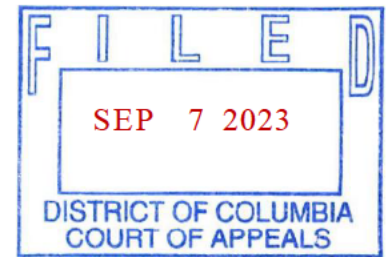


**District of Columbia  
Court of Appeals**



**No. 22-CV-523**

MARK Z. JACOBSON,

Appellant,

**2017-CA-006685-B**

v.

CHRISTOPHER T.M. CLACK, *et al.*,

Appellees.

Before: McLeese and Deahl, Associate Judges, and Glickman, Senior Judge.

**ORDER**

This is an appeal from a trial court order awarding attorney’s fees and costs under the anti-SLAPP Act, D.C. Code §§ 16 5501–16-5505, which permits such awards to defendants who “prevail in whole or in part” after filing a special motion to dismiss under that Act. The case was submitted on January 12, 2023. On September 7, 2023, this court decided *Banks v. Hoffman*, No. 20-CV-318, concluding that portions of the anti-SLAPP Act violate the District’s Home Rule Act, D.C. Code §§ 1-201.01–1-207.71. Because it appears that the decision in *Banks* might affect the proper resolution of this appeal, it is

ORDERED, sua sponte, that the parties shall submit supplemental briefs on the question of whether *Banks* affects the proper resolution of this appeal. Appellant shall have 30 days from the date of this order to file a supplemental brief, and appellee shall have 30 days from that submission to file a responsive supplemental brief. Those briefs shall be no more than 20 pages. If Appellant chooses to file a reply brief, he shall have 14 days from the date that appellees’ supplemental brief is submitted to do so, and any reply brief shall be no more than 10 pages. The parties may, in lieu of supplemental briefing, submit a joint statement if they now agree on the proper resolution of this appeal in light of *Banks*.

**PER CURIAM**

**No. 22-CV-523**

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