

1 **IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY, MARYLAND**

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

3 9613 Harford Rd., Ste C #1015

4 Baltimore, MD 21234

5 *Plaintiffs*

6 v.

Case No. C-02-CV-22-000217

7 **ANNE ARUNDEL COUNTY,**

8 **MARYLAND**

9 44 Calvert Street

10 Annapolis, MD 21401

11 *Defendant.*

EXPEDITED HEARING REQUESTED

12 **PLAINTIFFS’ MOTION FOR EXPEDITED HEARING AND DECISION**

13 Pursuant to MD Code, Courts and Judicial Proceedings, § 3-409(e), plaintiffs respectfully
14 request “a speedy hearing” on the motion for summary judgment and alternative motion for a
15 preliminary injunction filed by plaintiffs herewith as well as on the Motion to Dismiss and
16 Alternative Motion for Summary Judgment filed by defendant. Plaintiffs request that the Court
17 “advance it on the calendar” to be heard and decided as soon as possible. In support of this motion,
18 attached are the declarations the four named plaintiffs, FIELD TRADERS, LLC, CINDY’S HOT
19 SHOTS, INC., PASADENA ARMS, LLC, and WORTH-A-SHOT, INC., which are all State and
20 federally licensed firearms dealers in Anne Arundel County. Those declarations are also attached
21 to plaintiffs’ motion for summary judgment.

22 As more fully set forth in its motion for summary judgment and in the Amended Complaint,
23 plaintiffs challenge Bill 109-21, which amends the Anne Arundel County Code §§ 12-6-101
24 through 12-6-107. That legislation, which is attached to plaintiffs’ Amended Complaint and to
25 plaintiffs’ motion for summary judgment, became effective February 24, 2022. As detailed in the
26 attached declarations of the plaintiff dealers, Bill 109-21 imposes extremely costly security
27 requirements on dealers in the County that could easily force the plaintiff dealers to close their
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1 doors. The Bill requires that, in order to operate, each dealer in the County must obtain the prior
2 approval of the County Police Department by June 1, 2022, and every year thereafter. See Section
3 12-6-103. The Bill’s security requirements for existing dealers become effective 180 days after the
4 effective date of the Bill, or by August 23, 2022. See Section 3 of Bill 109-21.
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6 As is apparent, these deadlines are enormously significant. Compliance with the
7 requirements imposed by Bill 109-21 are not only very costly, but will take significant time and
8 effort to implement, even if implementation is possible. As the attached declarations state,
9 compliance may even be impossible for some of the plaintiffs who rent the locations of their
10 business from third parties whose consent would be necessary in order to comply with the exterior
11 security requirements imposed by the Bill. See Section 12-6-106(b)(1). Again, compliance is so
12 expensive that the plaintiff dealers may well be forced to go out of business.
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14 If Bill 109-21 is invalid, as plaintiffs contend, all those costs and expenses would be wasted
15 or the plaintiffs would have gone out of business unnecessarily. By any measure, these are
16 irreparable injuries warranting immediate relief well prior to the effective dates of Bill 109-21.
17 See, e.g., *DMF Leasing, Inc. v. Budget Rent-A-Car of Maryland*, 161 Md.App. 640, 646, 871 A.2d
18 63 (2005) (“Even assuming, as the trial judge concluded here, that damages were readily
19 ascertainable, we hold that the loss of the movant’s business constitutes irreparable injury under
20 our injunctive relief analysis.”) (collecting cases). Expedition is also appropriate if the Court is to
21 maintain “the status quo between parties until the issues in contention are fully litigated.” *Eastside*
22 *Vend Distributors, Inc. v. Pepsi Bottling Grp., Inc.*, 396 Md. 219, 224, 913 A.2d 50 (2006).
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1 **CONCLUSION**

2 For the foregoing reasons, the Court should hear and decide the accompanying plaintiffs’
3 motion for summary judgment or alternative motion for a preliminary injunction on an expedited
4 basis. Plaintiffs respectfully request an expedited hearing and a decision on this motion.
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6 Respectfully submitted,

7 /s/ Mark W. Pennak
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24 *Counsel for Plaintiffs*

25 Dated: April 4, 2022
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27
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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on April 4, 2022, a copy of the following filings:

1. Plaintiffs' Motion For Summary Judgment And Alternative Motion For A Preliminary Injunction;
2. Opposition Of Plaintiffs To Defendant's Motion To Dismiss And For Summary Judgment And Memorandum In Support Of Plaintiff's Motion For Summary Judgment And Alternative Motion For A Preliminary Injunction; and
3. Plaintiffs' Motion For Expedited Hearing And Decision,

were served on the following counsel for defendant Anne Arundel County via the MDEC e-filing system:

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Respectfully submitted,

/s/ Mark W. Pennak

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