

PAUL JOHN CISAR, et al.

Plaintiffs,

v.

F.O. MITCHELL & BRO, et al.

Defendants.

* IN THE
* CIRCUIT COURT
* FOR
* HARFORD COUNTY
* CASE NO.: C-12-CV-22-000888

* * * * *

**DEFENDANT FREDERICK WARD ASSOCIATES, INC.’S
MOTION TO DISMISS THE VERIFIED AMENDED COMPLAINT AND REQUEST
FOR HEARING**

Defendant Frederick Ward Associates, Inc. (“FWA”), by and through its undersigned counsel, pursuant to Maryland Rule 2-322, moves this Honorable Court for an order dismissing Plaintiff’s Verified Amended Complaint for Injunctive Relief and Declaratory Judgment and Private Action for Nuisance and Public Nuisance, with Compensatory Damages (“Amended Complaint”) due to failure to exhaust administrative remedies and failure to state a claim upon which relief can be granted. In support thereof, FWA relies upon its Memorandum of Law filed concurrently herewith and incorporated hereby reference as well as its previous Motion to Dismiss the Complaint, dated January 12, 2023.

Respectfully submitted,

/s/
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of February 2023, a copy of Defendant, Frederick Ward Associates, Inc., Motion to Dismiss, Memorandum and proposed Order were e-filed and served on:

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/s/
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REQUEST FOR HEARING

Defendant FWA, by and through undersigned counsel and pursuant to Maryland Rule 2-311(f), request a hearing on its Motion to Dismiss.

Respectfully submitted,

/s/

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* * * * *

ORDER

Upon consideration of Defendant Frederick Ward Associates, Inc.’s Motion to Dismiss and opposition thereto, it is this _____ day of _____, 2023, hereby ORDERED that Defendant Frederick Ward Associates, Inc.’s Motion to Dismiss is GRANTED; and it is further

ORDERED that Plaintiffs’ Verified Amended Complaint is DISMISSED WITH PREJUDICE.

Judge
Circuit Court of Harford County