

***COMMISSION
MEETING***

FEBRUARY 17, 2016

9:30 a.m. – 11:00 a.m.

***PARKS AND RECREATION
AUDITORIUM
6600 Kenilworth Avenue
Riverdale, MD 20737***

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MEETING
Wednesday, February 17, 2016
PRA 9:30 a.m. – 11:30 a.m.

<u>ACTION</u>	
Motion	Second

1. **Approval of Commission Agenda** (+*) Page 1

2. **Approval of Commission Minutes**
 a) Open Session – January 20, 2016 (+*) Page 3
 b) Closed Session – January 20, 2016 (++)

3. **General Announcements**

Upcoming M-NCPPC Black History Month Events – 2016

Montgomery County Locations:

- February 19 – Montgomery Regional Office (12:00 Noon – 1:30 p.m.)
- February 26 – American Film Institute
Silver Spring, MD (11:30 a.m. – 2:00 p.m.)

Prince George’s County Locations:

- Various events hosted by the Department of Parks and Recreation throughout the month of February (see www.pgparcs.com for listing)
- February 24 – County Administration Building
Upper Marlboro, MD (9:30 a.m. – 12:00 Noon)

Upcoming One Commission Women’s History Month Event

March 15 – Newton White Mansion (1:30 p.m. – 3:00 p.m.)
 “Working to Form a More Perfect Union: Honoring Women in Public Service and Government”

4. **Committee/Board Reports (For Information Only):**

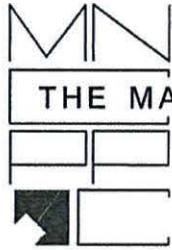
- a) Minutes – Regular Board of Trustees Meeting – January 5, 2016 (+) Page
- b) Minutes – 115 Trust (OPEB) Meeting – September 16, 2015 (+) Page

5. **Action and Presentation Items**

- a) Diversity Council Annual Report (Vera/Dugan) (+) Page
- b) Diversity Council Certificates of Appreciation (Past Members) and Introduction of 2016-2017 Diversity Council and Photo (Barney)
- c) Employee Resources for Drug and Alcohol Concerns (Presentation) (McDonald)

6. **Open Session - Officers’ Reports**

- a) **Executive Director** – (For Information Only)
Employee Evaluations Not Completed by Due Date – (January 2016)..... (+) Page
- b) **Secretary-Treasurer** – (For Information Only)
Enterprise Resource Planning (ERP) Briefing
- c) **General Counsel** – (For Information Only)
 - 1) Litigation Report (January 2016).....(+)
 - 2) Legislative Update.....(H)



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Minutes
January 20, 2016

The Maryland-National Capital Park and Planning Commission met on January 20, 2016, in the Montgomery Regional Office Auditorium, in Silver Spring, Maryland.

PRESENT

Montgomery County Commissioners

Casey Anderson, Chair
Norman Dreyfuss (arrived after the votes were taken)
Natali Fani-Gonzalez
Amy Presley

Prince George's County Commissioners

Elizabeth M. Hewlett, Vice-Chair
Dorothy Bailey
John Shoaff

ABSENT

Marye Wells-Harley

Manuel Geraldo
A. Shuanise Washington

Chair Hewlett convened the meeting at 9:36 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA

ACTION: Motion of Bailey
Seconded by Shoaff
6 approved the motion (Commissioners Dreyfuss, Geraldo, Washington, and Wells-Harley were not present for the vote)

ITEM 2 ROTATION OF CHAIR

Pursuant to Commission's Rules of Procedure, a vote was taken to rotate the Chair and Vice-Chair of M-NCPPC.
ACTION: Motion of Hewlett
Seconded Baily
6 approved the motion (Commissioners Dreyfuss, Geraldo, Washington, and Wells-Harley were not present for the vote)

ITEM 3 APPROVAL OF COMMISSION MINUTES

December 16, 2015 – Open Session
ACTION: Motion of Presley
Seconded by Bailey
6 approved the motion (Commissioners Dreyfuss, Geraldo, Washington, and Wells-Harley were not present for the vote)

ITEM 4

GENERAL ANNOUNCEMENTS

Chair Anderson made the following announcements:

- The One Commission Black History Event is scheduled for February 5th in the Prince George's County Ball Room. All employees are invited.
- Departments are also hosting additional Black History events. Montgomery County departments have scheduled events February 12th, 19th, and 26th. More information about these events is forthcoming. Prince George's County Department of Parks and Recreation is also hosting various events throughout the months of January and February. Chair Anderson noted the website, www.pgparcs.com for more information.
- The Women's History Month Celebration will be held on March 15th, at the Newton White Mansion, at 1:30 p.m. The theme for this event is entitled: "Working to Form a More Perfect Union: Honoring Women in Public Service and Government."
- During the discussion of the Officer Reports, Chair Anderson shared that General Counsel Gardner will be presenting information regarding a Commission Day reception in Annapolis. He stressed the importance of Commissioners attending this event.

ITEM 5

COMMITTEE/BOARD REPORTS – (For Information Only)

- a) Minutes – Executive Committee Open Session Conference Call – January 6, 2016
- b) Minutes – Executive Committee Closed Session Conference Call – January 6, 2016
- c) Minutes – Regular Employees' Retirement System Board of Trustees Meeting – December 1, 2015

ITEM 6

ACTION AND PRESENTATION ITEMS

Acknowledge the appointment of Amy Millar as the Municipal and County Government Employees Organization representative to the Employees' Retirement System Board of Trustees for term ending June 30, 2016.

ACTION: Motion of Hewlett

Seconded by Bailey

6 approved the motion (Commissioners Dreyfuss, Geraldo, Washington, and Wells-Harley were not present for the vote)

ITEM 7

OPEN SESSION – OFFICERS' REPORTS

- a) Executive Director

Employees' Evaluations Not Completed by Due Date – (December 2015) (For Information Only)

Executive Director Barney noted information is in the packet for review. She stated Department Heads are working on evaluations, although some delays are due to valid concerns.

- b) Secretary-Treasurer

- 1) Investment Report (September 2015) (For Information Only)

Secretary-Treasurer Joe Zimmerman presented the Investment Report for September 30, 2015, noting that other priorities did not provide adequate staff resources to complete reports. The December report will be presented shortly and all future reports will be presented timely.

- 2) Enterprise Resource Planning (ERP) Briefing

Secretary-Treasurer Zimmerman provided an update on Enterprise Resource Planning (ERP). He stated the process is smoothing out as the project moves forward. The Employees' Retirement System (ERS) calculations now are functioning properly. Compliance with the reporting requirements to the Affordable Care Act (ACA) is

expected to be on time and statements will be issued at the end of January. Secretary-Treasurer Zimmerman credited the Health and Benefits team and the ERP support team in making the project a success. The ERP Management Self-Service is scheduled to go live in April. Document imaging is forthcoming; however the project was slightly delayed to meet the requirements for ACA and accommodate the change of other priorities. Wage statements (W2s) will be issued by the end of January.

Executive Director Barney commented that ERS deduction calculations are working; however, there are differences. She explained that M-NCPPC must follow rules to collect money from employees whose deductions were erroneously calculated because of software problems. In doing so, the Finance Department will follow the Merit System Rules and Regulations (for non-represented employees) and applicable provisions of the collective bargaining contracts for employees represented by the Fraternal Order of Police and the Municipal County Government Employees Organization. The Executive Director responded to Chair Anderson's comments about issues with incorrect values causing erroneous output, thereby producing inaccurate data. She clarified that a system functionality failure caused the incorrect values. ERP teams have been working with ERP consultant, Infor to resolve any concerns.

3) FY15 Comprehensive Annual Financial Report (CAFR)

Secretary-Treasurer Zimmerman introduced Greg Bussink, Audit Partner from CliftonLarsonAllen, LLP, and M-NCPPC Finance Manager Barbara Walsh. Mr. Bussink shared that the Commission received a clean audit opinion. Ms. Walsh presented highlights of the financial results for the fiscal year ended June 30, 2015. The Commissioners thanked Mr. Zimmerman, Ms. Walsh, Mr. Bussink, and Internal Audit Chief Renee Kenney. Vice-Chair Hewlett congratulated the team on their hard work. She announced that well respected public member of M-NCPPC's Employees' Retirement System, Mr. Richard Bucher passed away very suddenly. Chair Anderson, Vice-Chair Hewlett, Executive Director Barney, and General Counsel Gardner acknowledged Mr. Bucher's years of service and contributions to the ERS.

c) General Counsel

1) Litigation Report – (November 2015) (For Information Only)

No comments were made on this report.

2) Legislative Update

General Counsel Gardner noted that the legislative session started last week; he will keep the Commissioners updated. Mr. Gardner stated he is optimistic, and will present positions to the Planning Boards in the next two weeks. He is concerned about one significant planning item in Prince George's County.

Pursuant to Section 3-305 (b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, a closed session is proposed to consult with counsel to obtain legal advice, and to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

ACTION: Motion of Presley

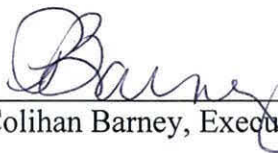
Seconded by Bailey

7 approved the motion (Commissioners Geraldo, Washington, and Wells-Harley were not present for the vote)

There being no further business to discuss, the meeting adjourned to closed session at 10:12 a.m.



Gayla L. Williams, Senior Technical Writer/
Senior Management Analyst



Patricia Colihan Barney, Executive Director



EMPLOYEES' RETIREMENT SYSTEM
The Maryland-National Capital Park and Planning Commission

**REGULAR BOARD OF TRUSTEES MEETING
MINUTES**

Tuesday, January 5, 2016; 10:00 A.M.

ERS/Merit Board Conference Room

OR

Via Teleconference

The regular meeting of the Board of Trustees convened in the ERS/Merit Board Conference Room on Tuesday, January 5, 2016 at 10:00 a.m. Voting members present were: Patricia Barney, CPA, Howard Brown, Barbara Walsh and Joseph C. Zimmerman, CPA. Voting members present via teleconference were: Jenetha Facey, Pamela F. Gogol, Elizabeth M. Hewlett and Marye Wells-Harley. Khalid Afzal was absent. The Municipal and County Government Employees Organization Represented Trustee and Prince George's Public Member seats are vacant.

ERS staff present were Andrea L. Rose, Administrator and Heather D. Brown, Senior Administrative Specialist. Sheila Joynes arrived at 10:15 a.m.

Presentations via teleconference by Wilshire Associates – Bradley A. Baker, Vice President, and the Groom Law Group - Alexander Ryan, Legal Counsel. Presentation in-person by the M-NCPPC Legal Department – LaTonya Reynolds, Senior Counsel.

1. CONSENT AGENDA

The following items are to be approved or accepted by vote on one motion unless a Board member requests separate consideration:

- A. Approval of the January 5, 2016 Board of Trustees Meeting Agenda
- B. Minutes of Regular Meeting, December 3, 2015
- C. Disbursements Granted Report – November 2015

The Agenda was revised to move the Closed Session to Item 6.

VICE CHAIRMAN WELLS-HARLEY made a motion, seconded by MS. BARNEY to approve the Consent Agenda which includes the Revised January 5, 2016 Board of Trustees Meeting Agenda. The motion PASSED (8-0). (Motion #16-1)

2. CHAIRMAN'S ITEMS

- A. Board of Trustees Conference Summary
- B. Approval of Appointment of Amy Millar as the newly elected Municipal and County Government Employees Organization Representative for the term ending June 30, 2016

MS. BARNEY made a motion, seconded by VICE CHAIRMAN WELLS-HARLEY to approve the appointment of Amy Millar as the newly elected Municipal and County Government Employees Organization Representative for the term ending June 30, 2016. The motion PASSED (8-0). (Motion #16-2)

3. **MISCELLANEOUS**

No miscellaneous reported.

4. **REPORT OF THE ADMINISTRATOR**

Presentation by Administrator, Andrea L. Rose

A. Administrator's Report dated December 22, 2015

Andrea Rose presented the Administrator's Report dated December 22, 2015 highlighting upcoming Board of Trustee Committee meetings on Tuesday, January 19, 2016.

Annual Statements were distributed in December 2015 with a notification letter that the ERS' Annual Report which is a summary of the Comprehensive Annual Financial Report is available from the ERS' website. A hard copy of the Annual Report can be requested by calling the ERS.

5. **MANAGER REPORTS/PRESENTATIONS**

A. Wilshire Associates

Presentation by Bradley A. Baker, Vice President

i. Press Release dated Tues, 22 December 2015 Re: The Carlyle Group Names Lauren Dillard Head of Investment Solutions Segment

Bradley Baker discussed the departure of Jacques Chappuis and naming of Lauren Dillard as Head of the Investment Solutions business segment. Carlyle employs a unique structure and there were no departures from key segments, Metropolitan and AlpInvest. Wilshire does not have any concerns regarding the recent organizational change.

6. **CLOSED SESSION**

The Board will meet in Closed Session, pursuant to the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(5) and 3-305(b)(7) to discuss investment of public funds and to consult with legal counsel.


MS. GOGOL made a motion, seconded by MS. BARNEY to go into Closed Session. The motion PASSED unanimously (8-0). (Motion #16-3)

MS. BARNEY made a motion, seconded by MS. WALSH to ratify the actions taken in Closed Session. The motion PASSED unanimously (8-0). (Motion #16-7)

MS. GOGOL made a motion, seconded by MS. BARNEY to adjourn the meeting of the Board of Trustees at 10:37 a.m. The motion PASSED unanimously (8-0). (Motion #16-8)

Respectfully,


Heather D. Brown
Senior Administrative Specialist


Andrea L. Rose
Administrator

115 Trust (OPEB)
Meeting Minutes
MRO

Wednesday, September 16, 2015

Attending: Commissioner Manuel Geraldo, Chairman;
Commissioner Casey Anderson, Trustee;
Joseph Zimmerman, Commission Secretary-Treasurer, Trustee;
William Spencer, Commission Human Resources Director, Trustee;
Abbey Rodman, Commission Investment Manager, Administrator;
Claudia Stalker, Commission Accountant, Staff;
Barry Bryant, Investment Consultant, Dahab Assoc.

Absent: Patricia Colihan Barney, Commission Executive Director, Trustee
Barbara Walsh, Commission Accounting Manager, Staff

The meeting was called to order at 11:00 a.m.

Minutes from the June 17, 2015 meeting were motioned by Commissioner Anderson to be approved, seconded by Commissioner Geraldo, and then unanimously accepted.

Following approval of the minutes, Mr. Bryant provided a review of second quarter results. Mr. Bryant said that the investment environment in the second quarter resembled the environment predicted by most large financial firms for the next 3-5 years, with low equity returns and even lower bond returns, plus a resurgence in foreign equity relative to domestic. Given this scenario, he said the portfolio performed well. He added that the third quarter, currently underway, in which equity markets declined sharply, would provide a different kind of test.

In the second quarter, domestic equity returned slightly more than 0%, foreign equity almost 1%, with domestic bonds declining -1.7%. Private domestic real estate was the lone bright spot with a 3.8% increase. The fund has a 10% allocation to this category but has yet to finalize a contract with the chosen vendor.

Against that background the portfolio returned 0.3% in the second quarter, which ranked 22nd in the public fund universe. The median return was -0.2%. Both the asset allocation and individual manager returns contributed to the success. The asset allocation benefited from the low bond allocation and the low (relative) allocation of domestic to foreign equity of 2:1. The lack of mid cap also helped as that category declined. A SMID Cap allocation was funded at the beginning of the third quarter.

The emerging market and fixed income strategies both outperformed their benchmarks. Mr. Bryant noted that the PIMCO Unconstrained Bond strategy did significantly better than the BC Aggregate, and was well positioned to prosper (relatively) in a rising rate environment. The RAFI foreign developed equity strategy performed in line with its benchmark, while the RAFI large cap strategy underperformed its benchmark.

Mr. Bryant said he did not expect the new, more aggressive asset allocation to perform well in the third quarter because of declines in worldwide equity markets, but that he felt it was the right strategy given the fund's long-term goals.

In response to Mr. Bryant's description of the PIMCO Unconstrained strategy, Commissioner Anderson asked how they could have negative duration. Mr. Bryant said it was accomplished using interest rate swaps, but that he would have to get a description of the exact mechanism from the manager.

The Committee next discussed the failure of Groom law firm to complete a timely review of the real estate contract with Intercontinental Real Estate Corporation. Mr. Zimmerman directed staff to request completion of the review by September 30, 2015. Ms. Rodman noted that Groom had suggested there might be side agreements to the contract that could be negotiated on behalf of the Trust. Mr. Bryant emphasized the importance of completing the contract, as there was now a two quarter queue before the money would actually be invested.

Mr. Zimmerman discussed the use of energy investments by MNCPPC's larger fund to enhance diversity, and how returns had not been good. Mr. Bryant responded that, considering the recent treaty with Iran, oil prices might remain low for a while.

The Trustees set 11:00 am on Wednesday, December 16, 2015 at PRA as the time for the next meeting.

The meeting was adjourned at 12:50 pm.

Respectfully Submitted,



Claudia Stalker



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
Diversity Council

6611 Kenilworth Avenue, Suite 402 • Riverdale, Maryland 20737 • 301-454-1740 Fax: 301-454-1750

February 17, 2016

To: Planning Board Commissioners

Via: Patricia C. Barney, Executive Director

From: Shuchi Vera, Chair, Diversity Council
Marybeth Dugan, Vice Chair, Diversity Council

Subject: 2015 Diversity Council Annual Report

Thank you for the opportunity to lead the Diversity Council (Council) this past year. The purpose of this memo is to inform you of our major accomplishments for calendar year 2015. We are proud to report our accomplishments as follows:

- Updated the Operational Guidelines for the Diversity Council. This was a monumental task as this document was updated only twice since the Council was created. It was approved by Department Heads in June 2015.
- Developed a new Strategic Plan for 2016-2018. This is the second ever Strategic Plan that will guide the Council's work program for the next three years. The majority of the work on this Plan has been completed. The Council looks forward to presenting it to this group in the next few months.
- Supported the 2015 Women's History Month Celebration with the theme: "Weaving the stories of Women's Lives."
- Organized the one Commission Asian Pacific American Heritage Month Celebration with the theme: "Many Cultures, One Voice: Promote Equality and Inclusion." One of our own council members took the initiative to lead a committee of Commission employees to execute this very popular, sold-out event. The Program included thought-provoking speeches by prominent and talented Asian Pacific Americans, including Dr. Clarence Lan, Maryland State Delegate representing District and Lily Qi, Director of Special Projects in the Montgomery County Executive's Office. The event also included amazing performances by Dr. Xuezhong Hou who played traditional Chinese musical instruments and Bangladeshi-American Antora Rahman who performed classical Indian dances. Attendees enjoyed an eclectic mix of Asian cuisine from China, India and The Philippines.

- Organized the LGBT Pride Month interactive webinar that included a panel of our own peers who are part of the LGBT community. The timing of the event could not have been more appropriate as just hours before the webinar began, the Supreme Court declared same-sex marriage was now legal in all 50 states. The webinar was a one-of-a-kind event with participants “remoting in” from across both counties. It was emotional, informative, eye-opening and engaging. There was a lot of positive feedback from the audience. One employee noted, “I was moved by their stories; it is great to work for an organization that encourages open discussions like [these] and truly does embrace diversity.” We estimate close to 200 employees watched the event. It is still available for viewing and can be used in future diversity trainings.
- Initiated the one Commission Black History Month event which is comprised of Council members including the event chair. This program will take place February 5 at the Prince George’s Ballroom.
- Enhanced monthly Council meetings by sharing our individual backgrounds and cultural heritage through art, cuisine, stories, and guest speakers. Guest speakers included the Therapeutic Recreation and Inclusion team from Prince George’s County Department of Parks and Recreation which presented the significance of the 25th anniversary of the ADA; and an employee from Montgomery Parks who discussed his experiences as a member of the LGBT community.

This Council has completed a significant amount of work this past year, invigorating one Commission diversity events and just as importantly, laying solid groundwork for the next Council to accomplish even greater tasks on the Diversity front. Once completed, the Strategic Plan will chart out the Council’s work program for the next three years. The current draft of the Plan includes initiatives such as updating the Council’s website; planning for the 2017 one Commission Diversity Celebration; creating promotional material intended to be shared at internal and external events; obtaining feedback from Department Directors on Diversity initiatives; providing input on relevant Commission policies and practices; evaluating the progress being made by the Council; obtaining constructive feedback from all employees through the use of surveys and other communication methods and ensuring this feedback is used to further develop a more inclusive and diverse workplace.

The 2015 Diversity Council members worked very hard to continue to meet the values of the Diversity Council to build upon the success of previous Councils. We are grateful to the Commissioners and members of the executive staff who support the Commission’s Diversity program.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF JANUARY 2016

	31 - 60 DAYS	61 - 90 DAYS	91 + DAYS	DEPARTMENT TOTALS
	*****	*****	*****	*****
	12/15	01/16	12/15	01/16
	12/15	01/16	12/15	01/16
CHAIRMAN, MONTGOMERY COUNTY	0	0	0	0
CHAIRMAN, PRINCE GEORGE'S COUNTY	0	0	0	0
OFFICE OF CIO	0	0	0	0
INTERNAL AUDIT	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	2	1	0	2
LEGAL DEPARTMENT	1	1	0	2
FINANCE DEPARTMENT	1	4	0	5
PRINCE GEORGE'S PLANNING	1	1	0	2
PRINCE GEORGE'S PARKS & RECREATION	4	3	0	7
MONTGOMERY COUNTY PARKS	3	1	0	4
MONTGOMERY COUNTY PLANNING	2	1	0	3
DEPARTMENT TOTAL BY DAYS LATE	14	12	2	28
COMMISSION WIDE TOTAL:				15

*DEPARTMENTS WITH RATINGS MORE THAN 60 DAYS LATE HAVE BEEN CONTACTED.



Office of the General Counsel
Maryland-National Capital Park and Planning Commission

Reply To

February 5, 2016

Adrian R. Gardner
General Counsel
6611 Kenilworth Avenue, Suite 200
Riverdale, Maryland 20737
(301) 454-1670 • (301) 454-1674 fax

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission
FROM: Adrian R. Gardner
General Counsel
RE: Litigation Report for the Month of January, 2016

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, February 17, 2016. As always, please do not hesitate to call me in advance if you would like me to provide a substantive briefing on any of the cases reported.

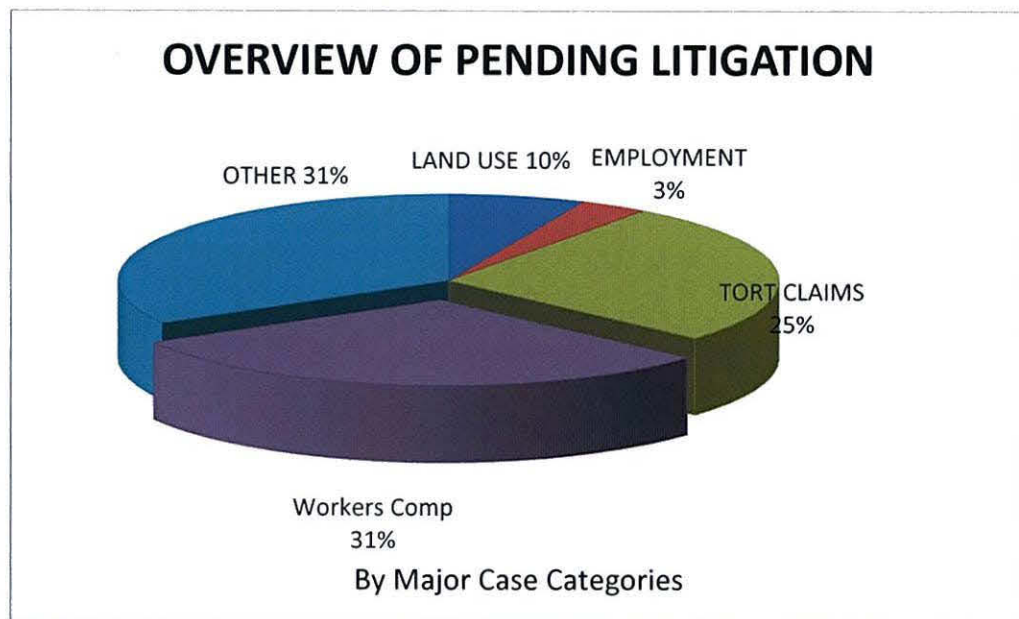
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Litigation Report Ordered By Court Jurisdiction Page 11

January 2016 Composition of Pending Litigation

(Sorted By Subject Matter and Forum)

	State Trial Court	Federal Trial Court	Maryland COSA	Maryland Court of Appeals	Federal Appeals Court	U.S. Supreme Court	Subject Matter Totals
Admin Appeal: Land Use	1		1				2
Admin Appeal: Other							0
Land Use Dispute		1					1
Tort Claim	7	1					8
Employment Dispute			1				1
Contract Dispute	1	1	1				3
Property Dispute	2						2
Civil Enforcement	1						1
Workers' Compensation	10						10
Debt Collection							0
Bankruptcy							0
Miscellaneous	3				1		4
Per Forum Totals	25	3	3	0	1	0	32



January 2016 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2015			
	Pending In Dec/15	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	2			9	3	4	2
Admin Appeal: Other (AAO)	0			-			0
Land Use Disputes (LD)	1			1	1	1	1
Tort Claims (T)	8			10	7	10	8
Employment Disputes (ED)	1			1	1	3	1
Contract Disputes (CD)	3			4			3
Property Disputes (PD)	2			4	1	1	2
Civil Enforcement (CE)	1			1		1	1
Workers' Compensation (WC)	10	2	2	10	7	5	10
Debt Collection (D)	0			-			0
Bankruptcy (B)	0			-			0
Miscellaneous (M)	3	1		1	3	1	4
Totals	31	3	2	41	23	26	32

**INDEX OF YTD NEW CASES
(7/1/2015 TO 6/30/16)**

<u>A. New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Suggs v. Commission	PG	Tort	Aug 2015
Bell, et al v. Commission	MCPB	LD	Aug 2015
White v. Commission	PG	Tort	Aug 2015
Starks v. Kellogg, et al	MCPB	Tort	Aug 2015
Keeler v. Commission	MC	WC	Aug 2015
Giuffrida v. Commission	MC	WC	Sept 2015
Cohhn v. Commission	MC	Misc	Sept 2015
Commission v. Landover Polk Street Property, LLC	PG	PD	Sept 2015
Sutton v. Commission	PGPR	Tort	Nov 2015
Berry v. Volk-Lopez	MC	Tort	Nov 2015
Smith v. Commission	MC	WC	Nov 2015
Commission v. Guzman	MC	WC	Nov 2015
Shipe v. Louketis, et al	MC	Tort	Nov 2015
Tugwell v. Louketis, et al	MC	Tort	Nov 2015
Watkins v. Commission	PG	WC	Dec 2015
Town of Riverdale Park, et al v. Commission	PGPB	AALU	Dec 2015
Commission v. Morgan	MC	WC	Jan 2016
Belt v. Commission	PG	WC	Jan 2016
Commission v. 2005 Toyota Camry	MC	Misc	Jan 2016

<u>B. New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Commission v. Hill	PG	ED	Sept 2015
Smith v. MCPB	MCPB	AALU	Sept 2015
American Humanists Association, et al v. Commission	PG	Misc	Dec 2015
Friends of Croom Civil Assoc., et al v. Commission	PGPB	AALU	Dec 2015

**INDEX OF YTD RESOLVED CASES
(7/1/2015 TO 6/30/16)**

<u>C. Trial Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Anderson v. Commission	PGPR	Tort	July 2015
Armstrong v. Commission	PG	ED	July 2015
Quick v. Gathers	PGPR	Tort	July 2015
Quick v. Commission	PGPR	Tort	July 2015
Jang v. Commission	MC	Tort	Sept 2015
A. Jackson v. Commission	MC	Tort	Sept 2015
Commission v. Fleming	PG	Tort	Sept 2015
Hill v. Commission	PG	ED	Sept 2015
Moore v. Perry, et al	PG	Tort	Sept 2015
Bell, et al v. Commission	MC	LD	Sept 2015
Corsetti-Barczy v. Commission	PGPR	WCC	Oct 2015
Hawkins v. Commission	PGPR	Tort	Oct 2015
Jones v. Commission	PGPR	Tort	Oct 2015
Bell, et al v. Commission	MC	LD	Oct 2015
Commission v. McDonnell	PG	WCC	Nov 2015
Friends of Croom Civic Assoc., et al v. Commission	PG	AALU	Nov 2015
Commission v. Pirtle	MC	CE	Nov 2015
White v. Commission	PG	Tort	Dec 2015
American Humanist Association, et al v. Commission	PG	MISC	Dec 2015
Armstrong v. Commission	PG	ED	Dec 2015
L. Jackson v. Commission	PG	WCC	Jan 2016
L. Jackson v. Commission	PG	WCC	Jan 2016

D. Appellate Court Cases Resolved.

Rounds v. Commission	MC	PD	Sept 2015
Smith v. MCPB (COSA)	MCPB	AALU	Oct 2015
Smith v. MCPB (COA)	MCPB	AALU	Oct 2015
Kaviani v. Mont. County Planning Board	MCPB	AALU	Nov 2015

Disposition of FY16 Closed Cases Sorted By Department

CLIENT	PRINCIPAL CAUSE OF ACTION IN DISPUTE	DISPOSITION
Employees Retirement System		
Finance Department		
Department of Human Resources and Management		
Montgomery County Department of Planning		
Bell, et al v. Commission	Plaintiffs filed complaint for Declaratory Judgment to declare invalid a Conservation Easement Agreement (407517-V)	08/28/15- Plaintiffs filed Notice of Dismissal without Prejudice.
Bell, et al v. Commission	Plaintiffs filed complaint for Declaratory Judgment to declare invalid a Conservation Easement Agreement (401282-V)	09/04/15-Case dismissed.
Commission v. Pirtle	Commission filed Petition for Judicial enforcement of Administrative Decision by the Planning Board Concerning Forest Conservation Easement violation	10/20/15- Complaint dismissed in open court.
Rounds v. Commission	Defense of claim for violations of the Maryland Constitution and declaratory relief concerning alleged Farm Road easement.	Mandate from Court of Appeals affirming in part and reversing in part; remanding to Court of Special Appeals directing that they remand case to Montgomery County for further proceeding; Circuit Court enters Order dismissing remaining count against Commission on 06/25/15
Montgomery County Department of Parks		
Jang v. Commission, et al	Defense of claim for personal injury and property damages to motor vehicle involving a vehicle allegedly operated by Commission employee.	07/29/15: Trial-judgment entered in the amount of \$9,080 and \$88 costs
A. Jackson v. Commission	Defense of tort claim for claimed slip and fall alleged broken sidewalk at Jessup Blair Park in Silver Spring, Maryland.	08/10/15: Jury Trial; verdict for Commission

Montgomery County Park Police			
Montgomery County Planning Board			07/29/15- Court affirms judgment of the Circuit Court.
Kaviani v. Montgomery County Planning Board	Appeal filed from the Circuit Court ruling in the case of Montgomery County Planning Board's enforcement order in MCPB No. 13-118, regarding Citation number EPD000007		
Smith v. Montgomery County Planning Board	Commission appealed Circuit Court ruling for forest conservation violations at 21627 Ripplemead Drive.		06/02/15- Court of Special Appeals affirms decision by Montgomery County Planning Board
Smith v. Montgomery County Planning Board	Commission appealed Circuit Court ruling for forest conservation violations at 21627 Ripplemead Drive.		09/21/15-Court of Appeals denies Writ of Certiorari

Prince George's County Department of Parks and Recreation			
American Humanist Association, et al v. Commission	Defense of claim alleging violation of establishment clause of Constitution.		Motion for Summary Judgment filed by Commission granted on 11/30/15-ownership, maintenance and display of Monument does not violate Establishment clause of the First Amendment
Anderson v. Commission	Defense of claim seeking damages for injuries to a minor sustained in an altercation while attending Rollingcrest/Chillum Community Center Park.		07/27/15-Case settled and complaint dismissed.
Armstrong v. Commission	Defense of employment-related claim alleging discrimination, filed in Prince George's County, Md.		06/26/15-Notice of Removal to U. S. District Court; case dismissed

Armstrong v. Commission	Defense of employment-related claim alleging discrimination	10/30/15-U. S. District Court grants Commission's Motion to Dismiss; order signed on 11/16/15.
Commission v. Fleming	Commission filed a lawsuit seeking subrogation recovery for amount due for personal injuries sustained by Commission employee.	08/04/15- Insurer settled and paid Commission for subrogated claim.
Commission v. McDonnell	Petitioner/Employer appealed WCC's decision for medical treatment to Claimant for her right shoulder injury	10/19/15-Dismissed and remanded back to WCC.
Corsetti-Barczy v. Commission	Claimant/employee is appealing the WCC's permanency award.	09/28/15 - Order of Court dismissing and remanding case back to WCC.
Hawkins v. Commission	Defense of tort claim for claimed near drowning while taking swimming lessons at Prince George's Sports and Learning Center in Landover, Maryland.	10/02/15-Motion for Summary Judgment granted, case dismissed.
Hill v. Commission	Employee is seeking judicial review of the Merit Board's dismissal of her appeal.	08/14/15- Oral Argument held, Court reversed and remanded to Merit System Board
Jones v. Commission	Defense of claim for trip and fall on alleged broken concrete and loose gravel at Tucker Road Community Center.	10/02/15-Case dismissed.
L. Jackson v. Commission	Claimant/employee is appealing the WCC's decision regarding low back not causally related to the accidental injury and denial of medical treatment and other benefits.	12/01/15-Case dismissed pursuant to Court stay
L. Jackson v. Commission	Claimant/employee is appealing the WCC's decision regarding low back exclusion from claim arising from 5/27/14 accidental injury	12/01/-15- Case dismissed pursuant to Court stay
Moore v. Perry, et al	Defense of claim for personal injury involving vehicle allegedly operated by Commission employee.	08/14/15- Case settled, line of dismissal filed.
Quick v. Commission	Defense of claim for alleged violations of the Americans with Disabilities Act.	06/18/15-Complaint dismissed by Court.
Quick v. Gathers	Defense of claim for alleged violations of the Americans with Disabilities Act.	06/18/15-Complaint dismissed by Court.

White v. Commission	Defense of claim for personal injuries involving a vehicle owned by Commission and operated by Commission employee.	11/24/15-Case settled, Line of Dismissal filed.
Prince George's County Planning Department		
Friends of Croom Civic Association, et al. v. Commission	Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan 4-11004 in Stephen's Crossing at Brandywine.	10/26/15- Judgment of Prince George's County Planning Board affirmed.
Prince George's County Planning Board		
Prince George's Park Police		
Office of Internal Audit		

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DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Suggs v. Jones, et al

No. 0502-0016592-2015 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injuries involving a vehicle allegedly owned by Commission and operated by Commission employee.

Status: Case settled.

Docket:

07/20/15	Complaint filed
08/18/15	Notice of Intention to Defend filed by Commission
01/27/16	Case settled.

CIRCUIT COURT FOR ANNE ARUNDEL, MARYLAND

Belt v. Commission

Case No. C-02-CV-16-000324 (WC- B75076)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding permanent partial disability benefits.

Status: Pending trial.

Docket:

01/26/16	Petition filed
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CIRCUIT COURT FOR CARROLL COUNTY, MARYLAND

Shipe v. Louketis, et al

Case No. 06-C-15-070021 (Tort)

Lead Counsel: Adams
Other Counsel: Dickerson

Abstract: Defense of claim for assault & battery, intentional infliction of emotional distress, negligence, negligent hiring.

Status: Complaint filed.

Docket:

10/26/15	Complaint filed
11/20/15	Commission served
12/18/15	Motion to Dismiss and Memorandum filed by Commission
01/04/16	Partial Motion to Dismiss filed by Louketis
01/22/16	Opposition to Motion to Dismiss & Request for Hearing filed

Tugwell v. Louketis, et al

Case No. 06-C-15-069996 (Tort)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of claim for assault & battery, intentional infliction of emotional distress, negligence, negligent hiring.

Status: Complaint filed.

Docket:

10/21/15	Complaint filed
11/20/15	Commission served
12/16/15	Motion to Dismiss and supporting Memorandum, Motion for Protective Order filed by Commission
01/04/16	Partial Motion to Dismiss filed by Louketis
01/22/16	Amended Complaint filed by Plaintiff
01/27/16	Second Amended Complaint filed by Plaintiff

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Burnette v. Commission
CAL15-18263 (WC #W050308)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding permanent partial disability benefits.

Status: Pending trial.

Docket:

02/24/15	Petition filed
06/03/15	Case transferred from Charles County
11/06/15	Pre-trial conference.
09/06/16	Trial Date

Commission, et al v. The Town of Forest Heights
CAL 15-04255 (M)

Lead Counsel: Borden
Other Counsel: Mills

Abstract: Commission filed lawsuit to stop the unlawful attempt by the Town of Forest Heights, Maryland to expand its geographical boundaries by annexing properties without the required consent of any affected property owner or popular vote.

Status: Judgment in favor of Commission and County.

Docket:

03/03/14	Complaint filed
05/11/15	Motion to Dismiss, and/or Motion for Summary Judgment filed by Defendant
05/26/15	Status hearing continued
06/04/15	Motion to Stay denied; Motion to Extend Time to Answer granted for sixty days
07/27/15	Opposition by Commission to Defendant's Motion to Dismiss and/or Motion for Summary Judgment
08/05/15	Stipulation of Dismissal filed by Plaintiff, USA
08/18/15	Status conference
08/19/15	Defendant's Reply to Plaintiff's Opposition to Defendant's Motion to Dismiss or for Summary Judgment and Opposition to Plaintiff's Counter-Motion for Summary Judgment
08/21/15	Amended Complaint filed
09/09/15	Defendant's Renewed Motion to Dismiss and/or Motion for Summary Judgment filed.
09/25/15	Status Hearing
12/10/15	Motions Hearing held; under Court advisement
01/29/16	Court declares 6 th and 7 th annexation null and void.

Commission v. Landover Polk Street Property, LLC

CAL 15-25609 (PD)

Lead Counsel: Gardner
Other Counsel: Chagrin

Abstract: Commission filed a condemnation action to acquire property for use by the Department of Parks and Recreation.

Status: Complaint filed.

Docket:

09/28/15	Complaint filed
11/03/15	Defendant served via private process.
11/18/15	Commission filed Motion to serve unknown Defendants.
11/30/15	Joint Motion to Extend Time to Answer Complaint filed.
12/30/15	Court grants Motion
05/04/16	Pre-trial Hearing

Glessner v. Surratt House

CAL 14-17158 (T)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of tort claim against a Commission employee and facility based on the alleged slander of authenticity regarding a photograph the plaintiff purports to be of Abraham Lincoln.

Status: Case dismissed.

Docket:

07/02/14	Complaint filed; no summons issued for service on Commission.
08/06/14	Motion to Enter Judgment filed by Plaintiff, despite lack of service
10/21/14	Complaint filed; Court orders Request for Waiver of fees granted
11/14/14	Complaint filed.
05/12/15	Court dismisses case without prejudice
06/01/15	Court rescinds Order of Dismissal and finds service defective
08/14/15	Status hearing; counsel enters appearance for Plaintiff
10/05/15	Commission served with complaint
10/30/15	Status conference.
10/30/15	Commission files Motion to Dismiss
01/29/16	Court grants Commission's Motion to Dismiss, case dismissed

Leeks v. Commission

CAL15-09048 (WC W060284)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision denying occupational hypertension disease as causally related to his course of employment.

Status: Pending trial.
Docket:

05/06/15	Petition for Judicial Review filed
05/21/15	Answer filed.
09/30/15	Pre-trial conference.
12/18/15	Opposition to Motion for Summary Judgment filed by Commission
06/27/16	Trial date

Newell v. Commission
Case No. CAL15-05386 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for trip and fall on alleged wire hanging from the light display at Watkins Regional Park.

Status: In discovery.

Docket:

03/11/15	Complaint filed
12/16/15	Pre-trial conference
06/07/16	Trial date

Pollard v. Commission
CAL15-00392 (WC-B629257)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision denying the left hip surgery is causally related to his workers' compensation claim.

Status: Pending Trial.

Docket:

01/20/15	Petition filed
05/01/15	Motions Hearing; Motion to Dismiss denied.

03/08/16	Trial
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Town of Riverdale Park, et al. v. M-NCPPC
Case No. CAL-15-32787 (AALU)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Defense against Administrative Appeal of decision by the Planning Board to approve Special Permit SP-150003 in 7-Eleven, Inc.

Status: Awaiting oral argument.

Docket:

11/05/15	Petition for Judicial Review Filed
11/17/15	Commission filed Response to Petition, Certificate of Compliance and Notice of Appeal
12/21/15	Record and Transcript Filed
03/04/16	Oral Argument Scheduled

Watkins v. Commission
CAL15-40296 (WC W050003)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision for de novo judicial review regarding need for IME for consideration as to causal relationship.

Status: Complaint filed.

Docket:

12/30/15	Petition for Judicial Review filed
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CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Berry v. Lopez, et al

Case No. 414115V (Tort)

NOTE-Case Venue Transferred from Prince George's County

Lead Counsel: Adams
Other Counsel: Dickerson

Abstract: Defense of police liability claim for alleged false imprisonment and wrongful detention arising from an incident in Montgomery County

Status: In discovery.

Docket:

01/21/16	Original Record from Prince George's County-CAL15-25864 transferred to Montgomery County
04/22/16	Scheduling Hearing
11/03/16	Pre-trial/Settlement Conference

Cohn, et al v. Commission

Case No. 409148-V (M)

Lead Counsel: Dickerson
Other Counsel: Harvin

Abstract: Plaintiff filed complaint attempting to restrain Commission from implementing Archery Managed Deer Hunting Program in Montgomery County.

Status: In discovery.

Docket:

09/10/15	Complaint for Declaratory Judgment, A Temporary Restraining Order and Preliminary and Permanent Injunctive Relief filed.
09/11/15	Hearing: Court denies Temporary Restraining Order.
10/09/15	Answer filed by Commission.

Commission v. 2005 Toyota Camry

Case No. 412626V (M)

Lead Counsel: Adams
Other Counsel:

Abstract: Commission filed motor vehicle forfeiture incident to drug related arrest.

Status: Pending hearing.

Docket:

12/14/15	Petition filed.
03/03/16	Show Cause hearing

Commission v. Guzman
Case No. 411685-V (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Commission appealed WCC order authorizing medical treatment.

Status: Pending trial.

Docket:

11/17/15	Petition filed.
04/22/16	Status/Pre-trial hearing

Commission v. Johnson
Case No. 366677-V (CE)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Commission requesting finding of contempt in case in which the Court already granted the Commission's Petition for Judicial enforcement of Administrative Decision by the Planning Board Concerning Forest Conservation Easement violation.

Status: Further collection action and attempts to seek compliance by foreclosing bank.

Docket:

11/22/13	Petition for Issuance of Show Cause Order Filed
01/16/14	Contempt Hearing held and Judicial Order issued
01/22/14	Order-Defendant must respond to Plaintiff's Interrogatories by 2/17/14

Commission v. Morgan
Case No. 414111-V (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Commission appealed WCC Order finding that employee sustained an accidental injury arising out of and in the course of employment.

Status: Pending trial.

Docket:

01/21/16	Petition filed.
06/30/16	Status/Pre-trial hearing

Fort Myer Construction Corporation v. Commission

Case No. 399804V (CD)

Lead Counsel: MarcusBonsib, LLC (Bruce L. Marcus)

Other Counsel: Dickerson

Abstract: Plaintiff filed complaint for alleged delays and damages associated with the erection of a steel girder pedestrian bridge in Montgomery County.

Status: Case stayed.

Docket:

01/23/15	Complaint filed
04/27/15	Motion for Appropriate Relief (Motion to Stay) filed by Commission
05/19/15	Plaintiff's Response to Commission's Motion for Appropriate Relief
10/27/15	Court grants Commission's Motion to Stay pending decisions from Court of Special Appeals
10/27/15	Commission's Motion for Stay granted.

Giuffrida v. Commission

Case No. 408754-V (WC)

Lead Counsel: Chagrin

Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision.

Status: Pending trial.

Docket:

09/08/15	Petition filed.
02/12/16	Pre-trial hearing

Keeler v. Commission

Case No. 405704-V (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding permanency.

Status: Pending trial.

Docket:

06/08/15	Petition filed.
03/01/16	Trial Date

Rounds v. Commission

Case #350954-V (PD)

Lead Counsel: Gardner
Other Counsel: Dickerson
Harvin

Abstract: Defense of claim for violations of the Maryland Constitution and declaratory relief concerning alleged Farm Road easement.

Status: Second Amended Complaint filed.

Docket:

04/30/15	Mandate returned from Court of Appeals; judgment affirmed in part and reversed in part; case remanded.
05/14/15	Commission's renewal of Motion to Dismiss
06/01/15	Plaintiff's Response to Commission's renewal of Motion to Dismiss
06/25/15	Court grants Commission's Motion to Dismiss Plaintiff's Amended Complaint
07/27/15	Court grants Plaintiffs sixty days to amend complaint
09/21/15	Second Amended Complaint filed
10/23/15	Commission's Motion to Dismiss for failure to join necessary parties filed
12/28/15	Motion to Stay Discovery filed by Commission
01/15/16	Court denied Commission Motion to Stay Discovery
01/29/16	Status Hearing held
02/19/16	Motions Hearing
06/28/16	Status Hearing

Smith v. Commission

Case No. 411259V (WC B717488)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's award of permanent partial disability under "other cases".

Status: Pending trial.

Docket:

11/02/15	Petition filed.
04/07/16	Pre-trial conference.

Starks v. Kellogg, et al
Case No. 407554V (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury and property damages to motor vehicle involving a vehicle allegedly operated by Commission employee .

Status: Pending Trial.

Docket:

08/04/15	Complaint filed.
11/06/15	Scheduling Hearing
05/19/16	Pre-trial/Settlement conference.

MARYLAND COURT OF SPECIAL APPEALS

Commission v. Hill

September Term 2015, No. 01516 (ED)
(Originally filed under CAL15-04057)

Lead Counsel: Dickerson
Other Counsel: Adams

Abstract: Commission appealed Circuit Court ruling reversing and remanding employee termination to Merit Board System.

Status: Appeal filed.

Docket:

09/11/15	Notice of Appeal filed
09/2016	Argument

Fort Myer Construction Corporation v. Commission
Commission v. URS Corporation (Third Party claim by Commission)
2015 Term, No. 16 (CD)

Lead Counsel: MarcusBonsib, LLC (Bruce L. Marcus)
Other Counsel: Dickerson

Abstract: Fort Myer Construction Corporation appeals award of sanctions against it. Commission notes cross appeal, as does URS Corporation.

Status: Awaiting oral argument.

Docket:

03/09/15	Notice of Appeal filed by Plaintiff.
03/19/15	Notice of Appeal filed by Commission
03/20/15	Notice of Appeal filed by URS Corporation
06/17/15	Mediation held
03/02/16	Oral Argument

Friends of Croom Civic Association, et al. v. Commission

Case No. 02177, September Term 2015 (AALU)
(Originally filed under CAL14-32333)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan 4-11004 in Stephen's Crossing at Brandywine.

Status: Appeal Filed.

Docket:

12/07/15	Notice of Appeal
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MARYLAND COURT OF APPEALS

No Current Pending Cases

U.S. DISTRICT COURT OF MARYLAND

Hartford Casualty Insurance Company v. Commission

Case No. 8:13-cv-01765 (CD)

Lead Counsel: Ober, Kaler, Grimes & Shriver (Michael A. Schollaert)
Other Counsel: Dickerson, Chagrin

Abstract: Plaintiff bonding company filed complaint seeking alleged damages associated with surety work after taking over Fort Washington Forest Park and the North Forestville Projects in Prince George's County.

Status: Pending mediation.

Docket:

06/18/13	Complaint filed
05/27/14	Plaintiff filed Consent Motion to Stay
05/28/14	Court stays case
09/25/14	Joint Status Report filed.
09/26/14	Court extends stay through 01/23/15.
01/26/15	Court extends stay for 120 days
05/11/15	Mediation
05/26/15	Order granting Consent Motion to Stay
10/26/15	Settlement negotiations in progress

Pulte Home Corporation, et al v. Montgomery County, et al

Case No. 8:14-cv-03955 (LD)

(Originally filed under Case No. 397601V-Mont. Cty)

Lead Counsel: Gardner/Dickerson
Other Counsel: Adams

Abstract: Plaintiff filed complaint for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland.

Status: Awaiting decision on pending motions.

Docket:

12/18/14	Notice of Removal and Complaint filed
01/02/15	Commission files Motion to Dismiss or in the Alternative for Summary Judgment and Supporting Memorandum
01/09/15	Plaintiffs file Motion to Remand.
02/05/15	Defendant Montgomery County's Opposition to Motion to Remand
02/06/15	Commission's Opposition to Plaintiff's Motion to Remand
02/06/15	Plaintiff's Opposition to Defendant M-NCPPC's Motion to Dismiss
02/23/15	Plaintiff's Reply in Support of Motion to Remand

02/23/15	Commission's Reply to Opposition to Motion to Dismiss
07/17/15	Order denying Pulte's Motion to Remand; Order denying MNCPPC's Motion to Dismiss with leave to respond to complaint with 14 days
07/31/15	Commission's Answer to Complaint
07/31/15	Commission's Motion for Reconsideration
08/26/15	Plaintiffs' Opposition to Commission's Motion for Reconsideration filed
09/24/15	Commission's Reply to Plaintiff's Opposition to Reconsideration of the Court's Denial of the Commission's Motion to Dismiss filed
12/29/15	Court denies Commission Motion for Reconsideration of Denial of Motion to Dismiss
01/07/16	Chambers Conference Call
02/19/16	E-Discovery Conference

Sutton v. Commission

Case No. 1:15-cv-01996-CCB(Tort)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of employment-related claim alleging discrimination.

Status: In discovery.

Docket:

07/23/15	Complaint filed.
11/20/15	Answer to Complaint filed by Commission.
12/18/15	Court grants dismissal of case against State of Maryland
05/16/16	Motions deadline

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

American Humanist Association, et al v. Commission

No. 15-2597 Case #8:14-cv550-DKC (M)

Lead Counsel: Dickerson
Other Counsel: Gardner
Adams

Abstract: Defense of claim alleging violation of establishment clause of Constitution.

Status: Appeal filed

Docket:

12/30/15	Notice of Appeal filed
02/29/16	Appellant's brief due
04/04/16	Response brief due by Appellees

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