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CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG  
Mayor



DEPARTMENT OF LAW  
DANA P. MOORE, ACTING CITY SOLICITOR  
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BALTIMORE, MD 21202

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April 30, 2020

Dear Mayor Bernard "Jack" Young, Council President Brandon Scott, and Honorable Council Members,

Please find attached the Law Department's first quarterly Significant Litigation Report as required by Council Bill 19-0409 ("the Bill"). The Law Department is posting the report on its website today, and we provide it to you directly via email as a courtesy.

The Bill defines "significant litigation" to include "any suit, action or legal proceeding in a state or federal court." Accordingly, our report does not include claims, administrative proceedings, or matters settled pre-suit. In addition, "significant litigation" is defined to include cases in which over \$100,000 in damages is demanded, and/or in which injunctive relief is sought (i.e. "an agency, official or employee is demanded to take, continue, or discontinue a certain action or practice.").

This Report includes all cases that meet the definition of significant litigation and that were pending during the first quarter of 2020 - January 1st through March 31st. A case resolved on January 2, 2020, would be included, as would a case filed on March 30, 2020. The Report is organized by Law Department Practice Group: Litigation, Police Legal Affairs, Labor and Employment, and Appeals.

The Law Department has sought to provide complete and accurate information. We welcome any suggestions from the Mayor, members of the Council, or of the public.

Sincerely,

A handwritten signature in blue ink that reads "Dana P. Moore". The signature is written in a cursive style and is positioned above a horizontal line.

Acting City Solicitor, Dana P. Moore



BALTIMORE CITY LAW DEPARTMENT, SIGNIFICANT CASE REPORT (Jan. 1, 2020 - March 31, 2020)

- Litigation -

#	Name	No.	Case Status	Description	Monetary Demand	Injunctive Demand	Manner of Resolution	Date of Resolution	City Payment
1	<i>Arena Ventures v. SMG, et al.</i>	03-C-13-002705	Appeal pending	Plaintiff sued City operator of the Baltimore Arena for unjust enrichment and trespass to chattels for the use of the billboard structures attached to the building. City had agreed to defend and indemnify operator because City previously made representations that it owned the billboard structures when RFP to operate Arena went out. Plaintiff awarded damages of \$1.457M on 2/2/20.	\$5,000,000	None			
2	<i>Hancock, et al. v. MCCB, et al.</i>	24-C-20-000676	Discovery	Plaintiffs filed wrongful death and survivorship actions against the City related to the death of young man who was working for a City contractor doing repair work for Rec and Parks. Decedent killed when a trench collapsed on him. City has tendered defense to the contractor's liability carrier.	\$800,000	None			
3	<i>L. Roane, et al. v. Laprade</i>	24-C-19-004228	Discovery	Plaintiffs filed wrongful death and survivorship actions against City driver. Decedent was killed when a large utility truck ran him over while moving from a parked position.	\$800,000	None			
4	<i>CSX v. Spiniello and MCCB</i>	19-cv-02976	Discovery	Plaintiff alleges significant property damages to Curtis Bay Coal Terminal for two events in which raw sewage entered a water filtration system on the property. The first event was related to a sanitary overflow from a manhole. The second event was caused by Spiniello, which was acting as a City contractor performing sanitary system improvements.	\$1,900,000	None			
5	<i>Ohler v. MCCB</i>	24-C-18-007039	Closed	Plaintiff alleged that she tripped and fell on a defective sidewalk in Roland Park, causing her to severely injure herself.	\$250,000	None	Defense verdict	2/13/2020	\$0
6	<i>Fite v. MCCB</i>	24-C-18-006647	Closed	Plaintiffs alleged personal injuries and property damages for multiple sewage back ups in their home.	\$400,000	None	Settlement	2/28/2020	\$140,000
7	<i>Garcia, et al. v. MTA and MCCB</i>	24-C-19-002697	Discovery	Plaintiff and wife allege personal injuries and loss of consortium after Plaintiff tripped and fell due to a missing brick adjacent to the light rail station at Camden Yards.	\$400,000	None			
8	<i>Montague, et al. v. MCCB</i>	24-C-17-006619	Remanded to trial court	Plaintiffs filed wrongful death and survivorship actions after decedent crashed car on a curvy portion of Cold Spring Avenue.	\$200,000	None			
9	<i>Wheelabrator, et al. v. MCCB</i>	19-cv-01264	USDC ruled in favor of Plaintiffs; Appeal pending	Plaintiffs sought invalidation of City's Clean Air Act alleging that it was pre-empted by state and federal law	None	Invalidation of City's Clean Air Act			

10	<i>Cherry, et al. v. MCCB</i>	24-C-16-004670	Appeal pending	Class action where plaintiffs were members of police and fire pension system seeking damages for pension reforms enacted in 2010. As to claims of active members of plan, judgment entered in favor of City. As to approximately 1,500 retirees or retiree eligibles of plan, judgment entered against City in amount of \$31M	\$100,000,000+				
11	<i>Johnson v. MCCB</i>	24-C-20-001060	Discovery	Plaintiff alleges personal injuries after stepping into an open water meter vault.	\$150,000	None			
12	<i>East Lexington Street, LLC v. MCCB</i>	24-C-20-001153	Discovery	Plaintiff seeks compensation claiming that it was overbilled for water at its property over several years	\$500,000+	None			
13	<i>Friends of Gwynns Falls, et al. v. MCCB and BGE</i>	24-C-19-002271	Discovery	Plaintiff is suing the City and BGE over deal to allow gas pipeline to run through the park for \$2.4M	None	Renegotiation of gas pipeline franchise fee			
14	<i>St. Paul Place Partnersip, LLC v. MCCB and MPEI</i>	24-C-19-001311	Discovery	Plaintiff is suing for property damage sustained as a result of flooding to property allegedly caused by construction activity by City and its contractor, Monumental Paving	\$400,000+	None			
15	<i>Petroleum Fuel and Terminal v. MCCB</i>	24-C-19-003804	Answer pending	Plaintiff seeks to prevent property from being sold in tax sale for disputed delinquent water bills.	None	Prevention of tax sale			
16	<i>Chae Bros, et al. v. MCCB</i>	17-cv-001757	Discovery	Approximately 65 plaintiff business owners are seeking damages under the riot Act for property destroyed during the Freddie Gray riots	\$10,000,000	None			
17	<i>Beverly, et al. v. MCCB, et al.</i>	24-C-16-004891	Appeal pending	Plaintiff and his wife allege damages for personal injuries suffered when his car struck a gate that had opened into the roadway. Plaintiff received a judgment for \$200,000 after trial in December 2017. The case was appealed and appellate decision is pending.	\$200,000	None			
18	<i>Mincy v. MCCB</i>	24-C-19-005413	Discovery	Plaintiff alleges that a board from a City-owned vacant rowhouse blew off of the property and struck her in the head rendering her unconscious and suffering traumatic brain injuries	\$100,000+	None			
19	<i>C. Roane v. MCCB</i>	24-C-18-005723	Discovery	Plaintiff sued for the wrongful death of her son who was run over by a large utility truck. This case is consolidated with <i>L. Roane, et al. v. Laprade</i> .	\$100,000+	None			
20	<i>Murphy v. MCCB, et al.</i>	24-C-19-004379	Discovery	Plaintiff alleges he was caused to crash a Lime scooter and suffer personal injuries as a result of construction activities on the designated bike trail near Harborplace	\$100,000+	None			



BALTIMORE CITY LAW DEPARTMENT, SIGNIFICANT CASE REPORT (Jan. 1, 2020 - March 31, 2020)

- BPD Legal Affairs -

#	Name	No.	Case Status	Description	Monetary Demand	Injunctive Demand	Manner of Resolution	Date of Resolution	City Payment
1	<i>Jones v. Jordon, et al.</i>	16-cv-02662	Pending Trial	The case alleges excessive force by Defendant Officers Joshua Jordan and former officer, Russell Tonks on August 17, 2014. Defendants were responding to the scene of an open-air drug market per a 911 dispatch. Defendant and another individual were identified as potential participants in the activity. After being stopped and questioned, Plaintiff attempted to flee. He was caught and tackled in the process. Plaintiff sustained a head injury, which required surgery. Plaintiff now alleges permanent brain injury as a result of a "rough tackle."	Monetary damages not specified in Complaint.	None			
2	<i>Kerron Andrews v. Baltimore City Police Department, et al.</i>	16-cv-2010	Remanded by 4th Circuit	This lawsuit alleges that BPD officers used cell site simulator technology without a warrant or other court order, thus violating Plaintiff's rights. This resulted in Plaintiff's arrest and incarceration for 2 years. Plaintiff alleges BPD entered into an agreement with the creator of the cell simulator technology that BPD would not disclose the existence of the technology in exchange for access to the technology. Plaintiff alleges violations of his rights under the 4th and 14th Amendments to the U.S. Constitution and pursuant to 42 U.S.C. § 1983 as well as under the Maryland Constitution.	In excess of \$75,000	Permanent injunction that prohibits officers from using cell site simulator technology to track individuals without first obtaining a warrant that describes with reasonable particularity the location where the cell-site simulator may be activated			
3	<i>Darrius Kimbrough v. Tyler Sentz, et al.</i>	17-3477	Discovery Underway	Plaintiff seeks compensatory and punitive damages as well as attorneys' fees for alleged violations of his Federal Constitutional rights. More specifically, Plaintiff claims that he was unlawfully detained and arrested on August 6, 2014 based on the officers' allegation that Plaintiff stole a car. The juvenile case against Plaintiff was dismissed. Plaintiff allegedly sustained unspecified physical injuries as the result of excessive force used during his arrest.	Monetary Damages Not Specified in the Complaint	None			
4	<i>Howard Fish v. Baltimore Police Department, et al.</i>	17-cv-01438	Pending Trial	Alleges battery, violations of MD Declaration of Rights Articles 24 & 26, false arrest, malicious prosecution, and intentional infliction of emotional distress.	\$8,000,000	None			
5	<i>Ashley Overbey, et al. v. MCC</i>	17-cv-01793	MSJ Filed	Alleges violation of Plaintiffs 1st Amendment rights via the enforcement of the non-disparagement clause included in Overbey's settlement agreement.	\$31,500 plus interest	Prohibit use of confidentiality clause in settlement agreements.			
6	<i>Steven Angelini v. Baltimore Police Department</i>	17-cv-2354	MSJ Filed	Title VII employment action alleging discrimination based on gender, hostile work environment, and retaliation for engaging in protected activity. Plaintiff also alleges that he was subject to retaliatory administrative charges based on his protected activity, and that his professional reputation has been damaged.	\$300,000 plus attorneys' fees	None			

7	<i>Michelle Gross, et al. v. Francisco Hopkins, et al.</i>	17-cv-3479	Motion for leave to amend complaint pending	Plaintiffs sue four police officers and an unnamed confidential informant alleging multiple violations of their Federal Constitutional rights as the result of the execution of a search warrant at on October 25, 2015 at a home owned or occupied by Plaintiffs. Plaintiffs allege the officers rushed into the home, pointed a gun at two of the plaintiffs, and ordered them into a room. Plaintiffs' phones were taken for the duration of the search. A canine unit searched Plaintiff Gross' car without a warrant and without permission. Plaintiffs claim that the warrant was issued based upon false information, and sue one officer for his alleged role in obtaining the warrant and executing it, the confidential informant that allegedly provided the false information, and the other officer defendants for their alleged roles in executing the warrant.	Monetary Damages Not Specified in the Complaint	None			
8	<i>Edward Witherspoon v. Baltimore City Police Department, et al.</i>	18-1601	Closed	Plaintiff alleges that he was improperly arrested and detained by BPD officers on charges of kidnapping and sexual assault. Plaintiff was charged in Baltimore City for these acts, and was later arrested by Howard County authorities and indicted on the same charges in that jurisdiction. The Baltimore City indictment was ultimately resolved in a nolle prosequi disposition, and the Howard County charges resulted in a jury verdict finding him guilty on all counts. Plaintiff alleges that, as a result of his arrest and detention in Baltimore City from February 23 - July 15, 2016, he suffered emotional injuries, loss of employment, and the loss of a pension.	\$760,000	Declaratory judgment in Plaintiff's favor	MTD Granted	2/11/2020	\$0
9	<i>Umar Burley, et al. v. BPD</i>	18-cv-01743	Discovery Underway	Plaintiffs allege that they were stopped by former GTTF officers. The officers in question had guns drawn, were wearing masks, and were driving unmarked vehicles. The Plaintiffs, believing that they were being robbed, fled the scene at a high rate of speed. During their attempt to flee the scene, the Plaintiffs ran a stop sign and crashed their vehicle into a third party causing the death of Elbert Davis and injuries to Phosa Cain.	Monetary damages not specified in Complaint.	None			
10	<i>Blanton Roberts v. BPD, et al.</i>	18-cv-01940	Discovery Underway	Plaintiff alleges that the defendant officers in the instant case approached the Plaintiff for no reason, arrested him and subsequently placed a gun on his person. The officers would likely testify that they observed the plaintiff to be in possession of a handgun, arrested him based on the violation and found several baggies of marijuana on his person incident to arrest. The event is alleged to have occurred on October 7, 2015, at 10:55pm.	\$10 million in compensatory damages plus \$ 10 million per count in punitive damages for each of 41 counts, plus costs and attorneys' fees	None			
11	<i>Shirley Johnson, et al. v. Baltimore City Police Department, et al.</i>	18-cv-02375	MTD Pending	Plaintiffs represent the estate of Elbert Davis, Phosa Cain, and the estates of the deceased children of Elbert Davis and Phosa Cain. The Plaintiffs allege that two suspects were stopped by former GTTF officers. The officers in question had guns drawn, were wearing masks, and were driving unmarked vehicles. The suspects, believing that they were being robbed, fled the scene at a high rate of speed. During their attempt to flee the scene, the suspects ran a stop sign and crashed their vehicle into a third party causing the death of Elbert Davis and injuries to Phosa Cain.	Monetary damages not specified in Complaint.	None			

12	<i>Devon B. Harrod v. BPD, et al.</i>	18-cv-02542	Discovery Underway	Plaintiff alleges that former GTTF officers falsely arrested him after planting a gun (L380 caliber, serial number 145755), in the vehicle occupied by Plaintiff's friend, Aron Johnson. Johnson was not charged, but does claim that \$1k was stolen from him. The event allegedly took place on August 20, 2015.	\$10 million in compensatory damages plus \$ 10 million per count in punitive damages for each of 51 counts, plus costs and attorneys' fees	None			
13	<i>Alice Carson-Johnson v. Baltimore Police Department, et al.</i>	18-cv-03064	Discovery Underway	Title VII employment action alleging discrimination based on race, gender, and retaliation for engaging in protected activity. Plaintiff claims that all internal discipline that she faced was retaliatory, and that she was transferred to another division within BPD against her will.	In excess of \$75,000	None			
14	<i>Parks v. Baltimore Police Department, et al.</i>	18-cv-03092	Settlement Pending	This is a 16-year wrongful conviction lawsuit filed against BPD and several individual defendants. Mr. Parks was in prison for the murder of Charles Hill and the attempted murder of Anthony Burgess. Mr. Parks alleges the Defendants withheld material exculpatory evidence and maliciously prosecuted him for these crimes. Mr. Parks also filed a Monell claim against BPD.	\$4.8 million	None			
15	<i>Tony Dewitt v. Ritz, et al.</i>	18-cv-03202	Discovery Underway	This is a 12-year wrongful conviction lawsuit filed against several individual defendants. Mr. Dewitt was in prison for the murder of Sherene Moore and the attempted murder of Maurice Booker. Mr. Dewitt alleges the Defendants withheld material exculpatory evidence and maliciously prosecuted him.	In excess of \$100,000	None			
16	<i>Tara Grim v. Baltimore Police Department, et al.</i>	18-cv-03864	Answer Filed	Alleges various violations of constitution regarding policy, practice, or custom of condoning unlawful strip searches.	\$5,000,000	None			
17	<i>Jeffry Taylor v. Baltimore Police Department, et al.</i>	18-cv-03999	Discovery Underway	Plaintiff alleges that members of the BPD retaliated against Plaintiff after he reported alleged violations of BPD policy surrounding Sgt. Roepcke's decision to use the BPD's Marine Unit to remove an allegedly abandoned boat in the Baltimore harbor. The Boat was removed from the harbor between January and February of 2017. Plaintiff's complaint alleges retaliation in violation of Federal and State constitutional rights, as well as violations of the Law Enforcement Officers Bill of Rights.	\$1,500.00, and costs and attorneys' fees.	None			
18	<i>Kenneth Bumgardner v. Marcus Taylor, et al</i>	18-cv-1438	Discovery Underway	Plaintiff alleges multiple violations of his Federal and State Constitutional rights as a result of his arrest by GTTF officers on February 9, 2016. More specifically, Plaintiff alleges that after his car was stopped, he was struck by a blunt object. He received medical assistance from paramedics and subsequently he self-admitted to Mercy Hospital, where he was treated for a fractured mandible and sprained back.	\$10 million in compensatory damages plus \$ 10 million per count in punitive damages for each of 53 counts, plus costs and attorneys' fees	None			

19	<i>Winston v. Haziminas, et al.</i>	19-cv-00026	Discovery Underway	Plaintiff alleges violations of his Federal and State Constitutional rights as well as common law claims. More specifically, Plaintiff alleges that on February 20-21, 2016, he was unlawfully arrested by the defendant officer at a club in Power Plant Live. The defendant officer was working approved, uniformed secondary employment at the time of Plaintiff's arrest. Plaintiff further alleges that the officer used excessive force in effectuating the arrest. That alleged use of force caused a severe shoulder injury, which required surgery to repair.	Compensatory damages and punitive damages in excess of \$75K as to each count, as well as reasonable attorneys' fees.	None			
20	<i>Eva Tonin v. Baltimore Police Department</i>	19-cv-00323	MTD Pending	Title VII employment action alleging discrimination based on gender, national origin, hostile work environment, and retaliation for engaging in protected activity. Plaintiff claims that she has a disability under the ADA and that BPD is no longer accommodating the request, even though it had previously. Plaintiff also claims that she has been subjected to a retaliatory hostile work environment.	\$400,000, plus attorney's fees.	None			
21	<i>Estate of Bryant v. BPD</i>	19-cv-00384	Discovery Underway	This is a 17-year wrongful conviction lawsuit filed against BPD and two individual defendants. Mr. Bryant was exonerated for murder based on DNA evidence. The estate alleges that defendants withheld material exculpatory evidence and manipulated eyewitness identification to cause his wrongful conviction. The estate also filed a Monell claim against BPD.	\$35 million (pre-suit notice letter)	None			
22	<i>Michael Hill v. CBAC Gaming, LLC, et al.</i>	19-cv-00695	Closed	Plaintiff filed suit, claiming that he was detained and questioned for roughly one hour at the Horseshoe Casino while casino staff investigated a violation of gaming rules, subsequently ejected from the Casino (without \$105 in winnings he had allegedly won at the Casino), and banned from returning to the Casino. Plaintiff identifies the Casino security staff as the primary actors in this episode, but also alleges that his compliance with their requests was influenced by the presence of uniformed BPD officers. Against BPD, Plaintiff alleges false imprisonment, Racial Discrimination-Accommodations, conspiracy to violate civil rights in violation of 42 U.S.C. § 1985, and violation of civil rights under 42 U.S.C. 1983, 1985, and 1988.	\$10 million in compensatory damages, \$10 million in punitive damages, and reasonable attorneys' fees	Order enjoining the Defendants from engaging in conduct that violates members of the public Federal and State constitutional rights.	Dismissal after settlement among other parties	3/5/2020	\$0
23	<i>Jerome Johnson v. BPD, et al.</i>	19-cv-00698	MTD Pending	This is a 30-year wrongful conviction lawsuit filed against BPD and several individual defendants. Mr. Johnson was convicted as an accessory to the murder of Aaron Taylor. Mr. Johnson alleges the Defendants withheld material exculpatory evidence and maliciously prosecuted him for these crimes. Mr. Johnson also filed a Monell claim against BPD.	\$10 million (pre-suit notice letter)	None			
24	<i>Robert Johnson v. Gondo, et al.</i>	19-cv-00995	MTD Decided	The Plaintiff was arrested for possession of a firearm on August 24, 2014. The Plaintiff pled guilty and was sentenced to five years. He was incarcerated for four years. The Plaintiff is now saying that his arrest was illegal.	\$5 million in compensatory damages and \$5 million in punitive damages as to each count	None			

25	<i>Shore et al v. Mayor and City Council of Baltimore City, et al.</i>	19-cv-01341	MTD Pending	Plaintiffs, Jeffrey Shore and Donna Curry's claim centers on a search and seizure warrant was executed by former GTTF officers, Rayam, Gondo and Allers on Plaintiff's birdseed store on June 27, 2014. No illegal contraband or firearms were located. The officers asked if there were any large amounts of money in the store, to which the Plaintiff stated she had \$20K in her purse to pay their property taxes the next day. The officers left without making an arrest or taking the money. Hours later, Defendant Rayam and two associates (not police officers) drove to the Plaintiff's home and waited until it was dark to commit the home invasion robbery, where they stole the \$20K.	Monetary damages not specified in Complaint.	None			
26	<i>Nancy Hamilton v. Daniel Hersl, et al</i>	19-cv-01981	Discovery Underway	Case involves the alleged kidnapping and robbing of the Plaintiff and his wife on July 8, 2016.	\$10 million in compensatory damages, \$10 million in punitive damages as to each count, and reasonable attorneys' fees	None			
27	<i>Tate v. Hersl</i>	19-cv-02240	MTD Pending	Plaintiff alleges on or about November 25, 2015 he was walking in the area of Robb St. and East 20th St. when he was illegally stopped and searched without legal cause or justification and warned that if he was seen again he would be arrested. On November 27, 2015, Plaintiff was seen in the same area, when Defendants jumped out and violently grabbed Plaintiff. He was detained and alleges Defendants planted evidence on him and stole about \$530.00 from his person. He was subsequently arrested for CDS violations and held in custody as he awaited trial. The State's Attorney office entered a nolle prossed. Plaintiff's charges were dismissed on March 9, 2016.	\$10 million in compensatory damages plus \$ 10 million per count in punitive damages for each of 23 counts, plus costs and attorneys' fees	None			
28	<i>Gary Washington v. BPD, et al.</i>	19-cv-02473	MTD Pending	This is a 30-year wrongful conviction lawsuit filed against BPD and several individual defendants. Mr. Johnson was convicted for the murder of Faheem Ali based on the testimony of 1 minor child (Otis Robinson). Nearly 30 years later, Robinson recanted at a post-trial proceeding and Washington was released from jail. Washington alleges that defendants withheld material exculpatory evidence and manipulated eyewitness identification to cause his wrongful conviction. Washington also filed a Monell claim against BPD.	\$62 million (pre-suit notice letter)	None			
29	<i>Jasmin Rowlett v. Baltimore Police Department</i>	19-cv-02896	Closed	Title VII employment action alleging discrimination on the basis of gender, race, and allegations of a hostile work environment. Plaintiff alleges that she was sexually harassed during the course of her employment and faced several instances of inappropriate conduct by co-workers and supervisors. She further claims that, when she reported this conduct to supervisors and BPD's Equal Employment Opportunity Division, she was retaliated against and continued to be sexually harassed. She also alleges that she faced a fabricated administrative investigation.	\$300,000, plus attorney's fees	None	Settlement	3/6/2020	\$77,000



30	<i>Luis Garcia v. Baltimore Police Department</i>	19-cv-02905-SAG	Closed	Title VII employment action alleging discrimination on the basis of gender, race, and allegations of a hostile work environment. Plaintiff alleges that he was sexually harassed during the course of his employment and faced several instances of inappropriate conduct by co-workers and supervisors. He further claims that, when he reported this conduct to supervisors and BPD's Equal Employment Opportunity Division, he was retaliated against and continued to be sexually harassed. He also alleges that he faced a fabricated administrative investigation.	\$300,000, plus attorney's fees	None	Settlement	3/6/2020	\$62,000
31	<i>Brian Matulonis v. Baltimore Police Department</i>	19-cv-03326	Answer Pending	Title VII employment action alleging discrimination on the basis of race and retaliation. Plaintiff claims that he was transferred from a specialized unit to another unit in BPD, against his will, because of his race. He also claims that he was subject to other adverse employment actions because of his race and gender.	\$300,000 plus attorneys' fees	None			
32	<i>Michael Saunders v. BPD, et al.</i>	19-cv-0551	MTD Decided	This is a pro se case where the Plaintiff was arrested on September 15, 2015 for possession of a handgun and the case was ultimately dismissed. The Plaintiff filed this case upon discovering that GTTF officers were imprisoned at the same facility at which the Plaintiff is incarcerated.	\$5,000,000	None			
33	<i>Byron Marshall II v. Joshua Hall, et al.</i>	19-cv-2044	Answer Pending	On June 8, 2017, Plaintiff was leaving a shopping center after purchasing an item from an auto store. He witnessed a possible shooting, called 911 and stayed on the scene with the victim until units arrived. After speaking with the responding Officers and being identified as a material witness, Plaintiff tried to leave the scene once told he would not be compensated for giving his account of what occurred. Plaintiff became irate, was then detained and subsequently arrested for disorderly conduct after resisting being detained in police vehicle. He was taken to local hospital to be treated for injuries sustained during scuffle then taken to central booking where he was later released without charges once case was reviewed by the State's Attorney.	Monetary damages not specified in Complaint.	None			
34	<i>Jeffries v. Taylor, et al.</i>	19-cv-2152	Discovery Underway	Plaintiff alleges that on May 19, 2016 he was walking in the 1200 block of Luzerne Street in Baltimore City, when he was approached by former GTTF officers, Evodio Hendrix, Maurice Ward, Marcus Taylor and Wayne Jenkins. Defendant Officers asked Plaintiff why he walked away from the group that was located down the street when he spotted the officers. He denied being with the group, was detained and searched. He was arrested and transported to Central Booking where he was informed of his charges. A handgun was found incident to the plaintiff's arrest. Plaintiff contends that the gun charge was falsified and that the gun was planted by the defendant officers. Plaintiff's charges were dismissed by the State's Attorney's office on March 9, 2017.	In excess of \$75,000	None			

35	<i>Wise v. Storie</i>	19-cv-2413	MTD Pending	On July 26, 2016, Plaintiff was arrested and charged in connection to a non-fatal shooting that occurred on April 9, 2016. Plaintiff was incarcerated from July 26, 2016 until April 25, 2018 (21 months) for the incident. After the completion of a 6 day trial, Plaintiff was found "Not Guilty" by a jury. Plaintiff alleges that Defendant Storie falsified documents and committed perjury in order to obtain an arrest warrant, which led to his arrest on July 26, 2016. Plaintiff also alleges that due to being arrested and charged with a crime he did not commit, this caused him to violate his probation, that he was on for another case, not related to this matter and now he is currently serving a 10 year sentence.	\$3,000,000	None			
36	<i>Jamal Wilson v. Donald Gaff</i>	19-cv-2587	Answer Pending	Plaintiff alleges that on or about September 11, 2016 the Defendant stopped the car in which he was a passenger without cause, then assaulted Plaintiff for no reason.	Monetary damages not specified in Complaint.	None			
37	<i>Cardinair Davis v. Thomas Allers, et al.</i>	19-cv-2750	MTD Pending	Plaintiff alleges that on May 17, 2016, he was a passenger in a vehicle that was approached by officers as the vehicle pulled into the Wendy's parking lot at Westside Shopping Center. Defendant Officers asked if he knew of anyone committing crimes. When he said he did not the officers became angry. Plaintiff alleges that without justification or probable cause, he and the driver were ordered out of the vehicle in order for the officers to conduct a search. One of the officers discovered a Vulcan Machine Pistol handgun, magazine clip and thirteen (.45) caliber ammunition rounds in the front passenger compartment. Plaintiff denied owning or seeing the handgun, but was arrested and charged with various firearms/handgun violations. Facing a minimum sentence of 5 years, On November 2, 2016, Plaintiff plead guilty to the charges in exchange for time already served in pretrial detention (May 17, 2016-November 2, 2016). On July 12, 2017 the SAO entered a nolle prosequi.	\$10 million in compensatory damages plus \$ 10 million per count in punitive damages for each of 2 counts, plus costs and attorneys' fees	None			
38	<i>Lauren Holmes, et al. v. Baltimore Police Department, et al.</i>	19-cv-3392	Answer Pending	Civil rights claims arising from maintenance of crime scene in Harlem Park after shooting of Det. Sean Suiter.	Monetary Damages Not Specified in the Complaint	Plaintiffs seek injunctive relief including various prohibitions on the establishment and maintenance of a crime scene and police interactions with persons coming and going from a crime scene			
39	<i>Brown v. Rayam, et al.</i>	20-cv-00487	Waived service 3/9/2020	Plaintiff alleges that, on or about June 8, 2009, he was pulled over and detained without cause and that officers stole \$11,000 from the trunk of his car.	\$10 million in compensatory damages plus \$ 10 million in punitive damages for each of 23 counts, plus costs and attorneys' fees	None			

40	<i>Rich v. Hersl, et al.</i>	20-cv-00488	Answer Pending	Plaintiff claims that a firearm was planted on him and he was unlawfully arrested on October 2, 2007. He claims that he was arrested in part because he filed an Internal Affairs complaint against one of the officers approximately one week before he was arrested. Plaintiff also alleges that the head of IAD did not properly investigate his complaint or discipline the officers involved in Plaintiff's arrest. Plaintiff alleges claims for Federal and State Constitutional violations.	\$10 million in compensatory damages plus \$ 10 million in punitive damages for each of 19 counts, plus costs and attorneys' fees	None			
41	<i>Avon Allen v. Marcus Taylor, et al.</i>	20-cv-00489	Answer Pending	Plaintiff alleges claims for violations of the Federal and State constitutions related to his arrest by GTTF officers.	\$10 million in compensatory damages plus \$ 10 million per count in punitive damages for each of 36 counts, plus costs and attorneys' fees	None			
42	<i>Shawn Whiting v. Marcus Taylor, et al.</i>	20-cv-00540	Answer Pending	Plaintiff alleges that he was unlawfully arrested on January 24, 2014, following the execution of a search warrant at Plaintiff's home. Plaintiff claims that the warrant was based upon false statements. Plaintiff alleges that money and other property was stolen during that search. Plaintiff's complaint alleges violations of the Fourth and Fourteenth Amendments of the United States Constitution, Article 24 of the Maryland Declaration of Rights, and civil conspiracy.	\$10 million in compensatory damages plus \$ 10 million per count in punitive damages for each of 27 counts, plus costs and attorneys' fees	None			
43	<i>Sherman Thomas v. Jemell Rayam, et al.</i>	20-cv-00541	Answer Pending	This lawsuit arises from Plaintiff's arrest following the June 18, 2015 execution of three search warrants, one of which was for Plaintiff's home. Plaintiff was charged with possession of ammunition as a prohibited person, along with other charges relating to the drugs and guns recovered during the execution of the warrants. Plaintiff claims the affidavits in support of the warrants were based on false information from a confidential informant. Plaintiff pled guilty to two counts of the indictment against him, and received a five year sentence. Following the indictments of several former GTTF officers, many of whom assisted in obtaining the warrants and arresting Plaintiff, Plaintiff's sentence was vacated. Plaintiff's complaint alleges violations of the Fourth and Fourteenth Amendments of the United States Constitution, Article 24 of the Maryland Declaration of Rights, and civil conspiracy.	\$10 million in compensatory damages plus \$ 10 million per count in punitive damages for each of 24 counts, plus costs and attorneys' fees	None			
44	<i>Bernard Gough v. Jemell Rayam, et al.</i>	20-cv-00542	Waived service 3/12/2020	Plaintiff alleges that on or about October 9, 2007, he was driving a car when he was shot in the head/neck area by a police officer without cause. Plaintiff alleges that the officer did not render aid despite the seriousness of the injuries. Further, he claims that officers falsified criminal charges against him, to which he pled guilty and was incarcerated until his conviction was vacated on motion of the State's Attorney's Office on or about November 27, 2019.	\$10 million in compensatory damages plus \$ 10 million in punitive damages for each of 16 counts, plus costs and attorneys' fees	None			

45	<i>April Sims v. Hersl, et al.</i>	20-cv-00759	Closed	Plaintiffs allege that on or around July 25, 2016, Defendants, Hersl, Jenkins and Gondo entered their residence and falsely arrested them on multiple CDS charges. Plaintiff's charges were nolle prossed by the State's Attorney Office.	In each count, Plaintiff seeks \$10 million in compensatory damages, \$10 million in punitive damages, and reasonable attorneys' fees	No	Voluntary Dismissal	3/20/2020	\$0
46	<i>McPherson - Simmons v. Baltimore Police Department, et al.</i>	20-cv-00795	Answer Pending	This is a 24-year wrongful conviction suit filed against BPD and several individual defendants. Mr. McPherson and Mr. Simmons were convicted of the murder of Anthony Wooden, who was shot to death. They allege that police withheld witness statements and a confession from the real killer. They also filed a Monell claim against BPD.	Monetary damages not specified in Complaint.	None			
47	<i>Estate Of Curtis Jamal Deal v. Detective David Kincaid</i>	20-cv-00799	Answer Pending	On Feb. 7, 2017, Det. Kincaid chased Plaintiff/Decedent, Curtis Deal on foot after he bailed out of the left rear passenger door of a car that was driving erratically. As Mr. Deal continued to run from Det. Kincaid, the decedent turned around and pointed his weapon in the directions of the Detective. Det. Kincaid in fear of his life, fired his weapon fatally shooting the plaintiff/decedent multiple times. The decedent/plaintiff's estate is alleging that the plaintiff/decedent pleaded for medical attention multiple times which were ignored, which ultimately led to his death.	In excess of \$75,000	None			
48	<i>James Davis v. Hersl</i>	24-C-16-003513	Stayed pending criminal trials, stay lifted 3/2020	Mr. Davis alleges that on Dec. 12, 2014, he was walking on Harford Road and was accosted by former Det. Hersl. Hersl then struck him in his mouth and assaulted him. He was then charged with burglary, possession with intent to distribute CDS and other charges. Charges were dropped on June 11, 2015.	\$1,000,000	None			
49	<i>Deon Waters v. Nelson Flores</i>	24-C-18-003385	MSJ Filed	Plaintiff seeks compensatory and punitive damages for alleged common law and State Constitutional violations. Specifically, Plaintiff alleges that, on April 3, 2018, at or near the 1900 block of Elgin Avenue in Baltimore City, the vehicle Plaintiff was operating was unlawfully stopped by the defendant. The stop was based upon the officer's claim that Plaintiff was not wearing a seat belt. Plaintiff further alleges that, during the course of the stop, he was groped by the officer in the course of an illegal pat-down. As the result of the stop, Plaintiff was issued a traffic citation for failure to wear a seat belt. Plaintiff appeared for trial on the traffic citation and it was dismissed (the officer, who had resigned from the BPD for unrelated reasons, did not appear for trial).	Monetary Damages Not Specified in the Complaint	None			
50	<i>Thomas Cassella vs Darryl DeSousa, et al.</i>	24-C-18-005557	Pending Trial	Defamation lawsuit filed against former Commissioner DeSousa, stemming from a decision not to hire Plaintiff as a deputy police commissioner.	\$275,000	None			
51	<i>Paul Jones v. BPD, et al.</i>	24-C-18-006771	Amended complaint filed	Plaintiff alleges that Defendants relied upon a false affidavit to execute a search of his residence, which resulted in his arrest and incarceration.	In excess of \$75,000	None			

52	<i>Dameon Shaw v. State of Maryland, et al.</i>	24-C-19-000294	MTD Pending	Plaintiff's convictions of multiple armed robberies was vacated upon the reversal of an evidentiary ruling. Plaintiff alleges that the individual officers, together with third party witnesses conspired to frame him and procure his unlawful arrest, detention and conviction.	In excess of \$75,000 for each count, plus costs and attorney's fees	Plaintiff demands that defendants be enjoined from "any further or similar unlawful or unconstitutional acts"			
53	<i>Alexis Stockton vs Office Jordan Distance</i>	24-C-19-001898	Discovery Underway	Plaintiff alleges State Constitutional claims as well as state common law claims. Specifically, Plaintiff's complaint arises from an arrest for possession with intent to distribute that occurred March 22, 2018. The charges against Plaintiff were nolle prossed. Plaintiff claims she was arrested without legal justification.	Monetary Damages Not Specified in the Complaint	None			
54	<i>Tionne Jones v. Jodie P McFadden, et al.</i>	24-C-19-001922	Closed	Plaintiff's estate (the original plaintiff was killed as the result of an unrelated incident) alleges that Plaintiff was unlawfully arrested for disorderly conduct on April 18, 2016. He alleges claims for State Constitutional violations as well as common law claims.	Monetary Damages Not Specified in the Complaint	None	Settlement	4/9/2020	\$20,000
55	<i>Keiontae King-Thomas v. Detective Jason Leventhall, et al.</i>	24-C-19-003309	Discovery Underway	Plaintiff alleges state constitutional claims and common law claims arising from his arrest on July 13, 2016. Plaintiff does not contend that his arrest was unlawful. Rather, he contends that excessive force -- multiple deployments of Tasers by two officers-- was used in effectuating the arrest.	Monetary Damages Not Specified in the Complaint	None			
56	<i>Dorian Little v. Richard Pinheiro</i>	24-C-19-003373	Discovery Underway	Plaintiff claims he was unlawfully arrested on July 10, 2017 for drug related offenses. He claims the arrest was unlawful and that the charges were later dismissed as a result. Plaintiff seeks compensatory and punitive damages for alleged State Constitutional and common law claims.	Monetary Damages Not Specified in the Complaint	None			
57	<i>Albert Brown v. Wayne Jenkins, et al.</i>	24-C-19-004047	MSJ Filed	Plaintiff alleges, on August 1, 2016, former Officers Jenkins and Rayam were working in plain clothes in an unmarked vehicle. The Officers stopped him without justification or cause and searched his vehicle. He was falsely arrested and charges with narcotics and firearm charge. Defendant Officers then proceeded to Plaintiff's house and performed a warrantless search, which resulted in additional narcotics charges. The charges were eventually nolle prossed by the SAO.	In excess of \$75,000	None			
58	<i>Richard Gibbs Jr v. Jeffrey Melo</i>	24-C-19-005726	Discovery Underway	Plaintiff claims he was shot during a traffic stop for speeding, which occurred November 22, 2016. He was treated and released from the hospital. He claims that a gun was planted and he was arrested for its possession. He claims that he prevailed at trial as to all charges except driving without a license. Plaintiff alleges claims for state common law and constitutional claims.	Monetary Damages Not Specified in the Complaint	None			
59	<i>Carla Green v. Timothy Zuhoski</i>	24-C-20-0001115	Discovery Underway	Plaintiff sued Officer Zuhoski for battery, false arrest, false imprisonment, violation of Art. 24 and Art. 26 of Maryland Constitution, Declaration of Rights. PO Officer had probable cause to believe that Plaintiff was intoxicated or impaired. Plaintiff failed Field Sobriety Test (FST) and was subsequently arrested. Plaintiff later passed breathalyzer and was released. Plaintiff sues for the following damages: compensatory, pain, suffer, punitive, and the like.	In excess of \$1,000,000	None			

60	<i>Whitaker v. Baltimore Police Department, et al.</i>	24-C-20-000675	MTD Pending	The Document Compliance Unit (DCU) inadvertently did not respond to the January 2, 2020, MPIA request as the person processing the request was on vacation. Once the oversight came to the attention of the DCU, the request was immediately processed and the documents were produced to the Plaintiff's attorney.	Monetary Damages Not Specified in the Complaint	Plaintiff seeks to compel response to the MPIA request.			
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BALTIMORE CITY LAW DEPARTMENT, SIGNIFICANT CASE REPORT (January 1, 2020 - March 31, 2020)

- Labor & Employment -

#	Name	No.	Case Status	Description	Monetary Demand	Injunctive Demand	Manner of Resolution	Date of Resolution	City Payment
1	<i>Donald Dziwulski</i>	18-cv-00277	Trial is Oct. 2020	Plaintiff claims he was denied a promotion and retaliated against b/c of his race.	(Not specified but expected to exceed \$250,000.00)				N/A
2	<i>EEOC v Enoch Pratt Library</i>	19-cv-2860	Trial is Sept. 2020	EEOC claims Library violated Equal Pay Act by paying male employee more than female employees performing substantially similar duties.	(\$190,000)				N/A
3	<i>Eric Goods</i>	19-cv-2519	City's motion to dismiss is pending	Plaintiff claims he was subjected to a hostile work environment b/c of his race and age. He also claims he was passed over for promotion for the same reasons.	(Unspecified)				N/A
4	<i>Kohl Falling</i>	19-cv-1500	City's motion to dismiss granted / denied in part. Waiting Scheduling Order.	Plaintiff claims that she was subjected to sexually harassing conduct and was retaliated against after reporting same.	(Unspecified)				N/A
5	<i>Stanley Abler</i>	18-cv-03668	City's Motion for Summary Judgement is pending.	Plaintiff suffers from PTSD and claims the BCFD violated the Rehabilitation Act of 1973 by failing to accommodate him prior to separation.	(Unspecified)				N/A
7	<i>Roselyn Hale</i>	20-cv-00503	City filed an Answer to Complaint. Awaiting Scheduling Order.	Plaintiff claimed that MOHS (\$450,000.00) supervisor repeatedly sexually harassed by touching, threatening and singing sexual lyrics.	(\$450,000)				N/A
6	<i>Kenneth Butler, et al.</i>	16-cv-03309	Discovery in progress	This is a class action law-suit alleging the City failed to pay regular and overtime hours as required by FLSA.	(Tens of Millions)				N/A

\*The Mayor and City Counsel of Baltimore is the Defendant in each case, except the EEOC case.

## Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)

Pending appeals involving potential damages over \$100,000 or requests for injunctive relief:

Case name	Summary of facts	What's at stake	Status	Outcome
Allan Myers, L.P. v Mayor and City Council of Baltimore  CSA-REG-849-2019	Contract dispute related to the reservoir work at Druid Hill Park. Contractor Allan Myers, L.P. sought additional compensation for emergency remedial repairs to the project; DPW denied the claim, finding that the need for repairs resulted from the contractor's own failure to follow project specifications. The circuit court affirmed.	\$4.9 million	In the Court of Special Appeals <ul style="list-style-type: none"> <li>Pending motion to dismiss (arguing that Allan Myers has no right to appeal)</li> <li>Merits fully briefed, awaiting oral argument in May</li> </ul>	TBD
Annette Blake v. David Chadwick, et al.  CSA-REG-1939-2019	Personal injury case. Plaintiffs (a motorist and her passengers) sued two other motorists, including one City employee, for damages arising out of a car crash. The circuit court granted the City's motion for summary judgment on the grounds that the plaintiff was contributorily negligent by knowingly driving a car in an unsafe condition; the crash occurred when plaintiff's car broke down.	\$150,000 (\$50,000 for each of three plaintiffs)	In the Court of Special Appeals <ul style="list-style-type: none"> <li>Awaiting plaintiff-appellant's opening brief</li> <li>oral argument scheduled for December 2020</li> </ul>	TBD
Baltimore City Police Department, et al. v. Ivan Potts  COA-MISC-6-2019	Litigation to decide whether Gun Trace Task Force officers were acting within the scope of their employment when they committed criminally tortious acts	\$32,000		Court of Appeals issued decision in April 2020 that City must indemnify officers



Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)

Case name	Summary of facts	What’s at stake	Status	Outcome
Baltimore Police Department v. Andre Robinson	Police disciplinary action. BPD fired Robinson for allowing a suspected drug dealer to keep suspected drugs. The circuit court ordered Robinson’s reinstatement upon finding that the BPD violated certain procedural safeguards.	Termination or reinstatement of officer, and back pay	In the Court of Special Appeals <ul style="list-style-type: none"> <li>• In briefing stage</li> <li>• Oral argument scheduled for June 2020</li> </ul>	TBD
Baltimore Police Department v. David Esteppe  CSA-REG-764-2019	Police scope of employment case. Seeking to impress a love interest, a BPD officer filed a fraudulent application for a search warrant that resulted in a search of the plaintiff’s home and his arrest. The plaintiff obtained a \$167,000 judgment against the officer, and the circuit court ruled that the BPD is liable for that amount because the officer was acting within the scope of his employment. BPD appealed.	\$167,000	In the Court of Special Appeals <ul style="list-style-type: none"> <li>• fully briefed and argued</li> <li>• Stayed pending resolution of <i>Baltimore City Police Department, et al. v. Ivan Potts and Mayor and City Council of Baltimore v. Estate of William James</i></li> </ul>	TBD
Baltimore Police Department v. James Brooks, et al.  CSA-REG-979-2019	Police disciplinary actions. In each of these consolidated appeals (involving 16 officers), the circuit court dismissed the administrative charges because the charging documents were not signed by the police commissioner’s designee within one year of the department learning of each officer’s alleged misconduct.	Disciplinary action against 16 officers	In the Court of Special Appeals <ul style="list-style-type: none"> <li>• fully briefed</li> <li>• oral argument in May 2020</li> </ul>	TBD

**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What’s at stake</b>	<b>Status</b>	<b>Outcome</b>
<p>Bay Properties 2, LLC v. Baltimore City Board of Municipal &amp; Zoning Appeals</p> <p>CSA-REG-175-2019</p>	<p>Company sought order allowing it to replace paper billboard with electronic billboard without complying with City code.</p>	<p>Installation of a digital billboard</p>	<p>Court of Special Appeals affirmed the City’s denial of an application for the new billboard</p>	<p>Won on appeal (Court of Special Appeals mandate issued 4/13/2020)</p>
<p>Clear Channel Outdoor, Inc. v. Director, Department of Finance of Baltimore City</p> <p>COA-PET-15-2020</p>	<p>Clear Channel challenges the City’s billboard tax as a violation of the company’s First Amendment free speech rights. The Tax Court, circuit court, and Court of Special Appeals have each rejected Clear Channel’s claim, but the company has filed a cert petition to the Court of Appeals.</p>	<p>&gt;\$6 million</p>	<p>Cert petition pending in the Court of Appeals</p>	<p>TBD</p>
<p>Darryl E. Montague v. Mayor and City Council of Baltimore, et al.</p> <p>CSA-REG-127-2019</p>	<p>Plaintiff sued the City, alleging a defect in a City street following his daughter’s fatal car crash. The circuit court granted summary judgment to the City after finding no good cause for the plaintiff’s failure to provide notice of the lawsuit under the Local Government Tort Claims Act.</p>	<p>\$150,000</p>	<p>On remand from the Court of Special Appeals to the circuit court so the judge can clarify whether he considered all relevant factors when he found good cause lacking for the untimely notice</p>	<p>Ongoing litigation</p>

**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What’s at stake</b>	<b>Status</b>	<b>Outcome</b>
David Austin v. Estate of Jeffrey Blair  COA-REG-35-2019	After running a red light and leading Officer Austin on a low-speed chase, Mr. Blair got out of his car and charged Officer Austin, who shot Mr. Blair several times in quick succession. Mr. Blair survived but later committed suicide. Video of the incident shows that Officer Austin was acting in self-defense. At trial the jury found otherwise and awarded sympathetic survivors a judgment that was reduced to the cap on remittitur. We appealed and prevailed in the Court of Special Appeals; the plaintiffs sought review by the Court of Appeals.	\$400,000	Awaiting decision of the Court of Appeals (argued in December 2019)	TBD
Emily Prevas v. Mayor and City Council of Baltimore  CSA-REG-1977-2019	Plaintiff broke her leg on a defect in the street.	Unspecified damages above \$75,000	The circuit court dismissed the appeal because of a lack of proof that the City had notice of the defect before the plaintiff’s injury; the parties settled on appeal	Settled on 3/18/2020 for \$2,000
Eunice Graves, et al. v. Daniel Lioi, et al.  17-1848	Man murdered wife after BPD officers failed to arrest him on outstanding warrant. Wife’s survivors sought wrongful death damages.	\$20 million+	Summary judgment for BPD officers affirmed in 4th Circuit, and cert was denied by SCOTUS	Denial of SCOTUS cert issued 2/24/2020
Fabien Laronde v. Tony R. Lopez  COA-PET-27-2020	The City appealed a \$400,000 judgment against a former police officer, who was found liable of assault for recording video of the plaintiff and threatening to hire a hit man.	\$400,000	The Court of Special Appeals reversed the judgment; the plaintiff has filed a cert petition	Cert petition pending in the Court of Appeals

**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What’s at stake</b>	<b>Status</b>	<b>Outcome</b>
Garreth Parks v. Baltimore Police Department 19-2033	Civil rights action accusing BPD officers of suppressing evidence leading to an allegedly wrongful conviction and 16 years in prison. Also accuses BPD of pattern, practice, or policy of such behavior.	Demand unspecified but will likely ask jury for several million.	Currently on interlocutory appeal to 4 <sup>th</sup> Circuit over BPD’s motion to dismiss on state sovereignty immunity grounds.	TBD
Joann Stupi v. Mayor and City Council CSA-REG-493-2018	Plaintiff’s leg went through broken drainage gate; court granted judgement to City at close of plaintiff’s case on ground that plaintiff failed to produce sufficient evidence of constructive notice of defective condition. Plaintiff appealed.	Damages in excess of \$75,000	Awaiting decision by the Court of Special Appeals (argued in April 2019)	TBD
Kathy Hudson, et al., v. Mayor and City Council of Baltimore, et al. CSA-REG-2346-2019	The circuit court vacated and remanded the City Council’s approval of the Overlook PUD. The City is appealing the part of the ruling in which the circuit court found that the PUD was governed by the PUD provisions of the former zoning code but the height regulations of the current zoning code	\$40 million, 148-unit apartment building planned near Falls Road and Northern Parkway (approved by City Council in 2017)	Awaiting scheduling order in Court of Special Appeals	TBD

**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What’s at stake</b>	<b>Status</b>	<b>Outcome</b>
Kenneth Lucero v. Baltimore Police Department 19-2072	An arrest at a 2010 sidewalk circus protest led to a free-speech violation claim. This federal case had taken multiple trips to the 4th Circuit and was there again.	\$200,000+	Settled and dismissed	Settled on 1/31/2020 for \$24,000
Kerron Andrews v. Baltimore City Police Department, et al. 18-1953	Andrews alleged that the BPD violated his Fourth Amendment rights by using a cell-site simulator to locate Andrews and arrest him pursuant to an arrest warrant	Unspecified damages exceeding \$75,000	On 3/27/2020, the United States Court of Appeals for the Fourth Circuit remanded the case to the district court for further fact-finding	Ongoing litigation
Legends Sales and Marketing LLC, et al v. Arena Ventures LLC CSA-REG-0041-2020	Contract dispute over billboards on the City arena. The City has already been found liable; the only remaining issue is the measure of damages, i.e., how much the billboard structures are worth. The circuit court ordered the City to pay about \$1.45 million	\$1,457,264.25	In the Court of Special Appeals <ul style="list-style-type: none"> <li>Awaiting a scheduling order</li> </ul>	TBD
Louis Beverly, et al., v. Carp-Seca Corporation, et al. CSA-REG-2351-2017	Personal injury tort claim arising out of a serious car crash caused by a metal gate swinging into the roadway on Wyman Park Drive. The jury found the City liable and the damages were capped at \$200,000. The City appealed.	\$200,000 (plus post judgment interest)	In the Court of Special Appeals <ul style="list-style-type: none"> <li>awaiting decision as of 3/31/20 (opinion issued 4/13/2020)</li> </ul>	Loss on appeal <ul style="list-style-type: none"> <li>4/13/20 ruling affirmed the damages award</li> </ul>

**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What's at stake</b>	<b>Status</b>	<b>Outcome</b>
Louise Keelty v. Mayor and City Council of Baltimore  CSA-REG-3485-2018	Challenge to residential parking restrictions near JHU. Plaintiff sought judicial repeal of the parking restrictions.	Repeal of parking restrictions	Awaiting mandate of the Court of Special Appeals, which upheld the legislation	Win on appeal (3/23/20 opinion)
Marquis Foster v. Baltimore Police Department, et al.  CSA-REG-1666-2019	Plaintiff sought \$1 million for alleged false arrest and battery by BPD officers. The circuit court dismissed the lawsuit, and the plaintiff appealed.	\$1 million	In the Court of Special Appeals <ul style="list-style-type: none"> <li>• Awaiting the plaintiff-appellant's opening brief</li> <li>• Oral argument scheduled for December 2020</li> </ul>	TBD
Matthew Petrus, et al., v. Mayor and City Council of Baltimore, et al.  CSA-REG-2368-2019	Litigation related to the City's repeal of the Remington Row PUD. Petitioners argue the City Council has no authority to repeal a PUD.	Further development of Remington Row	Awaiting a scheduling order in the Court of Special Appeals	TBD
Mayor and City Council of Baltimore City v. Sade Barnett  CSA-REG-2601-2019	Personal injury action. Plaintiff alleged that she fell after tripping on a loose water meter cover and injured her right foot, which went into the water meter vault.	\$293,000	In the Court of Special Appeals <ul style="list-style-type: none"> <li>• Awaiting a scheduling order</li> </ul>	TBD

**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What’s at stake</b>	<b>Status</b>	<b>Outcome</b>
Mayor and City Council of Baltimore v. AEG Live Mid-Atlantic, LLC ("Pier 6 II")  CSA-REG-3056-2018	Action to recover damages related to a contract dispute involving Pier 6. AEG obtained an injunction from the circuit court against the City and was required to post \$750,000 bond to protect the City against damages resulting from the injunction. The injunction was in place and operational for more than month before this Court stayed it during the City’s appeal of the injunction. Months later, AEG voluntarily dismissed the underlying action against the City, which caused the appeal of the injunction to be dismissed as moot. AEG then moved to release the bond, and the City moved to recover damages in excess of \$325,000 from the bond. The circuit court denied the City’s request.	\$325,000+	Awaiting the decision of the Court of Special Appeals (argued in December 2019)	TBD
Mayor and City Council of Baltimore v. Estate of William James, by its Personal Representative, Menyonde Lewis  COA-REG-51-2019	Litigation to decide whether Gun Trace Task Force officers were acting within the scope of their employment when they committed criminally tortious acts	\$32,000	Awaiting the decision of the Court of Appeals (argued February 2020)	Court of Appeals ruled in April 2020 that City must indemnify officers.
Mayor and City Council of Baltimore v. Prime Realty Associates, LLC COA-REG-53-2019	The circuit court vacated an order ratifying the sale of a vacant property, for which the City had petitioned for the appointment of a receiver. The City appealed.	The sale of a vacant property	Awaiting decision of the Court of Appeals (argued in March 2020)	TBD

**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What’s at stake</b>	<b>Status</b>	<b>Outcome</b>
Mayor and City Council of Baltimore v. ProVen Management, Inc.  COA-REG-8-2020	Contract dispute regarding sewer cleaning project	\$1.6 million	Court of Special Appeals remanded for further proceedings; the Court of Appeals granted the City’s cert petition; case to be argued in October 2020	TBD
Mayor and City Council of Baltimore v. Thornton Mellon LLC CSA-REG-1940-2019	Tax sale purchaser purported to assign a foreclosure judgment to another entity, then obtained a court order that the City issue a deed in the name of the purported assignee. The City believes the assignment is invalid and has appealed the order to issue the deed in the purported assignee’s name.	The issuance of a tax sale deed to what the City believes is the improper party	In the Court of Special Appeals <ul style="list-style-type: none"> <li>• At the briefing stage</li> <li>• Oral argument is scheduled for November 2020</li> </ul>	TBD
Mayor and City Council of Baltimore v. Transdev North America, Inc., et al. CSA-REG-3333-2018	The circuit court dismissed the City’s action for breach of contract against Transdev, the operator of the Charm City Circulator. The circuit court ruled that the parties must arbitrate the dispute. The city appeals	Arbitration (instead of litigation) of a contract dispute with the Charm City Circulator operator	Pending arbitration	Court of Special Appeals affirmed circuit court’s ruling on 3/3/2020
Monique Williams v. Mayor and City Council of Baltimore CSA-REG-3095-2018	Single car accident. Plaintiff alleged City negligence in allowing ice to form on the roadway. The circuit court dismissed for lack of evidence of the City’s prior knowledge of the defect. Plaintiff appealed	Unspecified damages exceeding \$75,000	The Court of Special Appeals affirmed.	Win (unreported on 2/18/20; reported on 4/7/2020)



**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What’s at stake</b>	<b>Status</b>	<b>Outcome</b>
Pizza di Joey, et al., v. Mayor and City Council of Baltimore  COA-REG-41-2019	Challenge to the City’s regulation prohibiting a food truck from operating within 300 feet of a restaurant primarily engaged in selling the same type of food product	Injunction of the City’s 300-foot food truck regulation	Awaiting the decision of the Court of Appeals (argued February 2020)	TBD
Rodney George Living Trust v. Mayor and City Council of Baltimore  CSA-REG-3486-2018	Owner of vacant home sold via receivership alleged an inversed condemnation and sought damages in excess of \$200,000. The circuit court dismissed the claim as res judicata.	\$200,000+	The Court of Special Appeals affirmed.	Win on appeal (3/20/2020 opinion)
Ryan Brown v. Marcus R. Taylor, et al.  CSA-REG-3101-2018	Plaintiff sued two former Gun Trace Task Force officers, alleging false arrest. The circuit court granted summary judgment to the defendant officers and the plaintiff appealed.	Damages in excess of \$75,000	Awaiting decision by the Court of Special Appeals (argued in December 2019)	TBD
Sabein Burgess v. Gerald Goldstein  19-1600 & 19-1602	Appeal from \$15M judgment in favor of man who was released from prison on petition for writ of actual innocence after spending 19 years in prison	\$15 million	Awaiting scheduling of oral argument or decision of the United States Court of Appeals for the Fourth Circuit	TBD

**Appeals – Significant Case Report (Jan. 1, 2020–March 31, 2020)**

<b>Case name</b>	<b>Summary of facts</b>	<b>What’s at stake</b>	<b>Status</b>	<b>Outcome</b>
TAJ Properties, LLC v. Mayor and City Council of Baltimore  CSA-REG-1962-2019	Claim for nuisance against the City for damages allegedly caused to plaintiff’s property due to the alleged collapse of the adjoining City property. Plaintiffs did not depose anyone from the City, they did not note any expert, and presented no evidence of any causal connection between their alleged damages and the City. The circuit court granted judgment to the City and plaintiff appealed.	\$125,000	In the Court of Special Appeals <ul style="list-style-type: none"> <li>• Waiting for plaintiff-appellant’s opening brief</li> <li>• oral argument scheduled for November 2020</li> </ul>	TBD
Tanesha Todd v. Michael Harrison, et al.  CSA-REG-1820-2019	BPD sought to terminate Officer Todd; she alleged a procedural violation and asked the circuit court to dismiss the administrative charges. The circuit court denied her request, and Todd appealed	Disciplinary action to terminate a BPD officer accused of wrongdoing	In the Court of Special Appeals <ul style="list-style-type: none"> <li>• fully brief</li> <li>• oral argument schedule for October 2020</li> </ul>	TBD
Uman Hassan Burley v. Baltimore Police Department  19-2029	Civil rights action accusing BPD officers of planting evidence and other misdeeds, leading to allegedly wrongful convictions. Also accuses BPD of pattern, practice, or policy of such behavior.	Demand unspecified but will likely ask jury for several million dollars	Currently on interlocutory appeal to 4 <sup>th</sup> Circuit over BPD’s motion to dismiss on state sovereign immunity grounds.	TBD
Whitehall Mill LLC v Mayor and City Council of Baltimore  CSA-REG-3337-2018	Developer seeks a \$2 million historic tax credit.	\$2 million	Awaiting decision of the Court of Special Appeals (argued February 2020)	TBD