

PAUL JOHN CISAR, et al.

*Plaintiffs,*

v.

F.O. MITCHELL & BRO, et al.

*Defendants.*

\* IN THE  
\* CIRCUIT COURT  
\* FOR  
\* ANNE ARUNDEL COUNTY  
\* CASE NO.: C-02-CV-22-000988

\* \* \* \* \*

**DEFENDANT, FREDERICK WARD ASSOCIATES, INC.’S**  
**PRELIMINARY EXPERT DISCLOSURE**

Defendant Frederick Ward Associates, Inc. (“FWA”) by and through its attorneys, Andrew T. Stephenson, Esq., Jessica D. Corace, Esq., and FRANKLIN & PROKOPIK, P.C., pursuant to Rule 2-402(g) and this Honorable Court’s Scheduling Order, files this Preliminary Expert Witness Disclosure:

Preliminarily, Plaintiffs have not served any Expert Designation and/or Identification. As such, Plaintiffs have not satisfied the requirements of Maryland Rule 2-402(g) which, in part, require disclosure of the substance of the findings and the opinions to which the expert is expected to testify and a summary of the grounds for each opinion. Plaintiffs have neither provided actual opinion(s), nor the substance of the findings and opinions or a summary of the grounds and factual bases for each opinion as required by Maryland Rule 2-402(g). In addition, Plaintiffs have not produced any expert report(s) or related records with regard to subject occurrence. As a result, this Defendant is currently not in a position to meaningfully designate its experts, and/or disclose expert opinions, including the substance of such findings, and thus has been precluded from identifying and designating a complete and comprehensive expert disclosure. Additionally, this

Defendant currently has a Motion to Dismiss pending with this Honorable Court with a hearing date of December 19, 2022 and this filing is not meant to waive any arguments therein.

Defendant therefore provides the following preliminary designation in light of the deadline imposed by this Court's Scheduling Order. As noted above and in light of Plaintiffs' failure to comply with the Rules of this Court and failure to provide adequate disclosures pursuant to the Rules, this designation statement is by no means comprehensive of the opinions of any expert(s) but attempts to fulfill the requirements of this Court's Scheduling Order based on the limited information known to date.

1. FWA reserves the right to designate fact/expert and/or expert witnesses, and to supplement this designation, should Plaintiffs be permitted to submit, amend and/or supplement their expert witness disclosure pursuant to Md. Rule 2-402(g)(1).

2. FWA reserves the right to identify additional experts should Plaintiffs provide opinions prepared by their experts.

3. FWA reserves the right to call any expert witness relied upon or identified by any other party to these proceedings.

4. FWA reserves the right to elicit opinions from fact witnesses with specialized knowledge and expertise.

5. FWA reserves the right to have any expert testify to matters additional to and/or different from those listed in this disclosure, and this disclosure in no way limits the scope of Defendant's expert's testimony.

6. This Designation statement is by no means comprehensive of the opinions of any expert(s) and the language employed in this Designation is that of counsel and not the individual expert witness(es). This designation is counsel's attempt to summarize the anticipated opinions of

its potential expert(s). Accordingly, FWA reserves the right to have any expert testify to matters additional to and/or different from those listed in this disclosure and this disclosure in no way limits the scope of testimony of expert witnesses.

Respectfully submitted,

/s/

Andrew T. Stephenson, Esq., (0006210412)

Jessica D. Corace, Esq., (1012140158)

FRANKLIN & PROKOPIK, P.C.

Two North Charles Street, Suite 600

Baltimore, Maryland 21201

[t] (410) 752-8700

[f] (410) 752-6868

[astephenson@fandpnet.com](mailto:astephenson@fandpnet.com)

[jcorace@fandpnet.com](mailto:jcorace@fandpnet.com)

*Counsel for Frederick Ward Associates, Inc.*

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 30<sup>th</sup> day of September 2022 a copy of Defendant FWA & Sons Infrastructure, Inc.'s Preliminary Expert Disclosure was filed and served via MDEC and mailed, first-class, postage pre-paid, to:

Rignal W. Baldwin V, Esq.  
Michael A. Cuches, Esq.  
BALDWIN SERAINA, LLC  
111 South Calvert Street, Suite 1805  
Baltimore, MD 21202  
[rbaldwinv@baldwin-seraina.com](mailto:rbaldwinv@baldwin-seraina.com)  
[mcuches@baldwin-seraina.com](mailto:mcuches@baldwin-seraina.com)  
*Attorneys for Plaintiffs*

David M. Wyand, Esq.  
ROSENBERG MARTIN GREENBERG, LLP  
25 South Charles Street, Suite 2115  
Baltimore, MD 21201  
[dwyand@rosenbergmartin.com](mailto:dwyand@rosenbergmartin.com)  
*Attorneys for Defendant Harford County, Maryland*

