

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

MARYLAND SHALL ISSUE, INC., <i>et al.</i> ,	*	
	*	
Plaintiffs-Appellants,	*	
	*	No. 23-1719
v.	*	
	*	
MONTGOMERY COUNTY,	*	
MARYLAND,	*	
	*	
Defendant-Appellee.	*	

**DEFENDANT’S RESPONSE TO PLAINTIFFS-APPELLANTS’ MOTION  
FOR CLARIFICATION AND ALTERNATIVE MOTION RENEWING  
PLAINTIFFS’ MOTION FOR AN INJUNCTION PENDING APPEAL**

Defendant-Appellee Montgomery County, Maryland (“the County”), by and through its undersigned counsel, and pursuant to Rule 27(a)(3) of the Federal Rules of Appellate Procedure and this Court’s August 8, 2023, Order (Doc. 23),<sup>1</sup> files its Response to Plaintiffs-Appellants’ Motion for Clarification and Alternative Motion Renewing Plaintiffs’ Motion for an Injunction Pending Appeal (the “Plaintiffs’ Motion”).

1. The County incorporates by reference herein its Response (Doc. 15) to Plaintiffs’ initial Emergency Motion for a Rule 8 Injunction Pending Appeal.
2. To the extent applicable, the County renews its Motion to Strike Plaintiffs’

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<sup>1</sup> The County will refer to docket entries in the U.S. District Court (Case No. 8:21-CV-01736-TDC) as “ECF,” and will use “Doc.” to reference docket entries in the instant interlocutory appeal before this Court, No. 23-1719.



**CERTIFICATE OF COMPLIANCE WITH RULE 32(g)**

Certificate of Compliance with Length Limitation,  
Typeface Requirements, and Type Style Requirements

1. This Response complies with the length limitation of Fed. R. App. P. 27(d)(2)(A) because this brief contains 175 words, excluding the parts exempted by Fed. R. App. P. 32(f).
2. This Response complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman 14 point font.

/s/

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Erin J. Ashbarry  
Attorney for Appellee  
Dated: August 11, 2023

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 11, 2023, a copy of the foregoing was filed to be transmitted via this Court's CM/ECF Electronic Document Filing System to:

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/s/

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