**

Copies e-served to:

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Loren L. AliKhan, Esquire

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