SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION – CIVIL ACTIONS BRANCH
500 INDIANA AVENUE NW, Room 5000
WASHINGTON, DC 20001

11-19-2019

The Honorable Angela Caesar, Clerk
United States District Court for the District of Columbia
3rd and Constitution Avenue, Washington, D.C. 20001

In Re: LIU, HUAIZHAO et al Vs. WEI, JINGSHENG

Civil Action Number: 2019 CA 005052 B **U.S. District Number:19-CV-03344**

Dear Ms. Angela Caesar:

Transmitted herewith are all of the pleadings filed in the above captioned case pursuant to a Petition for Removal Filed on November 6, 2019. A certified copy of the docket entries is also enclosed.

Please acknowledge receipt of our file on the duplicate copy of this letter, and return it to this Court.

Sincerely,

Joy Jefferson, Branch Chief
Civil Actions Branch

By: /s/ Katharine Cournoyer

11/19/2019 Notice of Hearing Mailed Next Business Day

Notice Of Removal
Sent on: 11/19/2019 10:56:27.82

11/12/2019 Notice of Removal to USDC for the District of Columbia. 19-CV-03344.

11/12/2019 Event Resulted:
The following event: Scheduling Conference Hearing scheduled for 11/15/2019 at 9:30 am has been resulted as follows:

Result: Scheduling Conference Hearing Vacated
Judge: JACKSON, WILLIAM M Location: Courtroom 219

11/06/2019 Additional eFiling Document to Notice of Removal to USDC. Filed. Submitted. 11/06/2019 14:37. ncv.
Attorney: BARGER, Mr DAVID G (469095)

11/06/2019 Notice of Removal to USDC. Filed. Submitted. 11/06/2019 14:37. ncv.
Attorney: BARGER, Mr DAVID G (469095)
JINGSHENG WEI (Defendant);

11/04/2019 Order Granting Motion for Leave to Withdraw as Counsel Filed. Signed and Submitted by J/Jackson 11/04/2019 10:54. chd

11/04/2019 Order Granting Motion to Withdraw as Counsel Entered on the Docket. Signed by J/Jackson in chambers and e-filed on November 4, 2019. JC

11/01/2019 Entry of Appearance Filed. Submitted 11/01/2019 13:11. ajm
Attorney: BARGER, Mr DAVID G (469095)
JINGSHENG WEI (Defendant);

10/30/2019 Notice of Hearing Mailed Next Business Day

Notice Of Hearing
Sent on: 10/30/2019 08:16:35.79

10/29/2019 Amended Complaint Filed. kd
Attorney: CLEVELAND, Mr DAVID L (424209)
Mr DAVID L CLEVELAND (Attorney) on behalf of HUAIZHAO LIU, CHARLOTTE ZHANG (Plaintiff)

10/29/2019 Order Granting Motion for Leave to File an Amended Complaint. Signed by Judge W. Jackson on 10/29/2019. Submitted. 10/29/2019 14:10. ncv.

10/29/2019 Order Sua Sponte Continuing Scheduling Conference signed by Judge William M. Jackson on 10/29/2019. submitted 10/29/2019 14:47. hvw

10/29/2019 Scheduling Conference Hearing
Event: Scheduling Conference Hearing
Date: 11/15/2019 Time: 9:30 am
Judge: JACKSON, WILLIAM M Location: Courtroom 219

10/29/2019 Event Resulted:
The following event: Scheduling Conference Hearing scheduled for 11/08/2019 at 9:30 am has been resulted as follows:

Result: Scheduling Conference Hearing Continued
Judge: JACKSON, WILLIAM M Location: Courtroom 219

10/29/2019 Order Sua Sponte to Continue Scheduling Conference Entered on Docket. Signed by J/Jackson in chambers and e-filed on October 29, 2019. JC.

10/29/2019 Answer Filed submitted 10/29/2019 08:39 pla
Attorney: EISENHOWER III, Mr JAMES S (378040)
JINGSHENG WEI (Defendant);

10/29/2019 Scheduling Conference Hearing
Event: Scheduling Conference Hearing
Date: 11/08/2019 Time: 9:30 am
Judge: JACKSON, WILLIAM M Location:
Courtroom 219

10/29/2019 Event Resulted:
The following event: Initial Scheduling Conference-60 scheduled for 11/01/2019 at 9:30 am has been resulted as follows:

Result: Scheduling Conference Hearing Continued
Judge: JACKSON, WILLIAM M Location:
Courtroom 219

10/29/2019 Order Granting Motion for Leave to Amend Complaint Entered on the Docket. Signed by J/Jackon in chambers and e-filed on October 29, 2019. JC

10/28/2019 Motion for Leave to Withdraw as Counsel. Filed. Submitted. 10/28/2019 15:58. ncv. 20.00
Attorney: EISENHOWER III, Mr JAMES S (378040)
JINGSHENG WEI (Defendant); Receipt: 441852
Date: 10/30/2019

10/28/2019 Defendant's Memorandum of Points and Authorities in Support of Motion to Dismiss 20.00
Filed 10/28/2019 13:25. TB
Attorney: EISENHOWER III, Mr JAMES S (378040)
JINGSHENG WEI (Defendant); Receipt: 441627
Date: 10/28/2019

10/25/2019 Answer to Amended Complaint Filed 10/25/2019 14:54. TB
Attorney: EISENHOWER III, Mr JAMES S (378040)
JINGSHENG WEI (Defendant);

10/23/2019 Additional eFiling Document to Plaintiffs' Motion for Leave to File Amended Complaint Filed. Submitted 10/23/2019 14:55. ajm
Attorney: CLEVELAND, Mr DAVID L (424209)

10/23/2019 Plaintiffs' Motion for Leave to File Amended Complaint Filed. Submitted 10/23/2019 14:55. ajm 20.00
Attorney: CLEVELAND, Mr DAVID L (424209)
HUAIZHAO LIU (Plaintiff); Receipt: 441294
Date: 10/24/2019

10/09/2019 Affidavit of Subpoena by Special Process Server Filed. submitted 10/09/2019 14:52. hvw

08/29/2019 Answer to Complaint Filed. submitted 08/29/2019 14:20. mw
Attorney: EISENHOWER III, Mr JAMES S (378040)
JINGSHENG WEI (Defendant);

08/27/2019 Affidavit of Service of Summons & Complaint on JINGSHENG WEI (Defendant);

08/14/2019 Proof of Service

Method	:	Service Issued
Issued	:	08/02/2019
Service	:	Summons Issued
Served	:	08/09/2019
Return	:	08/14/2019
On	:	WEI, JINGSHENG
Signed By	:	LAURENCE ANDERSON
Reason	:	Proof of Service
Comment	:	

Tracking #: 5000218099

08/14/2019 Affidavit of Service of Summons & Complaint on JINGSHENG WEI (Defendant);

08/03/2019 Summons Issued and eServed by the Clerk

08/03/2019 Summons Issued and eServed by the Clerk

08/02/2019 Initial Summons Requested as to:
Attorney: CLEVELAND, Mr DAVID L (424209)
JINGSHENG WEI (Defendant);

08/02/2019 Complaint Package eServed

08/02/2019 Issue Date: 08/02/2019
Service: Summons Issued
Method: Service Issued
Cost Per: $

WEI, JINGSHENG
415 East Capitol St. S.E. #2
WASHINGTON, DC 20003
Tracking No: 5000218099

08/01/2019 Initial Summons Requested as to:
JINGSHENG WEI (Defendant);

07/31/2019 Initial Order and Addendum Issued (60 Days)

Initial Order-60 Days

07/31/2019 Event Scheduled
Event: Initial Scheduling Conference-60
Date: 11/01/2019 Time: 9:30 am
Judge: JACKSON, WILLIAM M Location:
Courtroom 219

07/31/2019 eComplaint. Filed. Submitted. 07/31/2019
12:26. ncv.
(NO INFORMATION SHEET AND NO SUMMONS SUBMITTED
AT FILING)
Attorney: CLEVELAND, Mr DAVID L (424209)
HUAIZHAO LIU (Plaintiff); CHARLOTTE ZHANG
(Plaintiff);

07/31/2019 Complaint for Breach of Contract Filed
Receipt: 434505 Date: 07/31/2019 120.00

*** End of Report ***

Filed
D.C. Superior Court
11/06/2019 14:37PM
Clerk of the Court

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

HUAIZHAO LIU *et al.* **Plaintiffs,** **v.** **JINGSHENG WEI** **Defendant.**	**Civil Action No. 2019 CA 005052 B** **Judge William M. Jackson** **Next Event:** N/A

NOTICE OF FILING NOTICE OF REMOVAL

PLEASE TAKE NOTICE that a Notice of Removal of this action from this Court to the United States District Court for the District of Columbia (a copy of which, without exhibits, is attached as **Exhibit 1**) was filed on November 6, 2019, in the United States District Court for the District of Columbia. The case caption for the removed case is *Liu, et al. v. Wei*, Civil Action No. 1:19-cv-03344.

The above-captioned action, including all claims and causes of action, accordingly is removed from this Court to the United States District Court for the District of Columbia pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, and the parties should proceed no further in this Court unless and until the above-captioned action, or any portion thereof, is remanded.

November 6, 2019

Respectfully submitted,

/s/

David G. Barger (DCB# 469095)
Greenberg Traurig LLP
1750 Tysons Blvd.
Suite 1200
McLean, VA 22102
Tel: (703) 749-1300
Email: bargerd@gtlaw.com

Counsel for Defendant Wei

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of November 2019, I electronically filed the foregoing document with the Clerk of the Court using CasefileXpress, which will send notifications of such following to the following participants:

Counsel for Plaintiffs
David L. Cleveland
924 G Street, NW
Washington, DC 20001
Phone (202) 772-4345
Fax: (202) 386-7032
Email: 1949.david@gmail.com

I further certify that I caused a true copy of the foregoing Notice of Removal to be served this 6th day of November, 2019, by U.S. mail, first-class, postage-prepaid, to:

Counsel for Plaintiffs
David L. Cleveland
924 G Street, NW
Washington, DC 20001
Phone (202) 772-4345
Fax: (202) 386-7032
Email: 1949.david@gmail.com

/s/
David G. Barger (DCB# 469095)
Greenberg Traurig LLP
1750 Tysons Blvd.
Suite 1200
McLean, VA 22102
Tel: (703) 749-1300
Email: bargerd@gtlaw.com

ACTIVE 46965572v1

Exhibit 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HUAIZHAO LIU *et al.*	)	
Plaintiffs,	)	
v.	)	**Civil Action No. _____**
JINGSHENG WEI	)	
Defendant.	)	

NOTICE OF REMOVAL

Defendant Mr. Jingsheng Wei, ("**Wei**") by counsel and pursuant 28 U.S.C. §§ 1332, 1441, and 1446, hereby removes this action from the Superior Court of the District of Columbia to this Court. As grounds for this removal, Defendant Wei states as follows:

On July 31, 2019, Plaintiff Ms. Huaizhao Liu ("**Liu**") and Plaintiff Ms. Charlotte Zhang ("**Zhang**") (collectively "**Plaintiffs**")[1] commenced this action with the filing of a complaint against Defendant Wei in the Superior Court of the District of Columbia, which is now pending as case number 2019 CA 005052 B ("**Complaint**"). The Complaint seemingly alleged two claims against Defendant Wei, each for a breach of an oral promise, though the Plaintiffs did not allege multiple counts. *See* Complaint at ¶¶ 7-8, attached hereto with **Exhibit B**. Defendant Wei answered this complaint on August 29, 2019. The Plaintiffs filed an amended complaint ("**Amended Complaint**") on October 29, 2019, which introduced additional claims so fundamentally new and different "as to constitute substantially a new suit begun that day." *Wilson*

[1] Ms. Liu is the mother of Ms. Zhang.

v. Intercollegiate (Big Ten) Conference Athletic Ass'n, 668 F.2d 962, 965 (7th Cir. 1982) (citing *Fletcher v. Hamlet*, 116 U.S. 408, 410, 6 S. Ct. 426, 29 L. Ed. 679 (1886); *Cliett v. Scott*, 233 F.2d 269, 271 (5th Cir. 1956)) (internal quotations omitted).

Plaintiffs' Amended Complaint pled two causes of action. The "First Cause of Action" pled the same 10 paragraphs as the original Complaint, alleging breaches of promises. The Amended Complaint also pled a "Second Cause of Action," which appears to contain the following six new claims: (1) defamation, (2) negligence, (3) "interfer[ence] with prospective advantageous business opportunities", (4) slander, (5) Plaintiff Liu's certainty that "people will begin to stay away from her; that people will think badly of her; and that she is being isolated from her pro-democracy colleagues" and a "fear that she will suffer physical harm", and (6) Plaintiff Zhang's certainty that "people will begin to stay away from her; that people will think badly of her; that she will suffer physical harm; and that she will be insulted in the future." *See* Amended Compliant at ¶¶ 13, 15, 18-21. Therefore, this new Amended Complaint with six new claims or counts under the "Second Cause of Action", is fundamentally new and different from the original Complaint that alleged two breaches of promises.

On October 23, 2019, Plaintiffs filed a Motion for Leave to file an Amended Complaint. Defendant Wei filed an Answer to the Amended Complaint on October 25, 2019. The Court granted the Motion to Amend the Complaint on October 29, 2019. The amount in controversy is $500,000. Defendant Wei is the only defendant in this action. This motion, we respectfully submit, is thus timely under the Amended Complaint as discussed below.

Upon information and belief, and according to the complaints, Plaintiffs may be citizens of the Commonwealth of Virginia, the District of Columbia, or Hong Kong, but Plaintiffs are not citizens of the State of Maryland. Defendant Wei is a citizen of the State of Maryland. As such,

because the parties to this action are not citizens of the same state, and further, because the amount in controversy exceeds $75,000, the United States District Court for the District Court of Columbia has jurisdiction over this action pursuant to 28 U.S.C. § 1332(a).

Therefore, this case is removable because of diversity of citizenship jurisdiction, and removal is proper under 28 U.S.C. § 1441(b). Finally, venue properly lies with this Court pursuant to 28 U.S.C. § 1441(a), as this action is presently pending in the Superior Court of the District of Columbia, which is situated within the United States District Court for the District of Columbia.

This notice is being filed with this Court within 30 days after service on Defendant Wei of the Amended Complaint. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon Defendant Wei are attached herein as **Exhibit A** (docket summary) and **Exhibit B** (relevant pleadings and orders). In accordance with 28 U.S.C. § 1446(d), copies of this Notice of Removal are being served on Plaintiffs' counsel, and are being filed with the clerk of the Superior Court of the District of Columbia.

WHEREFORE, Defendant Wei hereby removes this action to this Court and seeks all other relief this Court deems equitable and just.

November 6, 2019

Respectfully submitted,

/s/ David Barger

David G. Barger (DCB# 469095)
Greenberg Traurig LLP
1750 Tysons Blvd.
Suite 1200
McLean, VA 22102
Tel: (703) 749-1300
Email: bargerd@gtlaw.com

Counsel for Defendant Wei

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of November, 2019, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

Counsel for Plaintiffs
David L. Cleveland
924 G Street, NW
Washington, DC 20001
Phone (202) 772-4345
Email: 1949.david@gmail.com

I hereby certify that on this 6th day of November, 2019, I caused a true copy of the foregoing Notice of Removal to be served by U.S. mail, first-class, postage-prepaid, and electronic mail to:

Counsel for Plaintiffs
David L. Cleveland
924 G Street, NW
Washington, DC 20001
Phone (202) 772-4345
Email: 1949.david@gmail.com

/s/ David Barger

David G. Barger (DCB# 469095)
Greenberg Traurig LLP
1750 Tysons Blvd.
Suite 1200
McLean, VA 22102
Tel: (703) 749-1300
Email: bargerd@gtlaw.com

Counsel for Defendant Wei

CIVIL COVER SHEET

JS-44 (Rev. 6/17 DC)

I. (a) PLAINTIFFS

HUAIZHAO LIU et al.

(b) Plaintiffs' residency unknown but believed not to be Maryland, which is state of residency of Defendant.

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

JINGSHENG WEI

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT 88888
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

David L. Cleveland
924 G Street, NW
Washington, DC 20001
(202) 772-4345

ATTORNEYS (IF KNOWN)

David Barger, Greenberg Traurig, LLP
1750 Tysons Blvd., Suite 1200
McLean, VA 22102
(703) 749-1300

II. BASIS OF JURISDICTION
(PLACE AN x IN ONE BOX ONLY)

- ○ 1 U.S. Government Plaintiff
- ○ 3 Federal Question (U.S. Government Not a Party)
- ○ 2 U.S. Government Defendant
- ◉ 4 Diversity (Indicate Citizenship of Parties in item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY!

	PTF	DFT		PTF	DFT
Citizen of this State	◉ 1	○ 1	Incorporated or Principal Place of Business in This State	○ 4	○ 4
Citizen of Another State	○ 2	◉ 2	Incorporated and Principal Place of Business in Another State	○ 5	○ 5
Citizen or Subject of a Foreign Country	○ 3	○ 3	Foreign Nation	○ 6	○ 6

IV. CASE ASSIGNMENT AND NATURE OF SUIT
(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

○ **A. *Antitrust***

- [ ] 410 Antitrust

◉ **B. *Personal Injury/ Malpractice***

- [ ] 310 Airplane
- [ ] 315 Airplane Product Liability
- [ ] 320 Assault, Libel & Slander
- [ ] 330 Federal Employers Liability
- [ ] 340 Marine
- [ ] 345 Marine Product Liability
- [ ] 350 Motor Vehicle
- [ ] 355 Motor Vehicle Product Liability
- [X] 360 Other Personal Injury
- [ ] 362 Medical Malpractice
- [ ] 365 Product Liability
- [ ] 367 Health Care/Pharmaceutical Personal Injury Product Liability
- [ ] 368 Asbestos Product Liability

○ **C. *Administrative Agency Review***

- [ ] 151 Medicare Act

Social Security
- [ ] 861 HIA (1395ff)
- [ ] 862 Black Lung (923)
- [ ] 863 DIWC/DIWW (405(g))
- [ ] 864 SSID Title XVI
- [ ] 865 RSI (405(g))

Other Statutes
- [ ] 891 Agricultural Acts
- [ ] 893 Environmental Matters
- [ ] 890 Other Statutory Actions (If Administrative Agency is Involved)

○ **D. *Temporary Restraining Order/Preliminary Injunction***

Any nature of suit from any category may be selected for this category of case assignment.

(If Antitrust, then A governs)

○ **E. *General Civil (Other)*** OR ○ **F. *Pro Se General Civil***

Real Property
- [ ] 210 Land Condemnation
- [ ] 220 Foreclosure
- [ ] 230 Rent, Lease & Ejectment
- [ ] 240 Torts to Land
- [ ] 245 Tort Product Liability
- [ ] 290 All Other Real Property

Personal Property
- [ ] 370 Other Fraud
- [ ] 371 Truth in Lending
- [ ] 380 Other Personal Property Damage
- [ ] 385 Property Damage Product Liability

Bankruptcy
- [ ] 422 Appeal 27 USC 158
- [ ] 423 Withdrawal 28 USC 157

Prisoner Petitions
- [ ] 535 Death Penalty
- [ ] 540 Mandamus & Other
- [ ] 550 Civil Rights
- [ ] 555 Prison Conditions
- [ ] 560 Civil Detainee – Conditions of Confinement

Property Rights
- [ ] 820 Copyrights
- [ ] 830 Patent
- [ ] 835 Patent – Abbreviated New Drug Application
- [ ] 840 Trademark

Federal Tax Suits
- [ ] 870 Taxes (US plaintiff or defendant)
- [ ] 871 IRS-Third Party 26 USC 7609

Forfeiture/Penalty
- [ ] 625 Drug Related Seizure of Property 21 USC 881
- [ ] 690 Other

Other Statutes
- [ ] 375 False Claims Act
- [ ] 376 Qui Tam (31 USC 3729(a))
- [ ] 400 State Reapportionment
- [ ] 430 Banks & Banking
- [ ] 450 Commerce/ICC Rates/etc.
- [ ] 460 Deportation
- [ ] 462 Naturalization Application
- [ ] 465 Other Immigration Actions
- [ ] 470 Racketeer Influenced & Corrupt Organization
- [ ] 480 Consumer Credit
- [ ] 490 Cable/Satellite TV
- [ ] 850 Securities/Commodities/ Exchange
- [ ] 896 Arbitration
- [ ] 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- [ ] 950 Constitutionality of State Statutes
- [ ] 890 Other Statutory Actions (if not administrative agency review or Privacy Act)

○ G. *Habeas Corpus/ 2255* ☐ 530 Habeas Corpus – General ☐ 510 Motion/Vacate Sentence ☐ 463 Habeas Corpus – Alien Detainee	○ H. *Employment Discrimination* ☐ 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	○ I. *FOIA/Privacy Act* ☐ 895 Freedom of Information Act ☐ 890 Other Statutory Actions (if Privacy Act) *(if pro se, select this deck)*	○ J. *Student Loan* ☐ 152 Recovery of Defaulted Student Loan (excluding veterans)
○ K. *Labor/ERISA (non-employment)* ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Mgmt. Relations ☐ 740 Labor Railway Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Empl. Ret. Inc. Security Act	○ L. *Other Civil Rights (non-employment)* ☐ 441 Voting (if not Voting Rights Act) ☐ 443 Housing/Accommodations ☐ 440 Other Civil Rights ☐ 445 Americans w/Disabilities – Employment ☐ 446 Americans w/Disabilities – Other ☐ 448 Education	○ M. *Contract* ☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholder's Suits ☐ 190 Other Contracts ☐ 195 Contract Product Liability ☐ 196 Franchise	○ N. *Three-Judge Court* ☐ 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN

○ 1 Original Proceeding ◉ 2 Removed from State Court ○ 3 Remanded from Appellate Court ○ 4 Reinstated or Reopened ○ 5 Transferred from another district (specify) ○ 6 Multi-district Litigation ○ 7 Appeal to District Judge from Mag. Judge ○ 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
Claims include breach of oral promise, defamation, negligence, and slander. ; 28 U.S.C. §1332(a)

VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND $ JURY DEMAND: Check YES only if demanded in complaint YES [X] NO [ ]

VIII. RELATED CASE(S) IF ANY (See instruction) YES [ ] NO [X] If yes, please complete related case form

DATE: 11/06/2019 SIGNATURE OF ATTORNEY OF RECORD [signature]

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence. Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.

III. CITIZENSHIP OF PRINCIPAL PARTIES. This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.

IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.

VI. CAUSE OF ACTION. Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.

VIII. RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

Filed
D.C. Superior Court
11/04/2019 10:54AM
Clerk of the Court

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

HUAIZHAO LIU, *et al.*, Plaintiffs,	)	
v.	)	Case No. 2019 CA 005052 B
JINGSHENG WEI. Defendant.	)	Judge William M. Jackson

ORDER GRANTING MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

This matter is before the Court on Defendant Counsel's Motion for Leave to Withdraw as Counsel, filed on October 28, 2019. On November 1, 2019, new counsel for Defendant entered his appearance, and Defendant consented to the substitution of counsel. Thus, upon review of the Motion, Defendant's consent, and the entire record herein, the Court grants the motion.

Therefore, on this **4th Day of November, 2019**, it is

ORDERED that Defendant's Motion for Leave to Withdraw as Counsel is **GRANTED**.

SO ORDERED.

William M. Jackson
Associate Judge
(Signed in Chambers)

Copies to:

David Cleveland, Esq.
Counsel for Plaintiff

David Barger, Esq.
Counsel for Defendant

James Eisenhower, Esq.
Former Counsel for Defendant

Filed
D.C. Superior Court
11/01/2019 13:11PM
Clerk of the Court

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
Civil Division

HUAIZHAO LIU, et al	*	
Plaintiffs	*	
v.	*	**Civil Action No. 2019 CA 005052 B**
JINGSHENG WEI	*	
	*	
Defendant		
	*	

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of David G. Barger as counsel for Defendant, Jingsheng Wei in the above captioned matter. Mr. Wei also consents to the substitution of counsel of Greenberg Traurig for Mr. Eisenhower and the withdrawal by Mr. Eisnehower.

/s/ David G. Barger

David G. Barger, Esquire
DC Bar No. 469095
Greenberg Traurig, LLP
1750 Tysons Boulevard, Suite 100
Mclean, Virginia 22102
Telephone: (703) 749-1300
Fax: (703) 749-1301
bargerd@gtlaw.com

Counsel for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of November 2019, a copy of the foregoing Entry of Appearance was electronically served on:

David L. Cleveland, Esquire
924 G Street, NW
Washington, DC 20001
(202) 772-4345 (telephone)
(202) 386-7032 (fax)
1949.david@gmail.com

Counsel for Plaintiff

/s/ David G. Barger
David G. Barger, Esquire
DC Bar No. 469095
Greenberg Traurig, LLP
1750 Tysons Boulevard, Suite 100
Mclean, Virginia 22102
Telephone: (703) 749-1300
Fax: (703) 749-1301
bargerd@gtlaw.com

Counsel for Defendant

THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Civil Division

October 30, 2019

CASE NAME: HUAIZHAO LIU et al Vs. JINGSHENG WEI

CASE NO. 2019 CA 005052 B

The above-captioned Civil Actions case has been scheduled for Scheduling Conference Hearing on the date and time shown below. The attorneys and any party not represented by an attorney must appear before Judge WILLIAM M JACKSON.

HEARING DATE: Friday, November 15, 2019
TIME: 9:30 am
LOCATION: 500 Indiana Avenue N.W.
Courtroom 219
WASHINGTON, DC 20001

PLEASE BRING THIS NOTICE WITH YOU WHEN YOU APPEAR.

Civil Division

D. C. Superior Court
500 Indiana Avenue, N.W.
Room 5000-Q
Washington D.C. 20001

First Class Mail
U. S. Postage
Paid
Washington, D.C.
Permit No. 1726

Mr DAVID L CLEVELAND
CATHOLIC CHARITIES
924 G STREET NW

Washington, DC 20001

2019 CA 005052 B

CANOH-1
10/30/2019

THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Civil Division

October 30, 2019

CASE NAME: HUAIZHAO LIU et al Vs. JINGSHENG WEI

CASE NO. 2019 CA 005052 B

The above-captioned Civil Actions case has been scheduled for Scheduling Conference Hearing on the date and time shown below. The attorneys and any party not represented by an attorney must appear before Judge WILLIAM M JACKSON.

HEARING DATE: Friday, November 15, 2019
TIME: 9:30 am
LOCATION: 500 Indiana Avenue N.W.
Courtroom 219
WASHINGTON, DC 20001

PLEASE BRING THIS NOTICE WITH YOU WHEN YOU APPEAR.

Civil Division

D. C. Superior Court
500 Indiana Avenue. N.W.
Room 5000-Q
Washington D.C. 20001

First Class Mail
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Mr JAMES S EISENHOWER III
EISENHOWER, LAUFER & TARBY PC
4041 UNIVERSITY DRIVE
SUITE 100
Fairfax, VA 22030

2019 CA 005052 B

CANOH-1
10/30/2019

Filed
D.C. Superior Court
10/29/2019 08:39AM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

Huaizhao LIU

Charlotte ZHANG

PLAINTIFFS

V. Civil Action NO. 2019 CA 005052B
Judge William Jackson

Jingsheng WEI

Defendant

ANSWER

COMES NOW Defendant, by and through counsel, and files its Answer to the Amended Complaint filed in this matter and states as follows:

1. Defendant affirms and hereby restates each and every one of his responses and affirmations as to each accusation set forth in Paragraph numbers 1 - 9 in his original answer filed in this matter.
2. As to the Second Cause of Action, Defendant denies each and every allegation and statement set forth in Paragraphs 11- 21 and claims that Plaintiffs have failed to state claims upon which relief can be granted nor any basis for the demand for judgment amount.

GROUNDS OF DEFENSE

1. Defendant reserves the right to raise any and all defenses as they may become known.

WHEREFORE, having full answered the Complaint and the Amended Complaint, Defendant prays that the same be dismissed, that he be awarded his attorney's

fees and costs expended herein, and for such other and further relief as the court may deem meet.

Respectfully submitted,

Jingsheng Wei

BY _____/s/_____
Counsel

Eisenhower & Laufer, P.C.
James S. D. Eisenhower, III, Esq.
DC Bar #378040,
20560 Main Street, Ste 218
Fairfax, VA 22030
703-352-9690
Fax 703-352-9695
jameseisenhower@elpclaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the _____, a true and accurate copy of the foregoing Defendants Answer and Grounds of Defense were transmitted by email (202-386-7032) and mailed, first class, postage prepaid to David L. Cleveland at 924 G. Street, N.W. Washington D.C. 20001.

_____/s/_____
James S. D. Eisenhower, III

Filed
D.C. Superior Court
10/29/2019 14:10PM
Clerk of the Court

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

HUAIZHAO LIU, *et al.*, Plaintiffs,	)	
v.	)	Case No. 2019 CA 005052 B
JINGSHENG WEI. Defendant.	)	Judge William M. Jackson

ORDER GRANTING MOTION FOR LEAVE TO AMEND COMPLAINT

This matter is before the Court on Plaintiff's Motion for Leave to File an Amended Complaint, filed on October 23, 2019. Although Defendant did not consent to the Motion, two days after its filing, Defendant filed an Answer to the Plaintiff's Amended Complaint which was attached to its Motion for Leave. Additionally, the Motion was timely filed and does not affect any dates or deadlines currently set. For these reasons, the Plaintiff's Motion for Leave to File an Amended Complaint will be **granted**.

Additionally, this matter is scheduled for an Initial Scheduling Conference on November 1, 2019. Due to scheduling conflicts, however, the Court is unable to hold the Initial Scheduling Conference on November 1, 2019. Therefore, the Court shall reschedule the Initial Scheduling Conference to the next available date on November 8, 2019 at 9:30 AM in Courtroom 219.

Therefore, on this **29th Day of October, 2019**, it is

ORDERED that Plaintiff's Motion for Leave to File an Amended Complaint is **GRANTED**; it is further

ORDERED that Plaintiff's Amended Complaint attached to its Motion for Leave is **DEEMED FILED**; and it is further

ORDERED that the November 1, 2019, Status Hearing is **CONTINUED** until November 8, 2019 at 9:30 AM in Courtroom 219.

SO ORDERED.

William M. Jackson
Associate Judge
(Signed in Chambers)

Copies to:

David Cleveland, Esq.
Counsel for Plaintiff

James Eisenhower, Esq.
Counsel for Defendant

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

LIU, Huaizhao et al.,

Plaintiffs

v. Civil Action No. 2019 CA 005052 B
Judge William M. Jackson

WEI, Jingsheng

Defendant

AMENDED COMPLAINT

FIRST CAUSE OF ACTION

Jurisdiction of this court is founded on D.C. Code § 11-921.

1. Plaintiff Liu was born in China.
2. Plaintiff Liu had sexual intercourse with defendant in California in early 2000; as a result, she became pregnant; a child was born on December 8, 2000 in California. Defendant is the father of that child.
3. Said child is plaintiff Charlotte Zhang.
4. From the year 2000 through 2017, defendant paid nothing to plaintiffs.
5. In 2018, a DNA test established that defendant is the father of Charlotte.
6. Defendant said, "I am happy to have a daughter. She dropped from heaven."
7. In mid-2018, defendant promised: "I will sell my house; I will help you."
8. In October 2018, defendant promised to pay college tuition for plaintiff Zhang.
9. But, defendant has broken all of the above promises. Defendant paid nothing to plaintiffs.
10. Defendant has paid zero dollars to plaintiffs, from 2000 to the present.

SECOND CAUSE OF ACTION

11. Plaintiffs repeat, re-allege, and incorporate by reference all of the above allegations.
12. On September 30, 2019, defendant attended an anti-Chinese Communist Party (CPP) protest held at 3505 International Place NW, Washington DC 20008. After the protest ended, he went into a nearby apartment in Washington DC. Inside that apartment were numerous people, including Mr. Xiangyang Li. At that time, and in the presence of those people, defendant said many things about the plaintiffs, including but not limited to:
    a] Plaintiffs are fakes; they have been cheating a lot of people in China;
    b] This time they have been sent by CCP to come here, to interrupt my work;
    c] after I said Liu should do a DNA test, she shut up.

13. All of the above statements are false and defamatory.
14. Defendant published the statements without privilege to a third party.
15. Defendant's fault in publishing the statements amounted to at least negligence.
16. The statements are actionable as a matter of law irrespective of special harm or that its publication caused the plaintiffs special harm.
17. Defendant acted intentionally, with malice, and with full knowledge that his statements were false.
18. Defendant's statements and acts are interfering and have interfered with prospective advantageous business opportunities for plaintiffs.
19. Defendant's statements and acts are slanderous, and tend to injure plaintiffs in their trade, profession or community standing, or lower them in the estimation of the community.
20. Plaintiff Ms. Liu is sure that people will begin to stay away from her; that people will think badly of her; and that she is being isolated from her pro-democracy colleagues. She fears she will suffer physical harm.
21. Plaintiff Charlotte is sure that people will begin to stay away from her; that people will think badly of her; that she will suffer physical harm; and that she will be insulted in the future.

Wherefore, Plaintiffs demand judgment against defendant in the sum of $500,000.

Plaintiffs pray that this Court:
A] declare that defendant is the father of Charlotte;
B] order defendant to pay college tuition for Charlotte;
C] order defendant to pay $500,000 to plaintiffs;
D] Award plaintiffs reasonable attorney fees and costs
E] Grant all other such relief to plaintiffs as the Court deems proper and equitable.

Respectfully submitted,

Attorney for Plaintiffs

David L. Cleveland
DC Bar # 424209
924 G Street, NW
Washington, DC 20001
[202] 772-4345 Fax: [202] 386-7032
1949.david@gmail.com

Filed
D.C. Superior Court
10/29/2019 14:47PM
Clerk of the Court

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

HUAIZHAO LIU, *et al.*, Plaintiffs,	)	Case No. 2019 CA 005052 B
v.	)	Judge William M. Jackson
JINGSHENG WEI. Defendant.	)	

ORDER SUA SPONTE CONTINUING SCHEDULING CONFERENCE

This matter is scheduled for a Scheduling Conference on November 8, 2019. Due to scheduling conflicts, however, the Court will not hold the Scheduling Conference on November 8, 2019. Therefore, the Court shall reschedule the Scheduling Conference to the next available date on November 15, 2019 at 9:30 AM in Courtroom 219.

Therefore, on this **29th Day of October, 2019**, it is

ORDERED that the November 8, 2019, Scheduling Conference is **CONTINUED** until November 15, 2019 at 9:30 AM in Courtroom 219.

SO ORDERED.

William M. Jackson
Associate Judge
(Signed in Chambers)

Copies to:

David Cleveland, Esq.
Counsel for Plaintiff

James Eisenhower, Esq.
Counsel for Defendant

Filed
D.C. Superior Court
10/28/2019 15:58PM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

LIU, Huaizhao, et. al.
Plaintiff,

v.

Civil Action No.2019 CA 005052 B
Judge William M. Jackson

WEI, Jingsheng.
Defendant.

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

The undersigned seeks leave of the Court to withdraw as counsel for Defendant Jingsheng Wei. As grounds for this motion, counsel states he and Mr. Wei have reached irreconcilable differences in representation of the client in this matter.

Counsel submits that Mr. Wei will not be prejudiced by approval by the court of this motion.

_____/s/_____

James S. D. Eisenhower, III
Eisenhower & Laufer, P.C.
Counsel for Defendant
10560 Main Street, Suite 218
Fairfax, VA 22030
(703) 352-9690
DC Bar No. 378040

CERTIFICATE OF SERVICE

I certify that on the _____ of October, 2019 a true copy of the foregoing *Motion For Leave to Withdraw as Counsel* was emailed and mailed to counsel for Plaintiff and copy emailed to Defendant.

_____
James S. D. Eisenhower, III

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

LIU, Huaizhao, et. al.
Plaintiff,

v.

Civil Action No.2019 CA 005052 B
Judge William M. Jackson

WEI, Jingsheng.
Defendant.

ORDER

This matter came on the motion of Defendant's counsel seeking an order permitting him to withdraw as counsel for the Defendant due to irreconcilable differences and showing that Defendant will not suffer undue prejudice by such action.

It is there ordered that leave be granted for James S.D. Eisenhower, III leave to withdraw as counsel for Defendant and that he is relieved of any further responsibilities with regard to Defendant in this case.

Entered:_____, 2009

_____
Judge William M. Jackson

I ask for this:

_____/s/_____

James S. D. Eisenhower, III
Eisenhower & Laufer, P.C.
Counsel for Defendant
10560 Main Street, Suite 218
Fairfax, VA 22030
(703) 352-9690
VA Bar No. 378040

Seen and Agreed:

_____

David L. Cleveland, Esq.
924 G. Street, N.W.
Washington, D.C. 20001
202-772-4345
D.C. Bar No. 424209

Filed
D.C. Superior Court
10/28/2019 13:25PM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CIVIL DIVISION

Huaizhao LIU

Charlotte ZHANG

PLAINTIFFS

V. Civil Action NO. 2019 CA 005052B

Jingsheng WEI

Defendant

DEFANDANTS MEMORANDUM OF POINTS AND AUTHORITIES

IN SUPPORT OF MOTION TO DISMISS

Facts

This matter came before the court on a Complaint filed by the Plaintiffs in which they contend, although not clear, seem to contend that the Defendant entered into a contractual relationship with Plaintiff based on an off the cuff statement to Defendant Liu and a "promise" most likely made to Liu that Defendant could pay college tuition to Defendant Zhange.

There are two issues:

Does the Court have jurisdiction to adjudicate this case; and

Have the Plaintiff's sought claims upon which relief can be granted.

1. Jurisdiction

This court is subject to the Federal Rules of Civil procedure regarding its jurisdiction. In particular, it is subject to 28 U.S. Code Section 1332. Under those provisions, in order for this court to have jurisdiction, it is required that there be complete diversity of all plaintiffs and defendants. For individuals, the issue is domicile, rather that residence. Due process requires that for the forum state to have jurisdiction. Due process requires that for the forum state to have jurisdiction over a defendant, that defendant must have "certain minimum contacts" with the forum state and having jurisdiction cannot violate "traditional notions of fair play and substantial justice." These "minimum contacts" with the forum state should be such that the defendant should reasonably anticipate to be brought to court in that state because he purposefully availed himself of the privilege of conducting activities within the forum state. See *International Shoe Co. v. Washington*, 326 U.S. 310 (1945), *World-Wide Volkswagen Corp. v. Woodson*, 444 U.S. 286, 297 (1980) and *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 476 (1985).

On its face, Plaintiff's complaint fails to allege the domicile of either Plaintiff, except to state that Plaintiff Liu was born in China. There is no statement that either Plaintiff is domiciled in the District of Columbia. Indeed, to Defendant's knowledge, neither is domiciled in the District of Columbia. Moreover, it must be inferred that the allegations against the Defendant may well have occurred in China.

However, and more important is that the Defendant is not domiciled in the District of Columbia, nor have the Plaintiffs alleged that he is domiciled in the District of Columbia or that he has minimum contacts with the District of Columbia permitting this court to exercise jurisdiction. In fact, Defendant has stated through the affidavit attached to his responsive pleading that he is not domiciled in the District of Columbia.

2. Paragraphs 6, 7 and 8 do not establish claims for which relief can be granted.

Paragraph 6 is merely a statement that Defendant would "help you." This is not a contractual commitment by Defendant. Further the claims that he agreed to pay for Plaintiff Zhang's college tuition do not establish an enforceable contract.

It would appear that Plaintiffs are attempting to turn that promise into a contract. However, in order for such a promise to constitute an enforceable contract an agreement must be reached between two or more persons or entities in which there is a promise to do something in return for a valuable benefit known as consideration. At the same time it must be established that there was an offer; an acceptance of that offer which results in a meeting of the minds; a promise to perform; a valuable consideration; a time or event when performance must be made, terms and conditions for performance, including fulfilling promises; performance and a change on behalf of one party creating reliance. If the promise was a unilateral contract, one party promises to pay for or give other consideration in return for actual performance.

None of the foregoing apply if the allegation concerns a purported contract with Huaizhao Liu.

If on the other hand, the promise constituted a commitment to make a gift of college funds to Plaintiff Zhang, such a promise is not a contract.

Based on the foregoing, Defendant seeks and order of this court (1) dismissing the case on the grounds of no diversity; and (2) dismissing the claims under Complaint Paragraphs 6, 7 and 8 because no relief can be granted.

Respectfully submitted,

ORAL HEARING IS REQUESTED

Jingsheng Wei

BY _____

Counsel

Eisenhower & Laufer, P.C.
James S. D. Eisenhower, III, Esq.
DC Bar #378040,
20560 Main Street, Ste 218
Fairfax, VA 22030
703-352-9690
Fax 703-352-9695
jameseisenhower@elpclaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the _____, a true and accurate copy of the foregoing Defendants Answer and Grounds of Defense were transmitted by facsimile (202-386-7032) and mailed, first class, postage prepaid to David L. Cleveland at 924 G. Street, N.W. Washington D.C. 20001.

_____

James S. D. Eisenhower, III

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CIVIL DIVISION

Huaizhao LIU

Charlotte ZHANG

PLAINTIFFS

V. Civil Action NO. 2019 CA 005052B

Jingsheng WEI

DEFENDANT

ORDER

THIS MATTER came before this court this ____ day of _____, 2019 on Defendant's motion to dismiss the case.

Upon consideration of the evidence presented and the argument made, the Court finds the following:

1. Plaintiffs have not demonstrated that the Defendant is domiciled in the District of Columbia nor that he has sufficient contacts in the District of Columbia to permit this court to take jurisdiction over the parties. In fact Defendant is domiciled in the State of Maryland as supported by his affidavit filed with his responsive pleadings. Plaintiff's complaint does not state nor allege that either or both of them are domiciled in the District of Columbia. Consequently, the court finds that there is diversity between the parties and thus no jurisdiction.

2. Defendant argues that Plaintiffs have made claims in Paragraphs 6, 7 and 8 that are fully demurrable and for which no relief can be granted. In particular, mere statements to another party as to what might or might not been done do not constitute a contractual arrangement binding either party. The Court hereby ORDERS that the case is dismissed.

ENTERED on this the ____ day of _____, 2019.

_____

Judge, Superior Court of the District of Columbia

Eisenhower & Laufer, P.C.
James S. D. Eisenhower, III, Esq.
DC Bar #378040,
20560 Main Street, Ste 218
Fairfax, VA 22030
703-352-9690
Fax 703-352-9695

Filed
D.C. Superior Court
10/25/2019 14:54PM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

Huaizhao LIU

Charlotte ZHANG

PLAINTIFFS

V. Civil Action NO. 2019 CA 005052B
Judge William Jackson

Jingsheng WEI

Defendant

ANSWER

COMES NOW Defendant, by and through counsel, and files its Answer to the Amended Complaint filed in this matter and states as follows:

1. Defendant affirms and hereby restates each and every one of his responses and affirmations as to each accusation set forth in Paragraph numbers 1 - 9 in his original answer filed in this matter.
2. As to the Second Cause of Action, Defendant denies each and every allegation and statement set forth in Paragraphs 11- 21 and claims that Plaintiffs have failed to state claims upon which relief can be granted nor any basis for the demand for judgment amount.

GROUNDS OF DEFENSE

1. Defendant reserves the right to raise any and all defenses as they may become known.

WHEREFORE, having full answered the Complaint and the Amended Complaint, Defendant prays that the same be dismissed, that he be awarded his attorney's

fees and costs expended herein, and for such other and further relief as the court may deem meet.

Respectfully submitted,

Jingsheng Wei

BY _____
Counsel

Eisenhower & Laufer, P.C.
James S. D. Eisenhower, III, Esq.
DC Bar #378040,
20560 Main Street, Ste 218
Fairfax, VA 22030
703-352-9690
Fax 703-352-9695
jameseisenhower@elpclaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the _____, a true and accurate copy of the foregoing Defendants Answer and Grounds of Defense were transmitted by facsimile (202-386-7032) and mailed, first class, postage prepaid to David L. Cleveland at 924 G. Street, N.W. Washington D.C. 20001.

_____
James S. D. Eisenhower, III

EXHIBIT 1

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

LIU, Huaizhao et al.,

Plaintiffs

v. Civil Action No. 2019 CA 005052 B
Judge William M. Jackson

WEI, Jingsheng

Defendant

AMENDED COMPLAINT

FIRST CAUSE OF ACTION

Jurisdiction of this court is founded on D.C. Code § 11-921.

1. Plaintiff Liu was born in China.
2. Plaintiff Liu had sexual intercourse with defendant in California in early 2000; as a result, she became pregnant; a child was born on December 8, 2000 in California. Defendant is the father of that child.
3. Said child is plaintiff Charlotte Zhang.
4. From the year 2000 through 2017, defendant paid nothing to plaintiffs.
5. In 2018, a DNA test established that defendant is the father of Charlotte.
6. Defendant said, "I am happy to have a daughter. She dropped from heaven."
7. In mid-2018, defendant promised: "I will sell my house; I will help you."
8. In October 2018, defendant promised to pay college tuition for plaintiff Zhang.
9. But, defendant has broken all of the above promises. Defendant paid nothing to plaintiffs.
10. Defendant has paid zero dollars to plaintiffs, from 2000 to the present.

SECOND CAUSE OF ACTION

11. Plaintiffs repeat, re-allege, and incorporate by reference all of the above allegations.
12. On September 30, 2019, defendant attended an anti-Chinese Communist Party (CPP) protest held at 3505 International Place NW, Washington DC 20008. After the protest ended, he went into a nearby apartment in Washington DC. Inside that apartment were numerous people, including Mr. Xiangyang Li. At that time, and in the presence of those people, defendant said many things about the plaintiffs, including but not limited to:
    a] Plaintiffs are fakes; they have been cheating a lot of people in China;
    b] This time they have been sent by CCP to come here, to interrupt my work;
    c] after I said Liu should do a DNA test, she shut up.

13. All of the above statements are false and defamatory.
14. Defendant published the statements without privilege to a third party.
15. Defendant's fault in publishing the statements amounted to at least negligence.
16. The statements are actionable as a matter of law irrespective of special harm or that its publication caused the plaintiffs special harm.
17. Defendant acted intentionally, with malice, and with full knowledge that his statements were false.
18. Defendant's statements and acts are interfering and have interfered with prospective advantageous business opportunities for plaintiffs.
19. Defendant's statements and acts are slanderous, and tend to injure plaintiffs in their trade, profession or community standing, or lower them in the estimation of the community.
20. Plaintiff Ms. Liu is sure that people will begin to stay away from her; that people will think badly of her; and that she is being isolated from her pro-democracy colleagues. She fears she will suffer physical harm.
21. Plaintiff Charlotte is sure that people will begin to stay away from her; that people will think badly of her; that she will suffer physical harm; and that she will be insulted in the future.

Wherefore, Plaintiffs demand judgment against defendant in the sum of $500,000.

Plaintiffs pray that this Court:
A] declare that defendant is the father of Charlotte;
B] order defendant to pay college tuition for Charlotte;
C] order defendant to pay $500,000 to plaintiffs;
D] Award plaintiffs reasonable attorney fees and costs
E] Grant all other such relief to plaintiffs as the Court deems proper and equitable.

Respectfully submitted,

Attorney for Plaintiffs

David L. Cleveland
DC Bar # 424209
924 G Street, NW
Washington, DC 20001
[202] 772-4345 Fax: [202] 386-7032
1949.david@gmail.com

Filed
D.C. Superior Court
10/23/2019 14:55PM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

LIU, Huaizhao et al.,

Plaintiffs

v.

Civil Action No. 2019 CA 005052 B
Judge William M. Jackson

Next event: Status Conference on
November 1, 2019 at 9:30 am

WEI, Jingsheng

Defendant

PLAINTIFFS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

After the complaint was filed in this case, defendant committed additional acts. Therefore, plaintiffs now have a new cause of action.

For the reasons set forth in the attached memorandum of law, plaintiffs seek leave to file an amended complaint. A copy of that amended complaint is attached hereto as Exhibit 1.

Despite diligent efforts of the undersigned, consent could not be obtained. Counsel for plaintiffs asked counsel for defendant to consent to this motion, via email and phone conversation, but no consent was obtained.

Respectfully submitted,

Attorney for Plaintiffs

David L. Cleveland
DC Bar # 424209
924 G Street, NW Washington, DC 20001
[202] 772-4345 Fax: [202] 386-7032
1949.david@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2019, a true and accurate copy of this document was sent by email and first-class mail to James Eisenhower, counsel for defendant, at 20560 Main Street, Suite 728, Fairfax VA 22030.

_____
David L. Cleveland

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

LIU, Huaizhao et al.,
Plaintiffs
v.

Civil Action No. 2019 CA 005052 B
Judge William M. Jackson

WEI, Jingsheng
Defendant

PLAINTIFFS' POINTS AND AUTHORITIES IN SUPPORT OF THEIR MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

After the complaint was filed in this case, defendant committed additional acts. Defendant made slanderous statements, in public, which defamed plaintiffs, in September 2019. Therefore, plaintiffs now have a new cause of action.

Civil Rule 15(a)(3) states that the court "should freely give leave when justice so requires." Because this jurisdiction favors resolution of controversies on their merits, leave to amend, generally speaking, in freely given. *Gordon v. Raven Sys. & Research,* 462 A.2d 10 (D.C. App. 1983). There is a virtual presumption that court should grant leave to amend where no good reason appears to the contrary. *Bennet v. Fun & Fitness,* 434 A.2d 476 (D.C. App. 1981)

A proposed Order is attached hereto.

Respectfully submitted,

Attorney for Plaintiffs

David L. Cleveland
DC Bar # 424209
924 G Street, NW
Washington, DC 20001
[202] 772-4345 Fax: [202] 386-7032
1949.david@gmail.com

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

LIU, Huaizhao et al.,

Plaintiffs

v. Civil Action No. 2019 CA 005052 B
Judge William M. Jackson

WEI, Jingsheng

Defendant

ORDER

Upon consideration of plaintiff's motion for leave to file an amended complaint, and of any opposition thereto, it is hereby

ORDERED that plaintiffs' motion is granted.

IT IS FURTHER ORDERED that defendant shall file a response within 30 days of the date of this Order.

The granting of this motion does not affect any dates currently set.

Date: _____ _____
Judge William M Jackson

Copies should be sent to:

David L. Cleveland, counsel for plaintiffs
DC Bar # 424209
924 G Street, NW Washington, DC 20001
[202] 772-4345 Fax: [202] 386-7032
1949.david@gmail.com

James Eisenhower, counsel for defendant,
20560 Main Street, Suite 728,
Fairfax VA 22030.
[703] 352-9690
<j.eisenhower.clpc@gmail.com.

SUBPOENA

Filed
D.C. Superior Court
10/09/2019 14:52PM
Clerk of the Court

Superior Court of the District of Columbia
CIVIL DIVISION

Check One:

☒ **Civil Actions Branch**
500 Indiana Ave., N.W.
Room 5000
Washington, D.C. 20001
Telephone: (202) 879-1133

☐ Landlord & Tenant Branch
510 4th Street, N.W.
Room 110
Washington, D.C. 20001
Telephone: (202) 879-4879

☐ **Small Claims & Conciliation Branch**
510 4th Street, N.W.
Room 120
Washington, D.C. 20001
Telephone: (202) 879-1120

LIU, Huaizhao
Plaintiff

v.

WEI, Jingsheng
Defendant

SUBPOENA FOR A CIVIL CASE

CASE NUMBER: 2019 CA 005052 B

☐ Check box if medical records are being requested

To: Ms. Ciping Huang

☐ **YOU ARE COMMANDED** to appear in this Court at the place, date, and time specified below to testify in the above case.

COURTROOM AND ADDRESS	DATE	TIME

☒ **YOU ARE COMMANDED** to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE	TIME
1200 G Street NW # 800 Wash DC 20005	11-1-19	12:30 pm

Any organization not a party to this suit that is subpoenaed for the taking of a deposition must designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which each person will testify. Super. Ct. Civ. R. 30(b)(6).

☒ **YOU ARE COMMANDED** to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below *(list documents or objects)*:

DOCUMENTS OR OBJECTS		
all documents pertaining to Wei Jingsheng Foundation, Inc. and as listed on Ex A		
PLACE OF PRODUCTION	**DATE**	**TIME**
1200 G Street NW Wash DC 20005	11-1-19	12:30 pm

☐ **YOU ARE COMMANDED** to permit inspection of the following premises at the date, and time specified below.

PREMISES	DATE	TIME

ISSUING PERSON'S SIGNATURE AND TITLE (Indicate if attorney for plaintiff or defendant)	DATE
David L. Cleveland attorney for plaintiffs	10-9-19
ISSUING PERSON'S NAME, ADDRESS AND PHONE NUMBER	
David L. Cleveland 924 G St. NW WDC [202] 772-4345	

Authorization as required by D.C. Code §14-307 and Brown v. U.S., 567 A.2d 426 (D.C. 1989), is hereby given for issuance of a subpoena for medical records concerning a person who has not consented to disclosure of the records and has not waived the privilege related to such records.

JUDGE

(See Super. Ct. Civ. R. 45 (c) and (d) on the reverse side)
WHITE - FOR RETURN OF SERVICE YELLOW - FOR SERVICE

Case Number:_____ Court Date: _____

PROOF OF SERVICE

Served	Date	Time	Place

Served on (Print Name)	Title

MANNER OF SERVICE (attach the return receipt if service was made by registered or certified mail) I served the subpoena by delivering a copy to the named person as follows:

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 not a party to the above entitled case and that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____ Date

_____ Signature of Server

_____ Address of Server

Super. Ct. Civ. R. 45(c) and (d):

(c) PROTECTING A PERSON SUBJECT TO A SUBPOENA; ENFORCEMENT.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents, electronically stored information, or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court must quash or modify a subpoena that:

(i) fails to allow reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 25 miles from where that person resides, is employed, or regularly transacts business in person—except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place to the place of trial;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 25 miles to attend trial.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) DUTIES IN RESPONDING TO A 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.

Filed
D.C. Superior Court
08/29/2019 14:20PM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

Huaizhao LIU

Charlotte ZHANG

PLAINTIFFS

V. Civil Action NO. 2019 CA 005052B

Jingsheng WEI

Defendant

ANSWER

COMES NOW Defendant, by and through counsel, and files its Answer to the Complaint filed in this matter and states as follows:

1. As to Paragraph 1, Defendant is without sufficient information to admit or deny and therefore denies and demands strict proof thereof.
2. As to Paragraph 2, Defendant denies and demands strict proof thereof.
3. As to Paragraph 3, Defendant is without information to admit or deny and demands strict proof thereof.
4. As to Paragraph 4, Defendant admits not having paid anything to Plaintiffs.
5. As to Paragraph 5, Defendant denies that a DNA test was performed.
6. Defendant is without knowledge or specific information to admit or deny the phrase cited by Plaintiff thus denying the same and demanding strict proof thereof.
7. As to Paragraph 8, Defendant denies.
8. As to Paragraph 9, Defendant denies.

9. Defendant admits that he has not paid anything to Plaintiffs, there are no written agreements obligating Defendant to make payments to Plaintiffs or either of them and he is not under any court order to do so.

GROUNDS OF DEFENSE

1. Defendant reserves the right to raise any and all defenses as they may become known.

MOTION TO DISMISS

JURISDICTION

1. Plaintiff s are believed to be residents of Virginia, notwithstanding showing a Post Office Box address in the District of Columbia and nothing in the Compliant states that they are domiciled in the District of Columbia.
2. Defendant is a resident of Maryland. The address for Defendant showing on the Complaint is a business address in the District of Columbia, and has not been a place of business for the Defendant for approximately ten (10) years. See attached affidavit.
3. In fact, Defendant was renting a room a13423 Queens Lane, Fort Washington, Maryland, which was his residence at the time.
4. On August 9, 2019, a male process server appeared at the above address and handed a package to one of the owners of the property. The owner did not deliver the package to Defendant.
5. The Complaint does not allege that Defendant is either domiciled in the District of Columbia nor allege that Defendant's actions were commenced or completed in the District of Columbia.

6. It is believed that neither Plainitiff is a resdent or domiciled in the District of Columbia.
7. Thus, this court does not have jurisdiction over Defendant or Plaintiffs and the case must be dismissed.

Paragraphs 6 and 7 do not state a claim for which relief can be granted.

1. Paragraphs 6 and 7 of the Complaint do not state claims for which relief can be granted to either Plaintiff.

2. Paragraphs 6 and 7 do not claim on their face any promises by Defendant and therefore no relief is claimed or available.

Paragraph 8 does not state a claim for which relief can be granted.

1. The Complaint alleges the Defendant promised to pay for Plaintiff ZHANG'S college tuition.

2. In order for a promise to be enforceable as a contract there must be consideration and it must be clear what each party needs to do to fulfill the contract. In this case Plaintiff must show she detrimentally relied on the promise, which she does not.

3. The Complaint does not allege that any consideration passed between ZHANG and Defendant. The promise, if any. was to make a gift. Defendant was under no legal obligation to pay for college.

4. Plaintiff was a minor when the apparent promise was made, and was not competent to enter into a contract

For all of the foregoing reasons. the Complaint must be dismissed.

WHEREFORE. having full answered the Complaint, Defendant prays that the same be dismissed. that he be awarded his attorney's fees and costs

expended herein, and for such other and further relief as the court may deem meet.

Respectfully submitted,

Jingsheng Wei

BY _____
Counsel

Eisenhower & Laufer, P.C.
James S. D. Eisenhower, III, Esq.
DC Bar #378040,
20560 Main Street, Ste 218
Fairfax, VA 22030
703-352-9690
Fax 703-352-9695
jameseisenhower@elpclaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the 29 August 2019 a true and accurate copy of the foregoing Defendants Answer and Grounds of Defense were transmitted by facsimile (202-386-7032) and mailed, first class, postage prepaid to David L. Cleveland at 924 G. Street, N.W. Washington D.C. 20001.

_____
James S. D. Eisenhower, III

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

Huaizhao LIE

Charlotte ZHANG

PLAINTIFFS

V. Civil Action NO. 2019 CA 005052B

Jingsheng WEI

Defendant

AFFIDAVIT OF
JINGSHENG WEI

1. My name is JINGSHENG WEI
2. I am the Defendant named in this matter.
3. In July of 2003, I was employed space at 415 Capitol Street, Washington D.C., 20003, but never lived there.
4. The foregoing office space and property was vacated by my employer me ten years ago.
5. I have never been domiciled in the District of Columbia.
6. I own a home at 24281 Auction Road, Preston, MD which I consider my domicile.
7. I also rent a room at 13423 Queens Lane, Fort Washington, Maryland where I continue to live.

Further you affiant sayeth not.

JINGSHENG WEI

Commonwealth of Virginia)
County/City of Fairfax) ss:

Before me, the undersigned authority, on this date personally appeared JINGSHENG WEI known to me and who has signed the foregoing affidavit. JINGSHENG WEI the forgoing to be his free and voluntary act for purposes therein expressed, that he signed the same before me and he executed and acknowledged the same before me. At time of its execution JINGSHENG WEI was over the age of eighteen years and of sound and disposing mind and memory.

Subscribed, sworn and acknowledged before me by JINGSHENG WEI, the affiant, subscribed and sworn before me, this 27 day of August, 2019.

Notary Public

JAMES S.D. EISENHOWER III
NOTARY PUBLIC
REGISTRATION # 120439
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
JUNE 30, 2021

Filed
D.C. Superior Court
08/27/2019 15:23PM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION, CIVIL ACTIONS BRANCH
500 Indiana Avenue, N.W., Room 5000
Washington, D.C. 20001
Telephone (202) 879-1133

FILED
CIVIL ACTIONS BRANCH
AUG 14 2019
Superior Court
of the District of Columbia
Washington, D.C.

Civil Action No. 2019 CA 005052 B

HUAIZHAO LIU
Plaintiff

VS

JINGSHENG WEI
Defendant

AFFIDAVIT OF SERVICE BY SPECIAL PROCESS SERVER

I, KERWIN MATTHEWS, age 18 or older, residing or working at 1624 VILLAGE GREEN DRIVE, LANDOVER, MD 20785, am not a party and have no interest in this case. On AUGUST 9TH, 2019, at 11:00 AM/PM.

1. I served a copy of the summons, complaint, initial order, and addendum if necessary, and any attachments as follows on defendant _____.

☐ Personally at _____.

☒ By leaving said copy with LAURENCE ANDERSON, a person of suitable age and discretion, who stated that he/she resides with the defendant at 13423 QUEENS LANE, FORT WASHINGTON, MD 20744.

☐ By leaving said copy with _____ at _____.
He/She stated that they are authorized to accept service on behalf of the above defendant by statute or law and his/her official capacity is _____.

2. Below, you must set forth specific facts from which the Court can determine that process was served as indicated above and in compliance with SCR CIV 4, including a physical description (approximate age, height, weight) of any person on whom service was made:

HAND DELIVERED DOCUMENTS TO LAURENCE ANDERSON AS CO-RESIDENT ROOMMATE WHITE MALE, 5'7", 180LB, 57-64YRS OLD.

Special Process Server

Subscribed and sworn to before me this 14th day of August, 2019.

Notary Public / Deputy Clerk

08/14/2023
My Commission Expires

NOTARY PUBLIC
SHIRLEY KING
EXP. 3-14-23
DISTRICT OF COLUMBIA

NOTE: A separate Affidavit of Service is required for each named Defendant

Form CV-3035/Jan 2011

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION, CIVIL ACTIONS BRANCH
500 Indiana Avenue, N.W., Room 5000
Washington, D.C. 20001
Telephone (202) 879-1133

FILED
CIVIL ACTIONS BRANCH
AUG 14 2019
Superior Court
of the District of Columbia
Washington, D.C.

Civil Action No. 2019 CA 005052 B

HUAIZHAO LIU
Plaintiff

VS JINGSHENG WEI
Defendant

AFFIDAVIT OF SERVICE BY SPECIAL PROCESS SERVER

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1. I served a copy of the summons, complaint, initial order, and addendum if necessary, and any attachments as follows on **defendant** _____.

☐ Personally at _____.

☒ By leaving said copy with LAURENCE ANDERSON, a person of suitable age and discretion, who stated that he/she resides with the defendant at 13423 QUEENS LANE, FORT WASHINGTON, MD 20744.

☐ By leaving said copy with _____ at _____.
He/She stated that they are authorized to accept service on behalf of the above defendant by statute or law and his/her official capacity is _____.

2. Below, you must set forth specific facts from which the Court can determine that process was served as indicated above and in compliance with SCR CIV 4, including a physical description (approximate age, height, weight) of any person on whom service was made:

HAND DELIVERED DOCUMENTS TO LAURENCE ANDERSON, AS CO-RESIDENT, ROOMMATE, WHITE MALE, 5'7", 180LB, 57-64YRS OLD,

Special Process Server

Subscribed and sworn to before me this 14th day of August, 2019.

Notary Public / Deputy Clerk

03/14/2023
My Commission Expires

SALIEU KING
NOTARY PUBLIC
EXP. 3-14-23
DISTRICT OF COLUMBIA

NOTE: A separate Affidavit of Service is required for each named Defendant

Form CV-3035/Jun 2011

Filed
D.C. Superior Court
08/03/2019 09:50AM
Clerk of the Court

Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

Liu, Huaiheo
Plaintiff

vs.

Wei, Jingsheng
Defendant

Case Number 2019 CA 005052 B

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

David L. Cleveland
Name of Plaintiff's Attorney

924 G Street NW
Address
Wash DC 20001

202-772-4345
Telephone

Clerk of the Court

By _____
Deputy Clerk

Date 08/03/2019

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bài dịch, hãy gọi (202) 879-4828
번역을 원하시면, (202) 879-4828로 전화주십시요 የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, *DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.*

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation
Vea al dorso la traducción al español

Filed
D.C. Superior Court
08/02/2019 13:52PM
Clerk of the Court

Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

Liu, Huaizhao
Plaintiff

vs.

Wei, Jingsheng
Defendant

Case Number 2019 CA 005052 B

SUMMONS

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David L. Cleveland
Name of Plaintiff's Attorney

924 G Street NW
Address
Wash DC 20001

202-772-4345
Telephone

Clerk of the Court

By _____
Deputy Clerk

Date 08/03/2019

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bài dịch, hãy gọi (202) 879-4828
번역을 원하시면, (202) 879-4828로 전화주십시요 የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, *DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.*

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Filed
D.C. Superior Court
08/02/2019 13:31PM
Clerk of the Court

Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

Liu, Huaiheo
Plaintiff

vs.

Wei, Jingsheng
Defendant

Case Number 2019 CA 005052 B

SUMMONS

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David L. Cleveland
Name of Plaintiff's Attorney

924 G Street NW
Address
Wash DC 20001

202-772-4345
Telephone

Clerk of the Court

By _____
Deputy Clerk

Date _____

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bài dịch, hãy gọi (202) 879-4828
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Filed
D.C. Superior Court
08/02/2019 12:26PM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

Huaizhao LIU
PO Box 40157
Washington DC 20016

Charlotte ZHANG
PO Box 40157
Washington DC 20016

Plaintiffs

v. Civil Action No. 2019 CA 005052 B

Jingsheng WEI
415 East Capitol Street S.E. #2
Washington DC 20003

Defendant

COMPLAINT

Jurisdiction of this court is founded on D.C. Code § 11-921.

1. Plaintiff Huaizhao LIU born in China.
2. Plaintiff Liu had sexual intercourse with defendant in early 2000; as a result, she became pregnant; a child was born in the year 2000 in California. Defendant is the father of that child.
3. Said child is plaintiff Charlotte Zhang.
4. From the year 2000 through 2017, defendant paid nothing to plaintiffs.
5. In 2018, a DNA test established that defendant is the father of Charlotte.
6. Defendant said, "I am happy to have a daughter. She dropped from heaven."
7. In mid-2018, defendant promised: "I will sell my house; I will help you."
8. In October 2018, defendant promised to pay college tuition for plaintiff Zhang.
9. But, defendant has broken all of the above promises. Defendant paid nothing to plaintiffs.
10. Defendant has paid zero dollars to plaintiffs, from 2000 to the present.

Wherefore, Plaintiffs demand judgment against defendant in the sum of $500,000.

Plaintiffs pray that this Court:
A] declare that defendant is the father of Charlotte;
B] order defendant to pay college tuition for Charlotte;

C] order defendant to pay $500,000 to plaintiffs;
D] Award plaintiffs reasonable attorney fees and costs
E] Grant all other such relief to plaintiffs as the Court deems proper and equitable.

Respectfully submitted,

Attorney for Plaintiffs

David L. Cleveland
DC Bar # 424209
924 G Street, NW
Washington, DC 20001
[202] 772-4345 Fax: [202] 386-7032
1949.david@gmail.com

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
Telephone: (202) 879-1133 • Website: www.dccourts.gov

HUAIZHAO LIU et al
Vs.
JINGSHENG WEI

C.A. No. 2019 CA 005052 B

INITIAL ORDER AND ADDENDUM

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure ("Super. Ct. Civ. R.") 40-I, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the summons, the complaint, and this Initial Order and Addendum. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in Super. Ct. Civ. R. 4(m).

(3) Within 21 days of service as described above, except as otherwise noted in Super. Ct. Civ. R. 12, each defendant must respond to the complaint by filing an answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in Super. Ct. Civ. R. 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an initial scheduling and settlement conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients prior to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference once, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than seven business days before the scheduling conference date.
No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each judge's Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court's website http://www.dccourts.gov/.

Chief Judge Robert E. Morin

Case Assigned to: Judge WILLIAM M JACKSON
Date: July 31, 2019
Initial Conference: 9:30 am, Friday, November 01, 2019
Location: Courtroom 219
500 Indiana Avenue N.W.
WASHINGTON, DC 20001

ADDENDUM TO INITIAL ORDER AFFECTING ALL MEDICAL MALPRACTICE CASES

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The following persons are required by statute to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case. D.C. Code § 16-2824.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code§ 16-2826. Any Plaintiff who is *pro se* may elect to file the report by hand with the Civil Actions Branch. The forms to be used for early mediation reports are available at www.dccourts.gov/medmalmediation.

Chief Judge Robert E. Morin

Filed
D.C. Superior Court
08/01/2019 09:50AM
Clerk of the Court

Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

Liu, Huaiheo
Plaintiff

vs.

Wei, Jingsheng
Defendant

Case Number 2019 CA 005052 B

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

David L. Cleveland
Name of Plaintiff's Attorney

924 G Street NW
Address
Wash DC 20001

202-772-4345
Telephone

Clerk of the Court

By _____
Deputy Clerk

Date _____

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bài dịch, hãy gọi (202) 879-4828
번역을 원하시면, (202) 879-4828로 전화주십시오 የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, *DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.*

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation
Vea al dorso la traducción al español

Filed
D.C. Superior Court
07/31/2019 12:26PM
Clerk of the Court

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

Huaizhao LIU
PO Box 40157
Washington DC 20016

Charlotte ZHANG
PO Box 40157
Washington DC 20016

Plaintiffs

v. Civil Action No.

Jingsheng WEI
415 East Capitol Street S.E. #2
Washington DC 20003

Defendant

COMPLAINT

Jurisdiction of this court is founded on D.C. Code § 11-921.

1. Plaintiff Huaizhao LIU born in China.
2. Plaintiff Liu had sexual intercourse with defendant in early 2000; as a result, she became pregnant; a child was born in the year 2000 in California. Defendant is the father of that child.
3. Said child is plaintiff Charlotte Zhang.
4. From the year 2000 through 2017, defendant paid nothing to plaintiffs.
5. In 2018, a DNA test established that defendant is the father of Charlotte.
6. Defendant said, "I am happy to have a daughter. She dropped from heaven."
7. In mid-2018, defendant promised: "I will sell my house; I will help you."
8. In October 2018, defendant promised to pay college tuition for plaintiff Zhang.
9. But, defendant has broken all of the above promises. Defendant paid nothing to plaintiffs.
10. Defendant has paid zero dollars to plaintiffs, from 2000 to the present.

Wherefore, Plaintiffs demand judgment against defendant in the sum of $500,000.

Plaintiffs pray that this Court:
A] declare that defendant is the father of Charlotte;
B] order defendant to pay college tuition for Charlotte;

C] order defendant to pay $500,000 to plaintiffs;
D] Award plaintiffs reasonable attorney fees and costs
E] Grant all other such relief to plaintiffs as the Court deems proper and equitable.

Respectfully submitted,

Attorney for Plaintiffs

David L. Cleveland
DC Bar # 424209
924 G Street, NW
Washington, DC 20001
[202] 772-4345 Fax: [202] 386-7032
1949.david@gmail.com

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
Telephone: (202) 879-1133 • Website: www.dccourts.gov

HUAIZHAO LIU et al
Vs.
JINGSHENG WEI

C.A. No. 2019 CA 005052 B

INITIAL ORDER AND ADDENDUM

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure ("Super. Ct. Civ. R.") 40-I, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the summons, the complaint, and this Initial Order and Addendum. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in Super. Ct. Civ. R. 4(m).

(3) Within 21 days of service as described above, except as otherwise noted in Super. Ct. Civ. R. 12, each defendant must respond to the complaint by filing an answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in Super. Ct. Civ. R. 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an initial scheduling and settlement conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients prior to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference once, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than seven business days before the scheduling conference date.
No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each judge's Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court's website http://www.dccourts.gov/.

Chief Judge Robert E. Morin

Case Assigned to: Judge WILLIAM M JACKSON
Date: July 31, 2019
Initial Conference: 9:30 am, Friday, November 01, 2019
Location: Courtroom 219
500 Indiana Avenue N.W.
WASHINGTON, DC 20001

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Chief Judge Robert E. Morin

THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division
500 Indiana Avenue NW
Washington, D.C. 20001

November 19, 2019

CASE NAME: HUAIZHAO LIU et al Vs. JINGSHENG WEI

CASE NUMBER: 2019 CA 005052 B

308669

NOTICE OF REMOVAL

This case has been removed to the U.S. District Court for the District of Columbia. Any unresolved motion filed in this case prior to its removal is moot as of the date of this notice. Should the U.S. District Court remand the case back to this Court, moving party may request reinstatement of a motion filed prior to removal of the case by filing a praecipe requesting that the named motion(s) be reinstated. A Certificate of Service to all parties must accompany the praecipe.

NO FURTHER PLEADINGS WILL BE ACCEPTED FOR FILING IN THE SUPERIOR COURT AT THIS TIME.

D. C. Superior Court
500 Indiana Avenue NW
Room JM-170
Washington D.C. 20001

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Mr DAVID G BARGER
KILPATRICK STOCKTON
700 13TH STREET NW
Washington, DC 20005

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

2019 CA 005052 B

CANOR

THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division
500 Indiana Avenue NW
Washington, D.C. 20001

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Mr DAVID L CLEVELAND
CATHOLIC CHARITIES
924 G STREET NW
Washington, DC 20001

2019 CA 005052 B

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Mr JAMES S EISENHOWER III
EISENHOWER, LAUFER & TARBY PC
4041 UNIVERSITY DRIVE
Fairfax, VA 22030

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

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HUAIZHAO LIU
po box 40157
WASHINGTON, DC 20016

2019 CA 005052 B

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Civil Division
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2019 CA 005052 B

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WASHINGTON, DC 20016

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