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PAUL JOHN CISAR, *et. al.* \* IN THE  
Plaintiffs \* CIRCUIT COURT  
v. \* FOR  
F.O. MITCHELL & BRO, *et. al.* \* HARFORD COUNTY  
Defendants \* Case No. C-12-CV-22-000888

\* \* \* \* \*

**CHESAPEAKE REAL ESTATE GROUP, LLC’S REPLY TO PLAINTIFFS’  
OPPOSITION TO MOTION TO DISMISS**

Chesapeake Real Estate Group, LLC (“Chesapeake”), Defendant, by and through its attorneys, Joseph F. Snee, Jr., with Snee, Lutche & Helmlinger, P.A., respectfully submit this Reply to the Opposition of Plaintiffs to Defendant Chesapeake Real Estate Group, LLC’s Motion to Dismiss and Request for Hearing:

1. On February 15, 2023, Defendant F.O. Mitchell & Bro. filed a Motion to Dismiss Amended Complaint and Request for Hearing (“Mitchell Motion to Dismiss”).
2. On February 16, 2023, Chesapeake Filed a Motion to Dismiss adopting the arguments set forth in the Mitchell Motion to Dismiss.
3. On March 2, 2023, Plaintiffs filed an Opposition to the Mitchell Motion to Dismiss (“Plaintiffs’ Opposition to Mitchell Motion”).
4. On March 6, 2023, Plaintiffs filed an Opposition to Chesapeake’s Motion to Dismiss.
5. On March 9, 2023, Defendant F.O. Mitchell & Bro. filed a Reply to Plaintiffs’ Opposition to the Mitchell Motion to Dismiss (“Mitchell Reply”).

6. The Mitchell Reply sets forth multiple arguments in response to Plaintiffs' Opposition to Mitchell Motion including, but not limited to: 1) adoption of Mitchell and Harford County's Reply in Support of Motion to Dismiss Plaintiffs' Original Complaint; 2) incorporation of Opposition to Motion to Strike; 3) there is no justiciable controversy between parties; and 4) the Amended Complaint's counts for private and public nuisance should be dismissed because Plaintiffs have inappropriately pleaded an anticipatory nuisance.

7. Defendant Chesapeake Real Estate Group, LLC joins in the Mitchell Reply and adopts and incorporates by reference all pleadings, arguments and exhibits submitted in support of the Mitchell Reply, reserving unto Chesapeake Real Estate Group, LLC all arguments and grounds in opposition to Chesapeake's Motion to Dismiss.

WHEREFORE, Defendant Chesapeake Real Estate Group, LLC respectfully requests that this Honorable Court enter an Order:

- A. Granting Defendant Chesapeake Real Estate Group, LLC's Motion to Dismiss; and
- B. Granting such other and further relief as the nature of Defendant's cause may require or allow.

*Joseph F. Snee, Jr.*  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14<sup>th</sup> day of March, 2023, a copy of the foregoing was electronically served via MDEC on all parties hereto.

*Joseph F. Snee, Jr.*

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Joseph F. Snee, Jr. (8501180012)