

**IN THE DISTRICT OF COLUMBIA
COURT OF APPEALS**



Clerk of the Court
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MICHAEL E. MANN, PH.D.

Plaintiff/Appellant,

v.

NATIONAL REVIEW INC.;
COMPETITIVE ENTERPRISE INSTITUTE;
RAND SIMBERG; and MARK STEYN,

Defendants/Appellees.

Nos. 24-cv-0228 & 25-cv-0111
(consolidated appeals)

APPELLANT’S STATUS REPORT

Pursuant to the Court’s June 4, 2024 and July 15, 2024 Orders in Case No. 24-cv-0228, Plaintiff/Appellant, Michael E. Mann, Ph.D., respectfully files the below status report:

1. On January 6, 2025, a decision was issued on *Plaintiff’s Motion for Attorney Fees Under the Anti-SLAPP Act Against Defendant Mark Steyn*, filed March 11, 2024.

2. On January 7, 2025, a consolidated decision was issued on the below post-trial motions awarding National Review Inc. \$530,820.21 in attorneys’ fees and costs, which Plaintiff appealed on February 6, 2025:¹

- a. *Defendant National Review Inc.’s Bill of Costs Under Rule 54(d)*, filed March 11, 2024;
- b. *Defendant National Review Inc.’s Motion for Attorneys’ Fees and Costs*, filed March 11, 2024; and
- c. *Defendant National Review Inc.’s Supplemental Motion for Attorneys’ “Fees on Fees,”* filed May 3, 2024.

¹ Plaintiff’s appeal of the February 6 decision at Case No. 25-cv-0111 was consolidated with the present appeal by this Court’s order dated February 27, 2025.

3. On January 19, 2025, a decision was issued on *Defendant Competitive Enterprise Institute and Rand Simberg's Motion to Alter or Amend Judgment*, filed February 15, 2024.

4. On March 4, 2025, a consolidated decision was issued on the below post-trial motions, in addition to a revised Final Judgment Order:

- a. *Defendant Mark Steyn's Motion for Stay of Execution on the Judgement*, filed March 9, 2024;
- b. *Defendant Mark Steyn's Motion for a New Trial*, filed March 9, 2024;
- c. *Defendant Mark Steyn's Renewed Motion for Judgment as a Matter of Law and Alternative Motion for Remittitur of Punitive Damages*, filed March 9, 2024; and
- d. *Defendant Simberg's Motion for Judgement as a Matter of Law Under Rule 50(b)*, filed March 8, 2024.²

5. The Superior Court's March 4 decision did not reference *Defendant Mark Steyn's Motion for Sanctions for Bad-Faith Trial Misconduct*, which was filed during trial on February 1, 2024. However, on March 12, 2025, this motion was decided separately and proceedings on this collateral issue are ongoing in the Superior Court.

6. On April 3, 2025, a decision was issued on *Plaintiff's Motion for Stay of Amended Granting in Part National Review Inc.'s Motion for Attorneys' Fees and Supplemental Motion for Fees on Fees*, filed February 6, 2025, denying the motion. Plaintiff intends to seek relief from this Court.

7. The following post-trial motions are still pending before the Superior Court:

- a. *Plaintiff's Rule 54 Bill of Costs*, filed March 11, 2024;
- b. *Defendant Competitive Enterprise Institute and Rand Simberg's Motion for Costs Under Rule 54*, filed March 11, 2024;

² In Plaintiff's previous status report, it identified this motion as pending in error.

- c. *Defendant Competitive Enterprise Institute and Rand Simberg's Motion for Litigation Costs, Including Attorney's Fees, Under DC's Anti-SLAPP Act, filed March 11, 2024; and*
- d. *Defendant Competitive Enterprise Institute and Rand Simberg's Supplemental Motion for Attorney's Fees Under the D.C. Anti-SLAPP Act, filed May 9, 2024.*

8. In light of the revised Final Judgment Order issued by the Superior Court, on April 1, 2025, Defendant Rand Simberg filed an appeal of the March 4 order.

9. On April 3, 2025, Defendant Mark Steyn filed an appeal of the March 4 order.

10. On April 3, 2025, Plaintiff filed the following appeals:

- a. *Plaintiff's Renewed and Amended Notice of Appeal of Summary Judgment Orders;*
- b. *Plaintiff's Renewed and Amended Notice of Appeal of January 7, 2025 Amended Order Granting Attorneys' Fees to Defendant National Review, Inc.; and*
- c. *Plaintiff's Notice of Appeal of Revised Final Judgment Order.*

11. Unless instructed otherwise, in accordance with the Court's June 4, 2024 Order, Plaintiff will advise the Court within 15 days when all of the pending motions have been decided.

Dated: April 10, 2025

Respectfully submitted,

/s/ John B. Williams

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that below counsel for all parties have registered for and consented to electronic service under Rule 25, and on April 10, 2025, I caused a copy of the foregoing *Appellant's Status Report* to be served by electronic filing on the following:

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