

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

DISTRICT OF COLUMBIA :
v. : Case Number: 2021 CA 001775 B
AMAZON.COM, INC. : Judge Hiram E. Puig-Lugo

ORDER

This matter comes before the Court upon Plaintiff’s Motion for Leave to File a Surreply in Opposition to Defendant Amazon.com, Inc.’s Motion to Dismiss Amended Complaint, filed February 1, 2022.

Plaintiff seeks leave of Court to file a sur-reply because “[i]n its Reply, Amazon raises the new argument that the District failed to properly plead the application of a *per se* standard of review to the District’s restrain [*sic.*] of trade claims.” Pl. Mot. at 1. Plaintiff contends that Defendant “attempts to raise an issue regarding the *per se* pleading standard for the first time.” *Id.* When parties conferred, Defendant reported that “Amazon takes no position on this motion but maintains that it has not provided new arguments in its reply and reserved its rights to seek leave for a sur-reply.” *Id.* at 2. Upon review of the record, and without objection, the Court will accept Plaintiff’s brief sur-reply for filing.

Accordingly, it is this 10th day of February 2022, hereby:

ORDERED that Plaintiff’s Motion for Leave to File a Surreply in Opposition to Defendant Amazon.com, Inc.’s Motion to Dismiss Amended Complaint is **GRANTED**; and it is further

ORDERED that Plaintiff’s sur-reply is deemed filed; and it is further

ORDERED that the Scheduling Conference Hearing currently scheduled on February 11, 2022 is **continued** to **March 18, 2022 at 10:30 a.m.** The parties and the public may access

remote hearings by (1) calling a phone number and entering an access code; (2) going to the WebEx website at <https://www.webex.com/> and entering an access code; or (3) opening the WebEx app and entering an access code. When connecting to the WebEx System, there are several options to connect to the court hearing remotely. Please follow the instructions below:

Option 1: (AUDIO ONLY/Dial-in by Phone):

Toll 1 (844) 992-4726 or (202) 860-2110, enter Access Code: **129 801 7169#**, press # again to enter session.

- *Please call in no sooner than 5 minutes before your scheduled hearing time. Once you have joined the session, please place your phone on mute until directed otherwise. If you should happen to get disconnected from the call, please call back in using the phone number and access number provided and the courtroom clerk will mute your call until the appropriate time.*

If you select **Option 2** or **Option 3** use the **Audio Alternative**

Option 2: (LAPTOP/DESKTOP USERS 1):

- Open Web Browser in Google Chrome and copy and paste following address:
<https://dccourts.webex.com/meet/ctb318>

Option 3: (LAPTOP/DESKTOP USERS 2):

- Open Web Browser in Google Chrome and copy and paste following address:
<https://dccourts.webex.com> Select **Join**, enter Access Code: **129 801 7169**

AUDIO ALTERNATIVE: Instead of automatically using **USE COMPUTER FOR AUDIO**, select **CALL-IN** and follow the **CALL-IN** prompt window. Use a cell phone or desk phone. You will be heard clearer if you **do not** place your phone on **SPEAKER**. It is very important that you enter the **ACCESS CODE#** so that your audio is matched with your video. Failure to do may result in the Judge disconnecting you if your device causes noise during the sessions.

Option 4: (iPad/SMARTPHONE/TABLET):

Go to App Store, Download WebEx App (Cisco WebEx Meetings), Select Join Meeting, Enter URL: **You must use the URL you cannot use the Access Code*
<https://dccourts.webex.com/meet/ctb318> enter your Name and E-mail

IT IS SO ORDERED.



Honorable Hiram Puig-Lugo
Associate Judge
Signed in Chambers

Copies via CaseFileXpress to all counsel of record.