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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 Number: C-12-CV-22-000888

* * * * *

**CHESAPEAKE REAL ESTATE GROUP, LLC'S
MOTION TO STAY DISCOVERY/MOTION FOR PROTECTIVE ORDER
PENDING RESOLUTION OF DEFENDANTS' MOTIONS TO DISMISS
THE CASE IN ITS ENTIRETY**

Chesapeake Real Estate Group, LLC (“Chesapeake”), Defendant, by and through its attorneys, Joseph F. Snee, Jr., with Snee, Lutche & Helmlinger, P.A., respectfully moves the Court for an Order staying discovery in this matter pending the outcome of the Motion to Dismiss Amended Complaint, filed on February 15, 2023.

The Motion to Dismiss would, if granted, dispense with the entire case. If the Court finds that the case should be dismissed, time and money spent on discovery during the pendency of the Motion will have been for naught. Conversely, the Plaintiffs suffer no undue prejudice from the stay of discovery during the pendency of the Motion.

The Motion to Dismiss by Defendant Chesapeake would, if granted dispense with the entire matter on the basis, among others that there is no justifiable controversy among the parties. If the Court were to find that the matter should be dismissed, the Defendants would be irretrievably prejudiced by further expenditure of time and resources in discovery; conversely, if after considering the Motion the Court decides that the case is not entirely disposed of the Plaintiffs will merely have to wait some additional period of time to obtain discovery.

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Under well-established precedent and under Maryland Rule 2-403, all discovery should be stayed pending the Court's determination of the Motion to Dismiss.

Respectfully submitted,

/s/ Joseph F. Snee

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Attorneys for Defendant F.O. Mitchell & Bro.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of March, 2023, a copy of the foregoing was electronically served via MDEC on all parties hereto.

/s/ Joseph F. Snee

Joseph F. Snee, Esquire (8501180012)

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| * * * * * | * | * * * * * |

STAY DISCOVERY PROTECTIVE ORDER

Upon Motion by Defendant F.O. Mitchell & Bro. to stay discovery/protective order pending the determination of the Motion to Dismiss filed March 27, 2023, the Court having considered same, as well as Plaintiffs' Opposition thereto.

IT IS ORDERED that the Motion is GRANTED. All discovery is hereby STAYED until further order by the Court.

Date

Judge
Circuit Court for Harford County