

PAUL JOHN CISAR, et als	*	IN THE
Plaintiffs,	*	CIRCUIT COURT
vs.	*	FOR
F.O. MITCHELL & BRO., et als	*	HARFORD COUNTY
Defendants	*	Case No. C-12-CV-22-888
* * * * *	*	* * * * *

ORDER

Whereas, presently pending before the Court is Plaintiffs' Verified Amended Complaint for Injunctive Relief and Declaratory Judgment and Private Action for Nuisance and Public Nuisance, with Compensatory Damages filed against the Defendants; and

Whereas, the Plaintiffs originally filed suit in the Circuit Court for Anne Arundel County, in which a Scheduling Order was issued setting forth discovery deadlines, and then thereafter the matter was transferred to the Circuit Court for Harford County; and

Whereas, all Defendants have filed a Motion to Dismiss Plaintiffs' Verified Amended Complaint and the Plaintiffs have filed an opposition to Defendants' motions, as well as Plaintiffs have filed a Motion to Strike Improper and Unsupported Exhibits to and Assertions in Defendants' Motion to Dismiss; and

Whereas, in the Circuit Court for Harford County a Scheduling Order has not been issued related to discovery pending final resolution of the Defendants' Motion to Dismiss; and

Whereas, Plaintiffs have filed a Motion to Compel and for Sanctions, and the Defendants have filed an opposition to the Plaintiffs' motion, and further Defendants have filed a Motion to Stay Discovery/Motion for Protective Order Pending Resolution of Defendants' Motions to Dismiss; and

Entered: Clerk, Circuit Court for
Harford County, MD
April 17, 2023

Whereas, the Defendants' Motion to Dismiss is a dispositive motion that requires the Court to hold a hearing as requested by the parties and the outcome of the decision on the pending motions to dismiss will set the course of any future discovery, hearings and trial dates; and

Whereas, the Plaintiff has also filed a Motion to Change Venue, in particular challenging whether a fair and impartial jury can be impaneled in this matter and said motion does not impact the Court's resolution of the motions to dismiss and other pending motions; and

Whereas, the Court held a scheduling conference on April 10, 2023, with the parties to discuss the scheduling of the Motions to Dismiss and each counsel present was afforded an opportunity to express their positions regarding the disposition of the outstanding motions and the scheduling of the motion to dismiss and the Court indicated that it would rule on all of the outstanding motions without a hearing, except for the Motions to Dismiss and Motion to Change Venue.

Accordingly, in the interest of judicial economy, and the Court having reviewed the extensive respective pleadings of the parties related to all outstanding motions, it is therefore this **17th day of April 2023**, by the Circuit Court for Harford County, hereby:

ORDERED, Plaintiffs' Motion to Strike Improper and Unsupported Exhibits to and Assertions in Defendants' Motion to Dismiss is **DENIED**; and it is further,

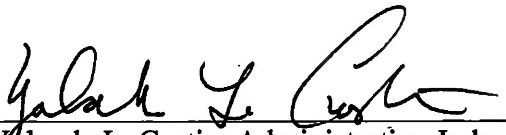
ORDERED, that Plaintiffs' Motion to Compel and for Sanctions is **DENIED**; and it is further,

ORDERED, that Defendants' Motion to Stay Discovery/Motion for Protective Order Pending Resolution of Defendants' Motions to Dismiss is **GRANTED** to the extent that the Court shall stay all discovery pending final resolution of the motions to dismiss; and it is further,

ORDERED, that the Court shall reserve ruling on the Motion to Change Venue pending the outcome of the motions to dismiss; and it is further,

ORDERED, that a hearing on the Defendants' Motions to Dismiss shall be held on Friday, May 5, 2023 at 9:00 a.m.

Entered: Clerk, Circuit Court for
Harford County, MD
April 17, 2023


Yolanda L. Curtin, Administrative Judge

cc: Rignal W. Baldwin V, Esquire
Baldwin Seraina, LLC
111 South Calvert Street, Suite 1805
Baltimore, Maryland 21202

Jefferson L. Blomquist, Esquire
Sean P. Carven, Esquire
Harford County Department of Law
220 S. Main Street
Bel Air, Maryland 21014

Joseph F. Snee, Jr., Esquire
Snee, Lutch, Helmlinger & Spielberger, P.A.
112 S. Main Street
Bel Air, Maryland 21014

Robert S. Lynch, Esquire
David S. Lynch, Esquire
Stark and Keenan, P.A.
30 Office Street
Bel Air, Maryland 21014

Andrew T. Stephenson, Esquire
Jessica D. Corace, Esquire
Frankling & Prokopik, P.C.
Two North Charles Street, Suite 600
Baltimore, Maryland 21201

Lori Jane Hahn Maslin, Esquire
P.O. Box 694
Havre de Grace, Maryland 21078