

12/31/2019 AV

PROPERTY OWNERS ASSOCIATION OF
ARUNDEL ON THE BAY INC, et al.

Plaintiff(s)

v.

MAURICE B TOSE, et al.

Defendant(s)

* IN THE
* CIRCUIT COURT
* FOR
* ANNE ARUNDEL COUNTY
* CASE NO.: C-02-CV-19-003640

* * * * *

SCHEDULING ORDER

In accordance with Md. Rule 2-504.1, it is this 30th day of December, 2019, by the Circuit Court for Anne Arundel County,

ORDERED that the parties shall comply with the following provisions:

Each case shall be concluded in a timely and efficient manner pursuant to the Civil Differentiated Case Management (DCM) Plan adopted by this Court as required by Md. Rule 16-202, which provides that ***only actions ready for trial will be assigned for trial and tried.***

All counsel and parties are advised that the Court will not conduct a scheduling conference if a party has made, or will make, a claim for attorneys' fees pursuant to Md. Rules 2-703, 2-704 or 2-705. The determinations listed in Md. Rule 2-703(c), shall be made by the trial judge.

The deadlines and dates set forth herein are firm dates and may not be changed by the parties or counsel without the prior approval of the Civil DCM Judge or his/her designee. The Court will not grant a continuance of any event, including Pretrial Conferences, by consent or because discovery or ADR has not been concluded. In the absence of a genuine emergency or other good cause, last minute continuances will not be granted.

All counsel are advised that in any dispute concerning whether counsel has complied with this Order, ***the Court will not be guided by any agreements made between counsel to modify this Order*** unless expressly approved by the Court. Failure to comply with the provisions of this Order may lead to the imposition of sanctions on the parties and/or their counsel which may include dismissal, entry of default or monetary sanctions, as may be appropriate.

1. **Case Time Standard Deadline: 05/09/2021** Case must be concluded by this date.
2. **Amendments: 04/15/2020** Deadline for any party seeking to add an additional party and/or amend a claim to file the appropriate pleading and serve the additional party.

3. **Discovery:**

03/16/2020 Deadline for plaintiff(s) to disclose expert witnesses pursuant to Rule 2-402(g)(1).

04/15/2020 Deadline for defendant(s) to disclose expert witnesses pursuant to Rule 2-402(g)(1).

05/15/2020 Deadline for identification of rebuttal experts pursuant to Rule 2-402(g)(1).

06/29/2020 Deadline for completion of all depositions, and other methods of oral and written discovery. (At least 30 days prior to date of Pretrial Conference). Note: This deadline does not apply to **de bene esse depositions**.

Discovery procedures must be initiated sufficiently in advance of the discovery deadline to provide the opposing party time to comply in accordance Md. Rules Title 2, Chapter 400 and to permit a resolution of any discovery dispute within the deadline. The existence of a discovery dispute as to any matter will not justify delay in completing any other discovery. The filing of any dispositive motion or any motion for protective order, for sanctions or to compel discovery will not result in an extension of the discovery deadlines.

4. **Dispositive Pretrial Motions:**

07/14/2020 Deadline to file any motions for summary judgment or other dispositive motions. Note: This deadline shall not be affected by discovery being incomplete.

5. **Computer Generated Evidence:**

Any party intending to use computer-generated evidence shall give the notice required by Rule 2-504.3(b) at least 120 days prior to the scheduled Pretrial Conference.

6. **Alternative Dispute Resolution:**

06/29/2020 Deadline to conclude court-ordered mediation.

7. **Pretrial and Settlement Conference: Pretrial and Settlement Conference: 07/29/2020** Date of Pretrial and Settlement Conference to be held before Judge (any), at 10:00 AM.

- A. **The attorneys who will try the case, all parties and insurance representatives with full authority to settle the case, shall be present at the Pretrial Conference, prepared to discuss, in good faith, settlement of all issues in this case, unless excused by the DCM Judge or his designee.** If any settlement terms must be approved by a claims supervisor, claims committee, government official, or other individual or individuals, that person or those persons with full authority must appear, in addition to the party or parties. All settlement discussions will be confidential and will not be admissible at trial. At the Pretrial Conference, each party and counsel must be prepared to discuss all aspects of the case including the matters set forth in Md. Rule 2-504.2(b).
- B. Each party shall file a written statement addressing the matters listed in Md. 2-504.2(b) no later than five (5) days before the Pretrial Conference.
- C. Counsel are required to discuss the issues in this case, including settlement, sufficiently in advance of the Pretrial Conference in order to ensure that the conference is meaningful.
- D. If a settlement is reached, the parties shall promptly file *a Stipulation of Dismissal or an Order of Satisfaction* with the Clerk and a copy to the DCM office. Unless such documents are filed and all open costs are paid at least seven (7) days prior to the scheduled Pretrial Conference date, all parties, counsel and representatives may be required to attend the Pretrial Conference.

8. Trial on the merits:

Trial date shall be scheduled at the time of the Pretrial/Settlement Conference in accordance with Md. Rule 16-202 and the Civil DCM Plan adopted by this Court. This case will **not** be assigned a trial date unless **all** discovery is completed, **all** reasonable efforts at arriving at a settlement have been exhausted, **all** motions have been resolved and the case is ready to be tried.

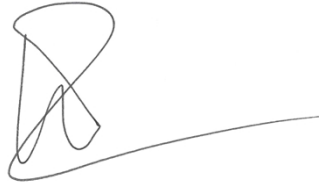
9. Motions in Limine:

The deadline for filing motions in limine will be 20 days prior to the trial date which will be set at the Pretrial Conference. These motions will generally be determined by the trial judge. If exceptional circumstances require that a motion in limine be resolved in advance of trial, the moving party shall file the motion by the deadline for dispositive pretrial motions, and shall, ***in a separate pleading***, request advanced resolution of the motion stating with particularity the reason why an advance ruling is necessary.

10. Request for Accommodation/Interpreter

Please notify the Court Administrator (410-222-1404) as early as possible of any reasonable accommodation needed because of a disability or the need for an interpreter. Any other questions regarding this Order should be addressed to the Office of Civil Case Management (410) 222-1215, ext. 5.

11. Other Matters:

A handwritten signature in black ink, appearing to be 'W. C. Mulford, II', written in a cursive style. The signature is positioned above a horizontal line.

WILLIAM C. MULFORD, II, Judge
Circuit Court for Anne Arundel County

*Civil Clerk to mail copies:
All Parties.*