

**[D.C. Code § 1-301.88d.]**

§ 1-301.88d. Authority to issue subpoenas in investigation of consumer protection matters: Attorney General for the District of Columbia

(a) The Attorney General, or his or her designee, shall have the authority to issue subpoenas for the production of documents and materials or for the attendance and testimony of witnesses under oath, or both, related to an investigation into unfair, deceptive, unconscionable, or fraudulent trade practices by or between a merchant or consumer, as defined in § 28-3901.

(b) Subpoenas issued pursuant to subsection (a) of this section or § 28-3910 shall contain the following:

(1) The name of the person from whom testimony is sought or the documents or materials requested;

(2) The person at the Office of the Attorney General to whom the documents shall be provided;

(3) A detailed list of the specific documents, books, papers, or objects being requested, if any;

(4) The date, time, and place that the recipient is to appear to give testimony or produce the materials specified under paragraph (3) of this subsection, or both;

(5) A short, plain statement of the recipient's rights and the procedure for enforcing and contesting the subpoena; and

(6) The signature of the Attorney General, Chief Deputy Attorney General, Deputy Attorney General, or Assistant Deputy Attorney General approving the subpoena request.

(c) Unless otherwise permitted by the Office of the Attorney General, only attorneys for the Office of the Attorney General and their staff, other people involved in the investigation, the witness under examination, his or her attorney, interpreters when needed, and, for the purpose of taking the evidence, a stenographer or operator of a recording device may be present during the taking of testimony.

(d) In the case of refusal to obey a subpoena issued under this section, the Attorney General may petition the Superior Court of the District of Columbia for an order requiring compliance. Any failure to obey the order of the court may be treated by the court as contempt.

(e) Any person to whom a subpoena has been issued under this section or pursuant to § 28-3910 may exercise the privileges enjoyed by all witnesses. A person to whom a subpoena has been issued may move to quash or modify the subpoena in the Superior Court of the District of Columbia on grounds including:

(1) The Attorney General failed to follow or satisfy the procedures set forth in this section for the issuance of a subpoena; or

(2) Any grounds that exist under statute or common law for quashing or modifying a subpoena.