

1 as amended by Bill 109-21. Bill 109-21 goes into effect on August 23, 2022, for existing dealers.
2 See Section 3 of Bill 109-21. Plaintiffs' motion for "expedited hearing and decision" was
3 unopposed by the defendant, and, on April 28, 2018, that motion was granted by this Court. That
4 order is attached as Exhibit D. Thereafter, undersigned counsel received in the mail a Notice of
5 Hearing, also dated April 28, 2022, which stated that this case was scheduled for a hearing on May
6 24, 2022 at 9:00am. That notice is attached as Exhibit A. However, today, on May 10, 2022, the
7 Court entered another order in this case that scheduled a hearing on plaintiffs' motion for summary
8 judgment and alternative motion for a preliminary injunction for August 29, 2022. The May 10,
9 2022, order is attached as Exhibit B.

12 As is apparent, the May 24, 2022, hearing set by the April 28th Notice is in conflict with
13 the May 10, 2022, order setting a hearing for August 29, 2022. **More importantly**, a hearing on
14 August 29, 2022, is **after** the effective date of Bill 109-21 for existing dealers, thereby exposing
15 the plaintiff dealers to full enforcement of Bill 109-21, even though the Bill 109-21 may be totally
16 invalid. If Bill 109-21 is invalid, as plaintiffs contend, all those costs and expenses would be wasted
17 or the plaintiffs would have gone out of business unnecessarily. If plaintiffs are correct, then these
18 irreparable injuries warrant relief well prior to the August 23, 2022, effective date of Bill 109-21
19 for existing dealers. See, e.g., *DMF Leasing, Inc. v. Budget Rent-A-Car of Maryland*, 161 Md.App.
20 640, 646, 871 A.2d 63 (2005) ("Even assuming, as the trial judge concluded here, that damages
21 were readily ascertainable, we hold that the loss of the movant's business constitutes irreparable
22 injury under our injunctive relief analysis.") (collecting cases). Similarly, a hearing and decision
23 prior to August 23, 2022, is essential on plaintiffs' alternative motion for a preliminary injunction
24 if the Court is to maintain "the status quo between parties until the issues in contention are fully
25 litigated." *Eastside Vend Distributors, Inc. v. Pepsi Bottling Grp., Inc.*, 396 Md. 219, 224, 913

1 A.2d 50 (2006). The Court should therefore issue an immediate order clarifying that the pending
2 motions of all parties will be heard on May 24, 2022, in accordance with the April 28, 2022, Notice
3 of Hearing.
4

5 **CONCLUSION**

6 For the foregoing reasons, the Court should hear plaintiffs' motion for summary judgment
7 or alternative motion for a preliminary injunction, and defendant's motion to dismiss and
8 alternative motion for summary judgment on May 24, 2022, as originally scheduled by the April
9 28, 2022, Notice of Hearing. Plaintiffs' respectfully request that the Court decide all pending
10 motions well prior August 23, 2022, the effective date of Bill 109-21 for existing dealers.
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12 Respectfully submitted,

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24 Dated: May 10, 2022

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