

**IN THE CIRCUIT COURT FOR HARFORD COUNTY, MARYLAND**

PAUL JOHN CISAR, et al.

Plaintiffs,

v.

Case No.: c-12-cv-22-000888

F.O. MITCHELL & BRO, et al,

Defendants.

\* \* \* \* \*

**OPPOSITION OF PLAINTIFFS TO DEFENDANT FREDERICK WARD'S  
MOTION TO DISMISS AMENDED COMPLAINT**

Plaintiffs, by and through their attorneys, hereby oppose Defendant Frederick Ward Associates. Inc.'s ("FWA") motion to dismiss Plaintiffs' amended complaint. For the reasons set forth below, FWA's motion to dismiss should be denied.

1. FWA filed a motion to dismiss Plaintiffs' amended complaint contemporaneously with the filing of a motion to dismiss the amended complaint by Defendant F.O. Mitchell & Bros. ("Mitchell"). FWA's motion and memorandum of law make the same arguments, and assert the same bases for those arguments, as does Mitchell. In fact, FWA expressly incorporates Mitchell's arguments in its own memorandum of law. Also, like Mitchell, FWA appends exhibits to its memorandum, and makes certain "factual" assertions in the memorandum, that are outside the four-

corners of Plaintiffs' amended complaint. Those improper exhibits and assertions are the subject of a motion to strike filed herewith.

2. Plaintiffs' memorandum in opposition to Mitchell's motion to dismiss the amended complaint, which was filed today, explains in detail why the arguments made by Mitchell to dismiss the amended complaint are without merit. FWA makes the same arguments and, for the reasons explained in Plaintiffs' opposition to Mitchell's motion to dismiss, which arguments are incorporated herein, FWA's motion to dismiss should also be denied.

WHEREFORE, Plaintiffs submit that FWA's motion to dismiss the amended complaint should be denied.

/s/ Rignal W. Baldwin V  
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*Attorney for Plaintiffs*



**IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY, MARYLAND**

PAUL JOHN CISAR, et al.

Plaintiffs,

v.

Case No.: C-02-CV-22-000888

F.O. MITCHELL & BRO, et al,

Defendants.

\* \* \* \* \*

**REQUEST FOR HEARING**

Plaintiffs, by and through their attorneys, hereby request a hearing on Defendant Frederick A. Ward's motion to dismiss the amended complaint and Plaintiffs' opposition thereto.

/s/ Rignal W. Baldwin V  
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*Attorneys for Plaintiffs*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of March, 2023, a copy of the foregoing Request for Hearing was electronically filed and served through MDEC.

/s/ Rignal W. Baldwin V

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\* \* \* \* \*

**ORDER DENYING MOTION OF DEFENDANT FREDERICK WARD TO  
DISMISS AMENDED COMPLAINT**

This Court, having considered the arguments of counsel in this matter, and finding that the Plaintiffs' amended complaint pleads the elements of the causes of action asserted therein against Defendant Frederick Ward Associates, Inc., the motion of Frederick Ward Associates, Inc., to dismiss the amended complaint is, hereby, **DENIED**, this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Circuit Court Judge