

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

Plaintiffs/Counter-Defendants

v.

MAURICE B. TOSE', *et ux.*

Defendants/Counter-Plaintiffs

* IN THE
* CIRCUIT COURT
* FOR
* ANNE ARUNDEL COUNTY
* Case No. C-02-CV-19-003640

* * * * *

DEFENDANT NOTICE TO TAKE DEPOSITION

In accordance with the Maryland Rules of Civil Procedure, the Defendants, by counsel, Barbara J. Palmer and Hyatt & Weber, P.A., will take the following deposition for discovery and/or use at trial of:

NAME: CORPORATE DESIGNEE
PROPERTY OWNER'S ASSOCIATION OF ARUNDELON THE BAY

DATE: Tuesday, September 22, 2020

TIME: 10:00 a.m.

PLACE: The deposition will be handled remotely, before a duly qualified Notary Public. This deposition will continue from day to day until completed.

Pursuant to Maryland Rule 2-412(d), the organization is to designate the appropriate representative to testify to the following matters:

- 1.) The history of the ownership of the roadbeds and paper roads of the community of Arundel on the Bay;
- 2.) The support for the Plaintiff's claim of ownership of the property which is the subject of this action; specifically the paper roads contiguous to the Defendant, Tose' and Layden properties;
- 3.) The support for the Plaintiff's claim of right to use of the property which is the subject of this action; specifically the paper roads contiguous to the Defendant, Tose' and Layden properties;

4.) The support for the assertion that the Association has maintained and improved any sections of the property which is the subject of this action, specifically the paper roads contiguous to the Defendant, Tose' and Layden properties, along with knowledge of the records supporting this claim;

5.) The support for the claim that the Association has exercised dominion and control over any areas of the property which is the subject of this action, specifically the paper roads contiguous to the Defendant, Tose' and Layden properties;

6.) Information regarding the fire drafting sites in the community and specifically related to the subject property being a fire drafting site, or not.

7.) Information concerning any community use of any sections of the property which is the subject of this action, specifically the paper roads contiguous to the Defendant, Tose' and Layden properties, including but not limited to : fishing, swimming, watching fireworks, Blue Angel performances, walking, enjoying Fishing Creek, maintenance and preservation;

8.) Information concerning any community waterfront activities at any sections of the property which is the subject of this action, specifically the paper roads contiguous to the Defendant, Tose' and Layden properties;

9.) Information concerning the community's current use of at any sections of the property which is the subject of this action, specifically the paper roads contiguous to the Defendant, Tose' and Layden properties;

10.) Information concerning the Plaintiff's implied easement to any sections of the property which is the subject of this action, specifically the paper roads contiguous to the Defendant, Tose' and Layden properties;

11.) Information related to any actions taken by the Defendants or any of their agents which interfered with others access to any sections of the property which is the subject of this action, specifically the paper roads contiguous to the Defendant, Tose' and Layden properties;

12.) Information related to the identity of any individuals who have made reports to the Association concerning the use or interference of the use of the property which is the subject of this action, specifically the paper roads contiguous to the Defendant, Tose' and Layden properties;

13.) Information related to any of the claims set forth by the Association in the Complaint.

/s/

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