

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MARYLAND SHALL ISSUE, INC., *et al.* *

Plaintiffs, *

v. * Civil Action No.: 1:22-cv-00865-SAG

ANNE ARUNDEL COUNTY, MD *

Defendant. *

* * * * *

CONSENT MOTION TO MODIFY THE SCHEDULING ORDER

NOW COMES Defendant, Anne Arundel County, Maryland (the “County”), by and through undersigned counsel, and with the consent of counsel for the Plaintiffs, files this Consent Motion to Modify the Scheduling Order and states as follows:

1. Since taking the depositions of all five Plaintiffs on September 7–9, 2022, Defendant’s counsel has been busy preparing for the deposition of Plaintiffs’ expert, set for September 29, 2022, which has included, among other things, reviewing the 43 studies and papers cited in Plaintiffs’ expert’s report. Additionally, lead counsel for Defendant was simultaneously occupied with extensive briefing on an unrelated matter, which was filed on September 15, 2022.

2. Plaintiffs’ motion for summary judgment is currently due on September 29, 2022, and Defendant’s response and cross-motion is currently due October 14, 2022. In order to have sufficient time to prepare a filing that adequately addresses Plaintiffs’ anticipated motion and incorporates Plaintiffs’ expert’s deposition testimony, Defendant seeks an additional ten days to prepare its response and cross-motion, and a corresponding extension of the subsequent briefing deadlines. Additionally, Plaintiffs’ counsel seeks an additional day to prepare their motion for

summary judgment. The parties have conferred and agree to the following modified scheduling order dates, subject to the Court's approval:

Plaintiffs' Motion for Summary Judgment: **September 30, 2022**

Anne Arundel County's Response and/or Cross-Motion: **October 24, 2022**

Plaintiffs' Reply and/or Response to Cross-Motion: **November 10, 2022**

Anne Arundel County's Cross-Motion Reply: **November 21, 2022**

3. No party will be prejudiced by this motion, since Defendant has previously agreed not to enforce the ordinance at issue until a decision on the merits has been reached in this case. This is the third request to modify the scheduling order.

WHEREFORE, Defendant Anne Arundel County, Maryland, respectfully requests, with Plaintiffs' consent, that the Court modify the current scheduling order and for such other and further relief as justice and their cause may require.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of September 2022, the foregoing motion was electronically filed in the United States District Court for the District of Maryland.

Tamal A. Banton

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