



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Litigation Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Arena Ventures v. SMG, et al.</i>	03-C-13-002705	Cert denied. Amount of pre/post judgment interest in dispute	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			
<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			
<i>Thomas v. Holloman, et al.</i>	24-C-21-002723	Discovery	Plaintiff alleges injuries resulting from car accident involving a Baltimore City fire inspector.	\$100,000+	None			
<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			
<i>Bradford v. MSBE</i>	24-C-94-340058	Discovery	This litigation arises out of a 1994 lawsuit filed by the City's Board of School Commissioners—then a City agency—to require the Maryland State Board of Education (“MSBE”) to provide more funding to City Schools. The lawsuit resulted in a Consent Decree in 1997 whereby City Schools was restructured into an independent agency and the State was required to provide more funding. In 2019, class plaintiffs and City Schools filed a petition for additional relief, and in the process, MSBE filed a motion requiring MCCB's participation as a third-party defendant. No clear action has actually been filed against the City, but the City remains in the case today as a third party defendant. Should the plaintiffs win a substantial judgment against MSBE, MCCB anticipates that MSBE will attempt to recover some amount of losses from MCCB.	Unstated monetary relief				
<i>Friends of Gwynns Falls, et al. v. MCCB and BGE</i>	24-C-19-002271	Discovery	Plaintiffs 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			
<i>Snyder, et al. v. PDL Pratt Associates, LLC and MCCB</i>	24-C-21-000218	Discovery	Plaintiff (and his wife) alleges serious injuries as a result of tripping on an uneven brick paver in front of Chik Fil A on Pratt Street	\$100,000+	None			
<i>Yoho v. MCCB, et al.</i>	24-C-21-000137	Trial pending	Plaintiff was in a motorcycle accident and alleges injuries resulting from a negligently placed steel plate in the road.	\$100,000+	None			
<i>Willowbrook Apartment Associates, et al. v. MCCB, et al.</i>	20-cv-01818	Plaintiff obtained summary judgment on 1 of 11 counts. City prevailed on other 10. Damages phase of action	Plaintiffs, numerous landlords in Baltimore City, City of Salisbury and Howard County, have sued the City and the other jurisdictions seeking monetary and injunctive relief over ordinances passed to prohibit rent increases during the COVID emergency and until 90 days after the emergency is lifted by the Governor.	presently undetermined but includes attorney's fees	Invalidation of Act; injunction against enforcement of Act			
<i>J. Johnson v. MCCB</i>	24-C-20-001060	Trial pending	Plaintiff alleges personal injuries after stepping into an open water meter vault.	\$150,000	None			
<i>Todman, et al. v. MCCB, et al.</i>	19-cv-03296	Dispositive motions pending	Plaintiffs are challenging the Eviction Chattel Law governing the disposition of tenant property after a judicial determination	\$100,000+	Invalidation of law			



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<i>Gaskins-Burr v. MCCB</i>	24-C-21-005293	Discovery	Plaintiff seeking damages for personal property as a result of a sewer back up.	\$100,000+				
<i>St. Michael's Media, Inc. v. Baltimore</i>	21-cv-02337	Preliminary injunction was granted. Event held. City motion to dismiss second amended complaint pending. Case stayed until 9/29/22 settlement conference.	Plaintiff is seeking injunctive relief against the City for refusing to allow a "prayer rally" at Pier VI on November 16.		Injunction requiring City to allow the rally			
<i>Adkins v. MCCB</i>	21-cv-01810	Motion to dismiss pending	Plaintiff alleges negligence and constitutional violations after his property was demolished without notice or just compensation.	\$627,500	None			
<i>Royal v. John</i>	24-C-19-003544	Discovery	Plaintiff claims that driver of City vehicle struck his car door while it was open causing it to spring back and injure him	\$100,000+	None			
<i>Armstrong-Green v. MCCB, et al.</i>	24-C-21-000913	Discovery	Plaintiff claims to have tripped and fell on a raised sidewalk.	\$100,000+	None			
<i>Guest v. MCCB</i>	03-C-20-003181	Appeal pending re: monetary cap	Plaintiff alleges injuries after his car slid on ice caused by a leaking water meter and crash into a house	\$400,000	None			
<i>Patterson v. Baltimore City Board of School Commissioners et al.</i>	24-C-22-000477	Motion to dismiss pending	Plaintiffs—two Baltimore City Residents—filed a taxpayer standing action against the Baltimore City Board of School Commissioners and added the MCCB as a Defendant. Plaintiffs list a litany of issues with City Schools, but primarily focus on an issue with over-reported attendance figures based on media reports related to the Augusta Fells Save school in West Baltimore. The substance of the claim is that City Schools are deliberately inflating the attendance figures to try and secure more funding for the School System, as funding is tied to enrollment. MCCB is filed its MTD on the basis that 1) MCCB is not a proper defendant as it has now control or even involvement in the day to day operations at the school system, and 2) Plaintiffs don't meet the threshold for taxpayer standing.	None	Injunctive and declaratory relief to require the School System to comply with its own policies regarding keeping attendance records and enjoin the City from funding the schools until City Schools does so.			
<i>Cunningham, et al. v. MCCB, et al.</i>	1:22-cv-01774	Removed to federal court. Motion to dismiss pending.	Wrongful death and 14th Amendment "state created danger" claims brought by estate and relatives of Trina Cunningham who was killed in a work-related accident at Patapsco Wastewater Treatment Plant.	\$1,000,000+	None			
<i>McCulloch v. MCCB</i>	24-C-20-003672	Trial pending	Plaintiff alleges she tripped and fell on a defective sidewalk.	\$100,000	None			
<i>Berlin v. MCCB, et al.</i>	03-C-21-000917	Discovery	Plaintiff alleges serious injuries from falling on a recessed water meter cover.	\$100,000+	None			
<i>Thorton Mellon, et al. v. MCCB</i>	24-19-003719	City motion for summary judgment granted; plaintiff has appealed	Plaintiffs are seeking to have the City's deed execution fee in conjunction with tax sales declared unconstitutional		Invalidation of fee			



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<i>Denver Elek, Inc. v. MCCB</i>	24-C-20-005090	Discovery	Plaintiff claims it is owed \$159,963.13 for outstanding invoices for HVAC and plumbing work performed at City buildings.	\$159,963	None			
<i>CMDS Residential, LLC v. MCCB</i>	21-cv-01774	Preliminary injunction denied; discovery	Plaintiff is the owner of a property on Harford Road previously used as assisted living and wants to use it as a substance abuse rehab facility. Plaintiff is challenging the City's denial of a use and occupancy permit, claiming violations of the ADA, Fair Housing Act and 14th Amendment.	\$2,000,000	Injunction requiring City to issue use and occupancy permit for intended use			
<i>ACI Payments, Inc. v. Board of Estimates, et al.</i>	24-C-22-001491	Responsive pleading due	Current vendor of payment processing for City is challenging the BOE award of new contract to another vendor.	\$0	Injunction to stop the execution of contract to new vendor.			
<i>Hancock, et al. v. MCCB, et al.</i>	24-C-20-000676	COA granted cert.; appellate arguments pending	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			
<i>Goodlaxson, et al. v. MCCB</i>	1:21-cv-01454	Discovery	Class action lawsuit filed against the City alleging violations of the ADA for failure to provide access to public ways.	\$100,000,000	Requiring City to remediate, repair, construct and maintain curb ramps and sidewalks properly			
<i>Belich v. Sanders</i>	24-C-21-001116	Discovery	Plaintiff was injured in an auto accident and is claiming physical and mental/emotional injuries.	\$100,000	None			
<i>Thomas v. Holloman, et al.</i>	24-C-21-002723	Discovery	Plaintiff alleges injuries resulting from car accident involving a Baltimore City fire inspector.	\$100,000+	None			
<i>Bloom v. MCCB</i>	24-C-22-001116	Discovery	Plaintiff alleges she was struck by a City truck while standing on the Inner Harbor Promenade	\$100,000+	None			
<i>Czervik, LLC v. MCCB</i>	24-C-21-03539	Dispositive motion pending	Plaintiff is challenging the City's "lockout Letter law" on the basis that it is pre-empted by state law.		Declaratory and injunctive relief seeking the law declared void			
<i>Snyder, et al. v. PDL Pratt Street Assoc. and MCCB</i>	24-C-21-000128	Dispositive motion pending	Plaintiff claims he was severely and permanently injured after he tripped and fell on an uneven pavers in front of the Chik-Fil-A on Pratt Street.	\$100,000+				
<i>Banks v. MCCB</i>	24-C-21-003587	Discovery	Plaintiff claims she tripped and fell due to a broken curb, severely injuring herself.	\$300,000	None			
<i>Chae Bros, et al. v. MCCB</i>	17-cv-001757	Discovery	Approximately 65 plaintiff businesses owners are seeking damages under the riot Act for property destroyed during the Freddie Gray riots	\$10,000,000	None	\$3.5M settlement pending BOE approval		
<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	\$50,000 settlement pending BOE approval		
<i>Barnett v. MCCB</i>	24-C-19-002520	Plaintiff verdict for \$293,000 reversed on appeal (10/21/21).	Plaintiff claims to have tripped on a water meter cover causing her to fall and injure herself.		None	COA denied plaintiff's cert. petition	2/28/2022	\$0



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<i>Sabien Burgess v. Baltimore Police Department et al.</i>	15-cv-00834	Attorneys' Fee Petition Pending	Appeal from large judgment in favor of man who was released from prison on petition for writ of actual innocence after spending 19 years in prison.	\$15,000,000 plus interest and attorneys fees	None			
<i>Kerron Andrews v. Baltimore City Police Department, et al.</i>	16-cv-02010	Discovery Underway	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			
<i>Steve Morse v. Justin Trojan, et al.</i>	17-cv-01331	Pending Trial	Plaintiff alleges that, on or about May 16, 2014, BPD officers arrived at his home and, without cause, seized his air rifle. Plaintiff further alleges that, in the same incident, he was violently tackled without provocation and unlawfully arrested.	Monetary Damages Not Specified in the Complaint	None			
<i>Darrius Kimbrough v. Tyler Sentz, et al.</i>	17-cv-03477	Discovery Closed	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			
<i>Michelle Gross, et al. v. Francisco Hopkins, et al.</i>	17-cv-03479	Closed	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	Summary Judgment Granted	1/19/2022	\$0



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<i>Shirley Johnson, et al v. Baltimore City Police Department et al.</i>	18-cv-02375	MSJ 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			
<i>Jeffry Taylor v. Baltimore Police Department, et al.</i>	18-cv-03999	Closed	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.	\$1,500,000, and costs and attorneys' fees.	None	Settlement	1/19/2022	\$160,000
<i>Winston v. Haziminas et al</i>	19-cv-00026	MSJ Ripe	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			
<i>Dameon Shaw v. State of Maryland, et al.</i>	24-C-19-000294	Closed	Plaintiff's convictions of multiple armed robberies were 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 in respect of each count, plus costs and attorney's fees	Plaintiff demands that defendants be enjoined from "any further or similar unlawful or unconstitutional acts"	Dismissed	2/23/2022	\$0
<i>Eva Tonin v. Baltimore Police Department</i>	19-cv-00323	Discovery Underway	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			
<i>Estate of Bryant v. BPD</i>	19-cv-00384	Closed	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	Settlement	1/6/2022	\$8,000,000



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<i>Jerome Johnson v. BPD</i>	19-cv-00698	MSJ Filed	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			
<i>Gary Washington v. BPD, et al.</i>	19-cv-02473	Discovery Underway	This is a 30-year wrongful conviction lawsuit filed against BPD and several individual defendants. Mr. Washington 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			
<i>Jamal Wilson v. Donald Gaff</i>	19-cv-02587	Discovery Underway	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			
<i>Lauren Holmes, et al. v. Baltimore Police Department, et al.</i>	19-cv-03392	Settlement 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			
<i>Rich v. Hersl, et al.</i>	20-cv-00488	Motion for Judgment on Pleadings 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			
<i>Open Justice Baltimore v. City of Baltimore, et al.</i>	24-C-20-001269	On Appeal	Plaintiff alleges having made multiple requests for records to BPD and the City under the MPIA and that the responses were insufficient.	\$1,000 plus attorneys' fees	Plaintiff seeks to compel response to the MPIA request.			
<i>Kenesha Cutchember v. Sufrain Hassan, et al.</i>	24-C-20-001617	Discovery Underway	Plaintiff alleges that, upon a second stop of her vehicle for equipment-related violations, she was detained and questioned, subjected to an illegal search, and her belongings removed from the vehicle. She alleges violations of the Maryland Constitution.	In excess of \$50,000	None			



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<i>McPherson v. Baltimore Police Department, et al.</i>	20-cv-00795	Discovery Underway	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			
<i>Leaders of a Beautiful Struggle v. Baltimore Police Dept., et al.</i>	20-cv-00929	Closed	Plaintiffs allege that the operation of the Aerial Investigation Research Pilot Program violates their First and Fourth Amendment rights.	Attorneys' fees and costs.	Declaratory judgment that the AIR Pilot Program is unlawful and violates the United States Constitution; Order enjoining BPD from operating the AIR program and requiring expungement of related records.	Settlement	2/17/2022	\$99,000
<i>Open Justice Baltimore v. City of Baltimore, et al.</i>	24-C-20-001956	MSJ Ripe	Plaintiff alleges having made multiple requests for records to BPD and the City under the MPIA and that the responses were insufficient.	\$1,000 in statutory damages as to each of 3 requests, plus costs and attorneys' fees.	Order Defendants to provide materials responsive to each of 3 MPIA requests; enter an injunction requiring Defendants to waive fees for each request.			
<i>James Handley v. Baltimore Police Department</i>	20-cv-01054	Complaint Served	Plaintiff is a former command member alleging race and gender discrimination in violation of Title VII. Plaintiff claims that he was removed from his position as Acting Inspector under Commissioner Davis and demoted to Major under Commissioner DeSousa and involuntarily transferred from the Recruitment Division to the Southwest District. Plaintiff alleges that DeSousa's goal was to replace all Caucasian male officers with African American female officers.	In excess of \$500,000 plus costs and attorneys' fees	Permanent Injunction directing BPD to remedy effects of discriminatory conduct and prevent same in the future.			
<i>Darnell Earl v. Taylor, et al.</i>	20-cv-01355	Discovery Underway	Plaintiff alleges that, on October 18, 2015, the car in which he was a passenger was unlawfully stopped by former GTTF members and that during the search, the officers planted a firearm. Plaintiff asserts that the planted firearm was the basis for fabricated firearms charges to which he pled guilty and was subsequently incarcerated for roughly 18 months. Plaintiff asserts federal constitutional violations as well as state law torts.	\$30,000,000.00	None			
<i>Tyshawn Trogdon v. Andre N. Smith, et al.</i>	24-C-20-002977	MSJ Filed	Plaintiff alleges that he was a passenger in a stolen vehicle that was stopped by police. When the car stopped, Plaintiff alleges that he fled and was subsequently tased in an exercise of excessive force.	In excess of \$75,000 as to each of 5 counts; attorneys' fees.	None			
<i>David Dixon v. Leon Riley, et al.</i>	24-C-20-003326	Case Stayed	Plaintiff alleges that, on or about December 2, 2019, he was stopped and detained unlawfully by the officer defendants. He further alleges that he was subjected to excessive force and wrongfully arrested. Plaintiff asserts various state law torts.	In excess of \$75,000 as to each of 5 counts	None			
<i>Chestnut, et al. v. Kincaid, et al.</i>	20-cv-02342	Discovery Underway	Plaintiffs allege that they were wrongfully convicted of the 1983 murder of DeWitt Duckett. Plaintiffs contend that their convictions arose from the improper investigative tactics of BPD members, which targeted plaintiffs in contravention of the evidence.	Not stated	None			



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<i>Jawone D. Nicholson v. State of Maryland, et al.</i>	20-cv-03146	Discovery Underway	Plaintiff alleges that, on or about November 10, 2017, he was approached by a BPD officer who proceeded to question him aggressively and pointed a firearm at him without cause.	In excess of \$30,000 as to each of 11 counts; attorneys' fees and costs	None			
<i>Terrell Corbitt v. Baltimore Police Department, et al.</i>	20-cv-03431	Complaint Filed	Plaintiff alleges that on or about December 15, 2017, BPD officers were engaged in a vehicle pursuit during which gunfire was exchanged between the fleeing suspect and pursuing officers. Plaintiff alleges that he was struck during the exchange of fire and asserts federal civil rights and state law tort claims.	\$11,500,000 plus attorneys fees.	None			
<i>Deanna Efland v. Baltimore Police Department</i>	20-cv-03503	MTD Pending	Plaintiff, a BPD member, alleges that she was subjected to sex discrimination and retaliation in violation of Title VII.	Monetary damages not specified in Complaint.	Declaratory judgment; order requiring BPD to initiate and implement systems to ensure that individuals who file internal EEO complaints are treated in a non-discriminatory manner			
<i>Gregory Lucas v. Joy Lynette Burkett, et al.</i>	24-C-20-005037	Discovery Underway	Plaintiff alleges injuries in a vehicle collision at an intersection with a missing stop sign. Plaintiff alleges that the officer defendant knew of the missing sign in advance of the collision and negligently failed to procure its repair.	In excess of \$75,000	None			
<i>Henrietta Middleton v. Baltimore Police Department, et al.</i>	20-cv-03536	MTD Pending	Plaintiff alleges that, on or about August 26, 2018, she was assaulted by a BPD member who then fabricated criminal charges against her. She asserts federal civil rights and several state tort claims.	\$20 million as to each of 9 counts	None			
<i>Cierra Whye v. Baltimore City Police Department, et al.</i>	24-C-21-000204	Complaint Filed	Plaintiff alleges that, on or about January 16, 2018, she called police to report that her vehicle had been stolen. Upon arrival, officers issued a citation for leaving the car running with the keys in the ignition, which Plaintiff resisted accepting, resulting in her arrest. Plaintiff alleges various tort and state constitutional claims.	\$100,000 in respect of each of 4 claims.	None			
<i>Enjona Baker v. Baltimore Police Department</i>	20-cv-03308	Closed	Plaintiff alleges that she was terminated from her employment with BPD in July 2014 in retaliation for her complaints that she had been sexually assaulted by a male BPD officer.	Not stated	Injunction directing BPD to remedy effects of discriminatory and retaliatory conduct.	Dismissed	1/27/2022	\$0
<i>Institute for Constitutional Advocacy and Protection v. Baltimore Police Department</i>	24-C-21-000162	Discovery Underway	Plaintiff alleges deficiencies in BPD's response to and MPJA request.	Not stated	Declaratory judgment; injunction requiring production of records and fee waiver.			
<i>Kevron Evans, et al. v. Daniel Hersl, et al.</i>	24-C-21-000804	Complaint Served	Plaintiff alleges that on or about October 20, 2012 former GTTF officers planted CDS on his person and based on this falsified evidence he was wrongfully convicted.	In Excess of \$75,000 as to each of 10 counts	None			
<i>Derrick Anderson v. Evodio Hendrix, et al.</i>	24-C-21-001117	Discovery Underway	Plaintiff alleges that, on or about June 30, 2016, he was falsely arrested based on evidence fabricated by the defendant officers. After pleading guilty to firearms charges arising from the encounter, Plaintiff was incarcerated for roughly 18 months before his conviction was vacated.	In excess of \$75,000 as to each of 7 counts	None			



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<i>Faye Cottman, et al. v. Baltimore Police Department, et al.</i>	21-cv-00837	Discovery Underway	Plaintiffs allege, on behalf of a putative class of “victims of serious assaults on or after April 1, 2018” that BPD unlawfully seized and withheld their property.	Not stated	Various declaratory and injunctive relief relating to cessation of allegedly unconstitutional practices and related training.			
<i>Rowena Simmons, et al. v. Baltimore Police Department, et al.</i>	21-cv-00969	Amended Complaint Filed	Plaintiffs allege that, on or about March 21, 2020, the car in which they were driving was struck by a stolen vehicle, resulting in serious injury and death. Plaintiffs argue that, although no police vehicle struck the Plaintiffs, that officers seeking to apprehend the driver of the stolen vehicle caused the collision and that BPD's policies concerning pursuit are unconstitutional.	In Excess of \$75,000 as to each of 12 counts; costs and attorneys' fees	Complaint seeks unspecified injunctive relief.			
<i>Ivan Potts v. Jason DiPaola, et al.</i>	21-cv-01073	Closed	Plaintiff alleges that, on or about August 24, 2017, he was wrongfully arrested leading to his subsequent wrongful conviction.	\$350,000.00	Order requiring Plaintiff receive therapy	Dismissed	3/2/2022	\$0
<i>Sean Lewis, Jr. v. Chris Florio</i>	21-cv-01159	MTD Pending	Plaintiff alleges that, on or about May 15, 2018, he was engaged by the defendant officer who deployed his taser on Plaintiff and detained without justification.	\$2,000,000; costs and attorneys' fees	None			
<i>Tashawna Gaines v. Baltimore Police Department</i>	21-cv-01211	MTD Pending	Plaintiff alleges that she was discriminated against because of her race and retaliated against during her employment as a BPD member. She asserts various claims under Title VII and state law.	Back pay; \$10 million; costs and attorneys' fees	Permanent injunction directing BPD to remedy discriminatory conduct			
<i>Danika Yampierre v. Baltimore Police Department</i>	21-cv-01209	Complaint Filed	Plaintiff alleges that she was discriminated against because of her race and sex and retaliated against during her employment as a BPD member. She asserts claims under Title VII, as well as various theories under federal and state law.	Back pay; \$10 million; costs and attorneys' fees	Permanent injunction directing BPD to remedy discriminatory conduct			
<i>Jasmin Rowlett v. Baltimore Police Department</i>	21-cv-01205	Amended Complaint Filed	Plaintiff, a BPD member, alleges that she was subjected to discrimination based on her sex and race, and retaliation in violation of Title VII along with other claims under state and federal law.	\$10,000,000; costs and attorneys' fees	Permanent injunction directing BPD to remedy discriminatory conduct			
<i>Dyllan Hildebrand v. Dean McFadden, et al.</i>	24-C-21-002424	Discovery Underway	Plaintiff alleges that, on June 1, 20220 he was present at a protest where he was struck by police officers and wrongfully prosecuted for failing to obey a lawful order.	In excess of \$75,000; costs and attorneys' fees	Training protocols to address conduct alleged			
<i>Kenyon Joyner v. State of Maryland, et al.</i>	24-C-21-003293	MTD Pending	Plaintiff alleges that, on or about January 7, 2019, he was subjected to unlawful force and illegally arrested. He further alleges that the defendant officer fabricated criminal charges against him that were ultimately dismissed.	In excess of \$75,000 as to each of 8 counts; costs and attorneys' fees	None			
<i>Adam Litchfield v. Ronald Rinehart, et al.</i>	21-cv-02101	MTD Pending	Plaintiff alleges that, on or about June 1, 2021, police responded to a domestic dispute at his home. When he did not comply with the officers' requests, Plaintiff asserts that he was wrongfully arrested and, during his subsequent detention in Central Booking and Intake Center, denied his psychiatric medication.	In excess of \$75,000; \$1 million punitive damages; costs and attorneys' fees	None			
<i>Martez Carter v. Michael Harrison, et al.</i>	24-C-21-003359	MTD Pending	Plaintiff alleges that he was subjected to racial discrimination as an applicant in BPD's hiring process.	In excess of \$75,000; costs and attorneys' fees	Order directing BPD to offer a job to Plaintiff; permanent injunction directing BPD to remediate alleged discriminatory conduct			



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Police Legal Affairs Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Welai Grant v. Baltimore Police Dept.</i>	21-cv-02173	MTD Pending	Plaintiff alleges that she was subject to various adverse actions in her employment with BPD due to racial and gender discrimination.	\$10,000,000.00	Permanent injunction directing BPD to remedy discriminatory conduct			
<i>Ronald Mealey v. Baltimore Police Dept., et al.</i>	21-cv-02332	MTD Pending	Plaintiff alleges that he was retaliated against after exercising his First Amendment rights to report alleged fraud, waste and abuse.	In excess of \$1,800,000 as to each of 3 counts; in excess of \$75,000 as to each of 2 counts; costs	None			
<i>Aaron Ferguson v. Baltimore Police Department</i>	21-cv-02502	Complaint Filed	Plaintiff, a former BPD member, alleges that he was discriminated against in his employment because of his race in violation of Title VII.	\$1,000,000; costs and attorneys' fees	Permanent injunction directing BPD to remedy discriminatory conduct			
<i>Kyle Knox v. Daniel Hersl, et al.</i>	24-C-21-002316	Closed	Plaintiff alleges that, on or about October 11, 2012, he was wrongfully searched then arrested based on fabricated evidence. He alleges that he was wrongfully convicted of CDS violations as a result, and that his conviction was subsequently vacated on motion of the State's Attorney's Office.	In excess of \$75,000; costs and attorneys' fees	None	Settlement	1/19/2022	\$120,000
<i>Chedais Jacques v. Baltimore Police Dept.</i>	21-cv-02682	Complaint Filed	Plaintiff alleges that he was discriminated against because of his race and national origin during his employment as a BPD member. He asserts various claims under Title VII and state law.	\$750,000; costs and attorney's fees	Permanent injunction directing BPD to remedy discriminatory conduct			
<i>Open Justice Baltimore v. City of Baltimore, et al.</i>	24-C-21-003745	Complaint Served	Plaintiff alleges that the Baltimore Police Department provided insufficient response to his request under the Maryland Public Information Act.	\$1,000; costs and attorneys' fees	Order production and fee waiver; enter injunction requiring fee waiver in all future MPIA requests of Plaintiff			
<i>Lee Dotson, et al. v. Ethan Newberg, et al.</i>	21-cv-02769	Complaint Served	Plaintiffs Kuniken and Dobson allege that, on or about April 29, 2019 and May 30, 2019, respectively, each was unlawfully stopped, detained, arrested and subjected to excessive force, when he intervened in defendants' arrest of a third party.	In excess of \$75,000; costs and attorneys' fees	None			
<i>Sherrod Biggers v. Baltimore Police Department, et al.</i>	21-cv-03061	MTD Pending	Plaintiff, a BPD officer, alleges that the individual defendants provided false information to prosecutors causing Plaintiff to be charged with crimes, which charges were subsequently nol prossed.	Unstated compensatory damages; costs and attorneys' fees	None			
<i>Clarence Shipley v. Deems Disney, Jr., et al.</i>	21-cv-03173	MSJ Filed	This is a 27-year wrongful conviction suit filed against BPD and several individual defendants. Mr. Shipley convicted of the murder of Kevin Smith. They allege that police manipulated evidence to implicate Mr. Shipley despite his innocence. They also filed a Monell claim against BPD.	Not Stated	None			
<i>Rajhee Willacy v. Baltimore Police Department</i>	21-cv-03162	Complaint Served	Plaintiff alleges that he was denied employment as a Police Officer Trainee on the basis of his race and national origin. He asserts claims under Title VII.	\$900,000; back and front pay; costs and attorneys' fees	None			
<i>Open Justice Baltimore v. Baltimore Police Department, et al.</i>	24-C-21-005650	Complaint Served	Plaintiff alleges deficiencies in BPD's response to an MPIA request.	Statutory damages of \$1,000; costs and attorneys' fees	Various declaratory judgments; order defendants to deliver requested documents without cost; require defendants to respond to all future requests without cost			



BALTIMORE CITY LAW DEPARTMENT
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 - Police Legal Affairs Practice Group -

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<i>Sanford Heisler Sharp, LLP v. Jane Doe, et al.</i>	24-C-21-005657	Complaint Filed	Plaintiff seeks to interplead the BPD to address a question relating to disposition of subsequently-expunged records police records relevant to an unrelated civil matter to which BPD is not a party.	None	Require BPD to interplead as to disposition of disputed records; restrain defendants from instituting action against Plaintiff			
<i>Apryl Santiago-Harvey v. Mayor and City Council, et al.</i>	24-C-21-003827	Complaint Served	Plaintiff alleges that, on or about September 26, 2019, the defendant officer responded to a call for service at her home and killed her dog without lawful reason.	\$75,000 as to each of 12 counts plus costs, fees and punitive damages	None			
<i>Nolan Kinard Floyd v. Baltimore Police Department, et al.</i>	22-cv-00491	Complaint Filed	Plaintiff alleges that, on February 26, 2019, a BPD member improperly altered a charging document and committed perjury.	\$500,000; punitive damages of \$500,000; costs	Declaratory relief			
<i>Demetric Simon v. Keith Gladstone, et al.</i>	22-cv-00549	Complaint Filed	Plaintiff alleges that, on March 26, 2014, former members of the GTTF and other BPD officers conspired to plant evidence on him, resulting in Plaintiff's arrest and detention.	\$8,500,000; treble damages; costs and attorneys' fees	None			



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Labor and Employment Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Stanley Abler v. M&CC</i>	18-cv-03668	Summary Judgment Stage	Plaintiff claims the BCFD failed to accommodate his disability.	Unspecified	None	MSJ Granted	3/18/2022	0
<i>Roselyn Hale v. M&CC</i>	20-cv-00503	Discovery Phase	Plaintiff claims she was sexually harassed by supervisor who touched her and wrote her songs.	\$450K	None	MSJ Granted	2/8/2022	0
<i>Rebecca Ebaugh v. M&CC</i>	20-cv-00663	Motion to Dismiss pending	Plaintiff claims that Rec & Parks failed to accommodate her disability and violated the law by terminating her.	Unspecified	Bar continuing discrimination	Settlement Pending	3/31/2022	\$260k
<i>Roberta Hines v. M&CC</i>	20-cv-01808	Discovery Phase	Plaintiff claims that she was paid a lesser salary than her male counterparts in violation of the Equal Pay Act.	Unspecified Back-pay	None	MSJ Granted	12/10/2021	0
<i>Vincent DeSantis v. M&CC</i>	20-cv-3165	Discovery Phase	Plaintiff claims he was discriminated against on account of his alleged disability, gender, age and race.	Unspecified	None	Pending		
<i>Michael Rafferty v. M&CC</i>	20-cv-3327	Pleading Stage	Plaintiff alleges that he was terminated after requesting FMLA and brought claims under the ADA discrimination and retaliation provisions.	\$122,000	reinstatement	MTD Granted	11/29/2021	0
<i>LaTonya Bryant v. M&CC</i>	21-cv-545	Partial Motion to dismiss pending	Plaintiff alleges that she was terminated while on FMLA in violation of same and state and federal ADA laws. She also alleges age discrimination and retaliation.	\$	reinstatement	Pending		
<i>Larry Price v. M&CC</i>	24-C-21-000034	Judicial Review pending	The City filed a Petition for Judicial Review subsequent to Civil Service Commission reinstating employee for conduct unbecoming an employee and other violations of Civil Service Rule 56.	\$1 million	reinstatement	Settled	10/6/2021	\$170k
<i>Jerrod Baker v. M&CC</i>	24-C-20-004653	Motion to dismiss pending	Plaintiff alleges that he was discriminated against on account of his race and medical condition when he was expectantly terminated during his promotional probationary period.	Unspecified	reinstatement	Pending		
<i>Ray Gilmore v. F&P Retirement System</i>	20-cv-3506	Motion to dismiss pending	Plaintiff alleges that he was terminated during his probationary period after reporting instances of alleged gender discrimination, and also claims that evidence of gender discrimination was palpable during his interview. His claims of gender discrimination are filed pursuant to state, federal and city code.	\$215,968	None	Pending		
<i>Shanea Watkins v. M&CC</i>	21-cv-1926	Awaiting Scheduling Order	Plaintiff claims that while applying for energy assistance a city employee sexually harassed her by touching her buttocks and commenting on her body.	\$975,000	None	Pending		
<i>Toyia Williams v. M&CC</i>	24-C-21-003768	Stipulation of Dismissal pending	Plaintiff alleges BPD discriminated against her by revoking her previously granted accommodation and retaliated against her by terminating her.	Declaratory Relief and excess of 75K	reinstatement/restore accommodation	Stipulation of dismissal	10/1/2021	0
<i>Lynelle Boyd v. M&CC</i>	24-C-21-003380	MTD pending	Plaintiff claims wrongful termination after she engaged in whistleblower activity.	Reinstatement & unspecified backpay	reinstatement	MTD Granted	11/17/2021	0
<i>Charles Fenner v. M&CC</i>	21-cv-2646	MTD pending	Plaintiffs' allege City and BPD violated the FLSA and NLRA by failing to pay proper overtime rate.	Declaratory Relief and 5 million dollars	backpay and emotional damages	Pending		



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Appellate Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Cliff Ransom v. CHAP</i>	CSA-REG-1158-2021	Awaiting argument in CSA; motion to dismiss appeal as moot	Dispute of preliminary CHAP decision.	None	Reversal of preliminary CHAP decision.			
<i>Clear Channel Outdoor, Inc. v. Director, Department of Finance of Baltimore City</i>	SCOTUS Pet. No. 21-219	Awaiting decision on cert petition to SCOTUS	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, Court of Special Appeals, and Court of Appeals have each rejected Clear Channel's claim.	\$6,000,000+	Invalidation of the billboard tax			
<i>The Council of Unit Owners of The Milrace Condominium, et al v. City Planning Commission, et al.,</i>	CSA-REG-959-2021	Awaiting decision in CSA	Dispute of zoning decision.	None	Reversal of zoning decision.			\$0
<i>The Council of Unit Owners of The Milrace Condominium, et al v. City Planning Commission, et al.,</i>	CSA-REG-131-2021	Mostly favorable decision in CSA.	Dispute of zoning decision.	None	Reversal of zoning decision.	CSA affirmed the circuit court on all but one minor decision.	3/17/2022	\$0
<i>In the Matter of the Petition of Donald Gaff</i>	CSA-REG-2018-2021	Awaiting briefing order.	Former police officer seeks reversal of disciplinary action terminating his employment.	None	Reversal of BPD disciplinary action.			
<i>Gabriella Tillery v. Baltimore City, et al.</i>	22-1047	Awaiting decision on informal briefing.	Plaintiff alleges that, on or about February 12, 2020, Michael Marullo was killed by members of a joint federal task force comprised of members of various police departments, including BPD.	In excess of \$75,000 as to each of 8 counts; costs and attorneys' fees				
<i>Gisell Paula, et al. v. Baltimore Police Department, et al.</i>	CSA-REG-1272-2020	Favorable decision in CSA	Plaintiffs alleged the denial of the "right of protection of a civilian review board" and sought to enjoin the City's Law Department and Office of Equity and Civil Rights from providing administrative assistance and legal counsel to the Civilian Review Board. The circuit court found that the plaintiffs lacked standing to sue, and dismissed the lawsuit.		Injunction mandating how the Civilian Review Board is organized and operates	CSA affirmed circuit court.	1/27/2022	\$0
<i>Guest v. MCCB</i>	CSA-REG-457-2021	Awaiting decision in CSA	Plaintiff alleges injuries after his car slid on ice caused by a leaking water meter and crash into a house. Dispute over application of LGTCA to scenario where alleged joint tortfeasor has settled.	\$400,000	None			
<i>In the matter of Petition of Guilford Ave. LLC</i>	CSA-REG-0549-2021	Favorable decision in CSA	Dispute of zoning decision.	None	Reversal of zoning decision.	CSA affirmed circuit court.	2/3/2022	\$0
<i>Kathy Hudson, et al., v. Mayor and City Council of Baltimore, et al.</i>	CSA-REG-2346-2019	Mixed CSA decision; COA denied cert petition.	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.		Cancellation of \$40 million, 148-unit apartment building planned near Falls Road and Northern Parkway (approved by City Council in 2017)	CSA affirmed the circuit court's decision in all regards, including those both favorable and unfavorable to the City; COA denied plaintiffs' cert petition.	9/16/2021 (CSA decision); 3/28/2022 (cert denial)	



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
- Appellate Practice Group -

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<i>Kerron Andrews v. Baltimore Police Department</i>	18-1953	On limited remand for further factfinding in district court; Fourth Circuit has retained jurisdiction	Andrews sued the police department and individual officers who used a cell-site simulator to locate Andrews's cell phone and, thus, him, to execute a warrant for his arrest for attempted murder. The district court granted summary judgment against Andrews, but the Fourth Circuit ordered a limited remand for further factfinding before ruling on the propriety of the district court's ruling.	\$100,000+	Injunction prohibiting use of cell-site simulators			



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Affirmative Litigation Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Recovery*</u>
<i>In re: Lipitor Antitrust</i>	3:12-cv-02389-PGS-DEA		Antitrust case against Pfizer for colluding to keep generic from entering the marketplace	In excess of \$100,000				
<i>MCCB v. Bank of America, et al</i>	1:19-cv-02667	Discovery Underway	Antitrust case against several banks for colluding to fix rates on City's VRBO bonds	TBD				
<i>MCCB v. AstraZeneca</i>	1:20-cv-01090-CFC		Antitrust case for colluding to keep generic Seroquel off the market	In excess of \$100,000				
<i>MCC v. Purdue Pharma L.P. et al.</i>	24-C-18-000515	MTD Ripe	Purdue and other opioid manufacturers/distributors flooded the market with their product, encouraged overprescribing, and neglected their monitoring duties.	TBD				
<i>MCC v. BP PLC et al.</i>	24-C-18-004219	Remanded from SCOTUS to 4th Circuit	BP and other fossil fuel companies knew of climate change dangers posed by their products, covered it up, and suppressed competition from energy alternatives.	TBD		Fourth Circuit ruled in the City's favor		
<i>MCC v. Juul Labs, Inc.</i>	20STCV21633	Scheduling Orders Pending	Juul marketed their vaping products to minors.	TBD				
<i>MCC v. Monsanto</i>	1:19-cv-00483	Preliminarily settled/awaiting court approval	Monsanto knowingly manufactured "forever chemicals" that pollute City waterways.			Court gave preliminary approval of settlement		\$7.5 million (pending court approval) with the opportunity to petition for additional funds after 1 year
<i>MCC v Janssen</i>	1:19-cv-00605	Transferred and consolidated in New Jersey	Antitrust case for colluding to keep generic Zytiga from market	In excess of \$100,000				

* NOTE: The Affirmative Litigation Practice Group represents the City as a plaintiff alleging that money is owed to the City. Sums indicated in this column reflect amounts recovered on behalf of the City.