

MAYOR & CITY COUNCIL OF BALTIMORE

Plaintiff,

v.

POLYMER80, INC.
134 Lakes Boulevard
Dayton, NV 89403

and

HANOVER ARMORY, LLC
1327 Ashton Rd
Hanover, MD 21076

Defendants.

IN THE
CIRCUIT COURT

FOR BALTIMORE CITY,
MARYLAND

Case No. Case: 24-0421-002402
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MAYOR & CITY COUNCIL OF BALTIMORE'S COMPLAINT FOR DAMAGES & INJUNCTIVE RELIEF

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Plaintiff, the Mayor and City Council of Baltimore City, by and through its undersigned attorneys, (“Plaintiff,” “Baltimore City,” or “City”) alleges as follows:

I. INTRODUCTION

1. By this action, Baltimore City sues Defendants for flooding the City with illegal, untraceable firearms known as “ghost guns.” It asks that Defendants abate the crisis that they have caused. Polymer80, Inc. (“Polymer80” or the “Company”) violates Maryland and federal firearms law by manufacturing, advertising, and selling kits and parts with which consumers can easily and quickly assemble fully-functioning, home-assembled, untraceable, and unserialized ghost guns. Hanover Armory, LLC (“Hanover Armory”) violates Maryland and federal firearms laws by selling Polymer80 kits and parts without taking any steps to ensure that these products do not fall into the wrong hands. By manufacturing and selling ghost guns, these Defendants have predictably, if not intentionally, caused violence, destruction, and death in Baltimore City. The City is entitled to the costs it has suffered from the havoc Defendants have caused.

2. Polymer80 intentionally undermines federal and state firearms laws by designing, manufacturing, selling, and providing ghost gun kits and parts to criminals, juveniles, and others who are prohibited from owning a firearm. With minimal work and without a background check or interaction with a Federal Firearms Licensee (“FFL”), any buyer can assemble a fully-functioning, untraceable firearm that lacks a serial number. These firearms are called “ghost guns” because the absence of serial numbers and background checks means they are nearly impossible to trace. For exactly these reasons, Polymer80’s primary market consists of those who want to evade law enforcement or who cannot obtain a gun from a FFL, including underage buyers, buyers with criminal convictions, and gun traffickers.

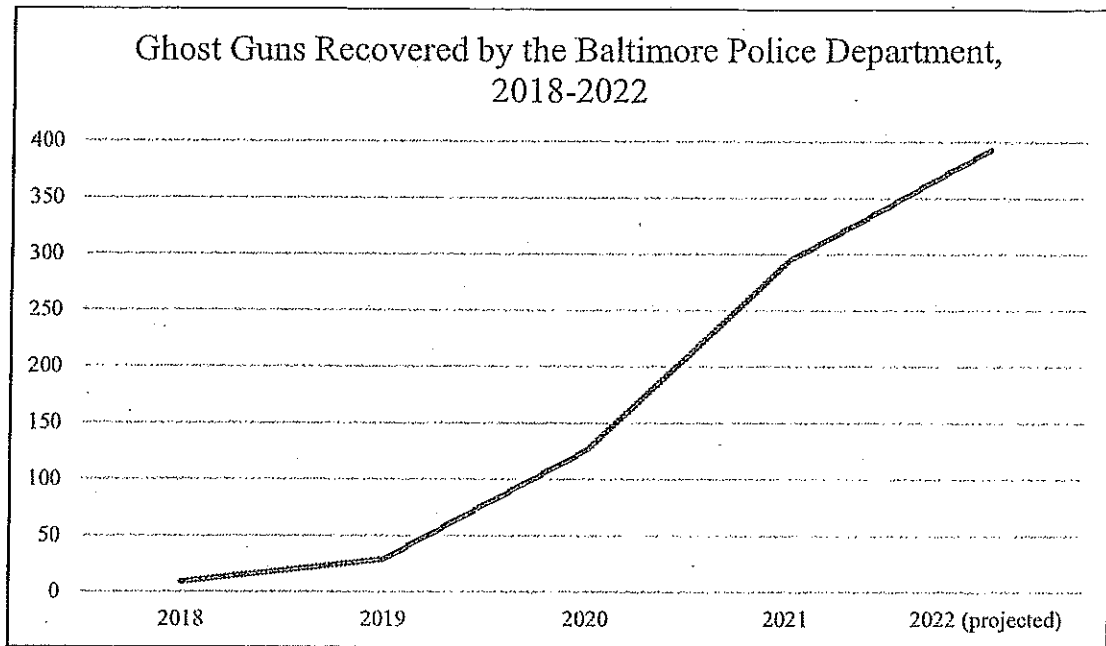
3. Polymer80’s business model also enables a robust secondary criminal firearms market of sellers who purchase Polymer80 products to assemble and sell fully-functioning

firearms. On June 29, 2021, for example, the Baltimore Police Department (“BPD”) uncovered a facility that assembled dozens of Polymer80 ghost guns. BPD recovered 40 Polymer80 pistol frames, jigs, a drill press, and other tools used to assemble Polymer80 handguns. In concert with Defendants, many others have knowingly violated and continue to violate U.S. and Maryland firearms law.

4. Individuals who want to engage in a secondary, criminal market for ghost guns can readily access and assemble Polymer80 firearms through Polymer80 directly or through Polymer80’s robust network of online and brick-and-mortar dealers. These dealers do not conduct background checks or take any meaningful steps to ensure that firearms do not fall into the wrong hands. Hanover Armory is one such dealer.

5. The resulting surge of ghost guns into Baltimore City has been devastating. BPD has linked confiscated ghost guns to multiple violent crimes, including homicides and shootings, as well as illegal possession by minors as young as 14. Nearly one quarter of recovered ghost guns have been in the possession of individuals too young to legally possess a gun.

6. This crisis has escalated in recent years. BPD recovered 9 ghost guns in 2018, 29 in 2019, and 126 in 2020, as illustrated below. In 2021, BPD recovered 324 ghost guns, which accounted for 14% of all firearms recovered. As of April 2022, BPD has recovered 800 guns in Baltimore for the year, of which 131 (16%) are ghost guns. The number of ghost guns seized in the first four months of 2022, 131, is nearly double the number of guns recovered during the same time the year before, and BPD is on pace to recover 393 ghost guns this year. These statistics show an exponential increase in ghost gun seizures:



7. The Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) has confirmed Baltimore is not alone. According to the ATF’s National Firearms Commerce and Trafficking Assessment dated May 5, 2022, “criminals are actively making, using, and distributing [ghost guns] both domestically and internationally. Indeed, the number of suspected [ghost guns] recovered by law enforcement and subsequently traced by ATF increased 1,000% between 2016 and 2021.”

8. Polymer80 manufactures the overwhelming majority of ghost guns in Baltimore. Of all ghost guns recovered by BPD from January 2020 to April 2022, 91% were Polymer80 ghost guns.

9. These skyrocketing numbers—as terrifying as they are on their own—reveal a more alarming situation in Baltimore. When BPD recovers a gun, it has already been used in connection with a crime. Many guns used in crimes are never recovered. The actual number of guns on the street likely far exceeds the number of guns recovered in crime investigations.

10. The City sues to recover damages and costs it has incurred because of the ghost gun crisis. Plaintiff is entitled to those costs and damages from Defendants because they have caused and continue to profit from the proliferation of ghost guns in Baltimore City.

11. Plaintiff also demands an order compelling Defendants to abate the nuisance they created by compelling them to cease their unlawful promotion, distribution, and sale of ghost guns and to fund ongoing efforts to curb the harms of the public nuisance they created.

12. The City also requests punitive damages and attorneys' fees and costs in addition to any other equitable relief authorized by law.

II. PARTIES

A. Plaintiff

13. Plaintiff is the Mayor & City Council of Baltimore, a municipal corporation organized and existing under the laws of Maryland.

B. Defendants

14. Defendant Polymer80 is a Nevada-based corporation with a principal place of business in Dayton, Nevada. Polymer80 registered with the State of Maryland to conduct business as a foreign corporation in Maryland.

15. Defendant Hanover Armory is a limited liability company organized and existing under the laws of Maryland with its principal place of business at 1327 Ashton Road, Hanover, Maryland, 20176.

III. VENUE AND JURISDICTION

16. This Court has subject matter jurisdiction over this case pursuant to Sections 1-501 and 4-401 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

17. This Court has personal jurisdiction over Polymer80 pursuant to Md. Code Ann., Cts. & Jud. Proc. § 6-103 and the U.S. Constitution because the Company, either directly or

indirectly through dealers, conducts business in Maryland, purposefully directs or has directed actions toward Maryland, caused tortious injury in Maryland, and has sufficient contacts with Maryland to permit the Court to exercise jurisdiction.

18. This Court has personal jurisdiction over Hanover Armory pursuant to Md. Code Ann., Cts. & Jud. Proc. § 6-102(a) because its principal place of business is in Maryland.

19. Venue is proper in the Circuit Court of Baltimore City pursuant to Md. Code Ann., Cts. & Jud. Proc. § 6-202(8) because the City's claims arose in Baltimore City, Maryland and pursuant to § 6-202(3) because Polymer80's principal place of business is not in the State. Venue is alternatively proper pursuant to Md. Code Ann., Cts. & Jud. Proc. § 6-201(b) because there is more than one defendant and there is no single venue applicable to all defendants.

IV. FACTUAL ALLEGATIONS

A. **POLYMER80 AND HANOVER ARMORY KNOWINGLY AND NEGLIGENTLY ARM PEOPLE WHO CANNOT OTHERWISE POSSESS FIREARMS, AND INTENTIONALLY CIRCUMVENT MARYLAND AND FEDERAL FIREARMS LAWS**

20. Federal and state laws are designed to prevent gun violence by regulating who can manufacture, buy, and sell firearms. Polymer80 and Hanover Armory intentionally violate or aid and abet violations of these laws and, in so doing, cause harm to Baltimore City.

1. **Federal Firearms Law**

21. The Federal Gun Control Act (GCA) regulates the manufacture and sale of firearms.

22. One of the GCA's most critical components is what it requires of Federal Firearms Licensees ("FFLs"). The GCA mandates that only FFLs can engage in the business of selling firearms. FFLs must run background checks on purchasers through a database like the National Instant Criminal Background Check System ("NICS") to ensure that prohibited purchasers,

including domestic abusers, felons, juveniles, and people with indications of high risk, do not obtain a firearm. FFLs must also maintain business records to assist law enforcement in the investigation of firearms involved in crimes.

23. The GCA prohibits FFLs from selling a firearm to a buyer who does not appear in person unless the buyer executes an affidavit from the seller affirming the legality of the purchase. This affidavit is sent to local law enforcement.

24. The GCA requires that firearms are stamped with serial numbers. These serial numbers enable accurate record-keeping and can aid law enforcement in the investigation of firearms involved in crimes. With a serial number, law enforcement can track a firearm from its manufacture to subsequent sales and, in so doing, can help to link a suspect to a firearm in a criminal investigation or identify potential traffickers.

25. The GCA defines “firearm” as “any weapon . . . which may readily be converted to expel a projectile by the action of an explosive.” 18 U.S.C. § 921(a)(3). A “firearm” is also a “frame” or “receiver” of any weapon that can expel a projectile. Frames and receivers are subject to serial number and background investigation requirements pursuant to the GCA.

2. Maryland Firearms Law

26. Maryland has banned the sale of unfinished and unserialized frames and receivers. As of June 1, 2022, no person can “purchase, receive, sell, offer to sell, or transfer an unfinished frame or receiver unless it is required by federal law to be, and has been, imprinted with a serial number by a federally-licensed firearms manufacturer or federally licensed firearms importer[.]” Md. Code Ann., Pub. Safety § 5-703(A)(1). In addition, as of June 1, 2022, Maryland’s definition of “firearm” includes “an unfinished frame or receiver[.]” which “means a forged, cast, printed, extruded, or machined body or other similar article that . . . has reached a stage in manufacture where it may readily be completed, assembled, or converted to be used as the frame or receiver of

a functional firearm.” Md. Code Ann., Pub. Safety §§ 5-101(h)(1)(iii), 5-701(H).

27. The manufacture and sale of unfinished frames and receivers was regulated before June 1, 2022 as well. Maryland law prohibits the manufacture, sale, or distribution of a handgun that is not on its Handgun Roster, which is a list of handguns that are allowed for sale in the state. Md. Code Pub. Safety § 5-406(a)(1). Specifically, Maryland establishes a Handgun Roster Board within the Maryland State Police to facilitate a determination of which weapons may legally be sold in the state.

28. Maryland law also requires that anyone purchasing, renting, or receiving a handgun possess a valid Handgun Qualification License. Md. Code Ann., Pub. Safety § 5-117.1. To obtain such a license, a Maryland resident must be at least 21 years old, have completed a firearms safety training course, and must not be prohibited by federal or state law from purchasing or possessing a handgun. Md. Code Ann., Pub. Safety § 5-117.1(d).

3. Polymer80 and Hanover Armory Violate Federal and Maryland Law

29. Polymer80 manufactures and sells unserialized firearms parts marketed as unfinished “80%” frames or receivers that can be and are used to produce ghost guns. With minimal work, Polymer80’s frame and receiver kits enable any consumer to possess a fully functional frame or receiver. Polymer80 also facilitates the assembly of a fully functioning firearm by manufacturing and making readily available necessary parts other than a frame or receiver.

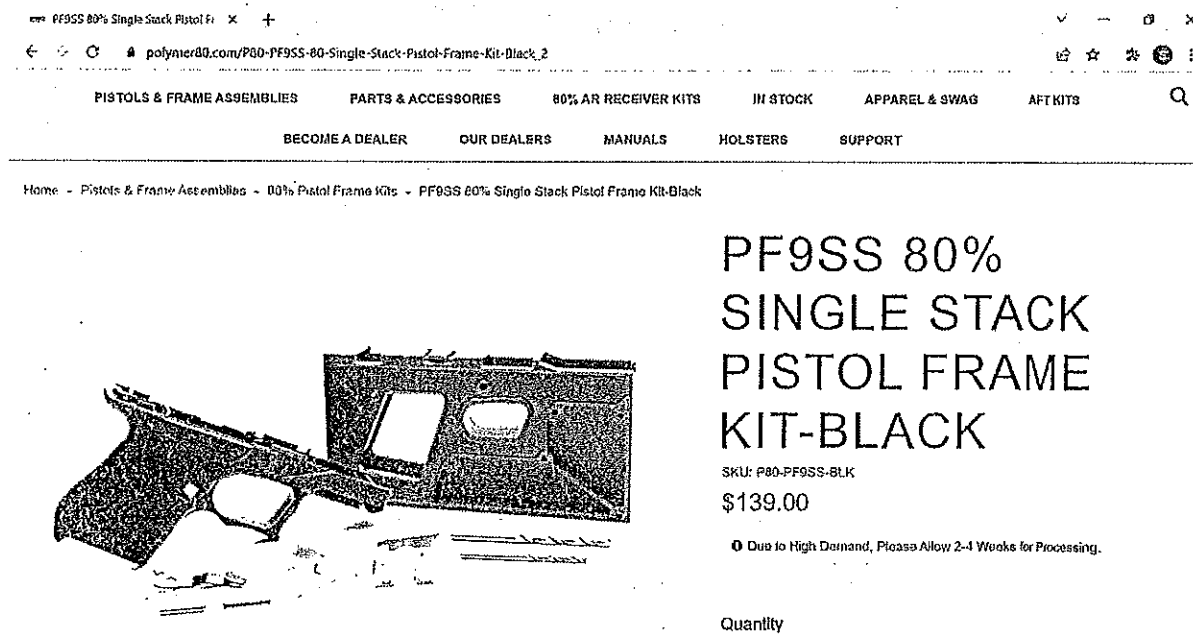
30. Polymer80 aggressively markets and sells unfinished lower receivers for rifles or unfinished handgun frames for, among other types of firearms, 9mm handguns, AR-15 semi-automatic rifles, and .308 semi-automatic rifles.

31. Polymer80 evades serialization and point-of-sale requirements under the GCA by claiming that its frames and receivers are only “80%” finished and therefore are not subject to the GCA. Polymer80 has sold directly, and continues to sell, through Hanover Armory and other

dealers, these “80%” receivers or “unfinished receivers” to Maryland consumers.

32. Polymer80’s claims that its products are “80%” finished and therefore not “firearms” under the GCA is based on an incomplete and misleading “ATF Determination Letter” that Polymer80 markets on its website. The ATF provided letters to Polymer80 from 2015 to 2017 and concluded that some Polymer80 products were not “firearms” pursuant to the GCA. However, Polymer80 did not submit its unfinished frame kits to the ATF, which would have included a plastic jig, drill bits, pins, and a rail system.

33. In fact, Polymer80’s “80%” frames are more than 80% finished because Polymer80 provides the drill bits necessary to make the final, necessary holes in the frame, and a plastic encasing known as the “jig” that pinpoints where a buyer should drill those holes:



34. With the necessary holes drilled and some filing at the top of the frame, a buyer can have a fully functional frame with minimal effort and time. This ease is by design. According to the ATF’s National Firearms Commerce and Trafficking Assessment dated May 5, 2022,

Polymer80 “kits were designed to make building a [ghost gun] quick and easy by someone with limited skills, using commonly available and affordable tools.”

35. An ATF agent, for example, took fewer than 19 minutes to mill a Polymer80 unfinished frame. *See* Ex. 1, ATF Application for Search Warrant (“Search Warrant App.”) ¶ 61. Assisted by Polymer80 manuals, YouTube videos, and using a couple common tools, any person can do the same. Thus, despite Polymer80’s marketing, its “80%” receivers and frames are, in fact, nearly finished.

36. Contrary to the GCA, Polymer80 and Hanover Armory knowingly sell nearly finished frames and receivers to customers without conducting a background check or affixing serial numbers to the frame or receiver.

37. Along with nearly finished frames and receivers, Polymer80 sells and makes readily available every other component part of a firearm. Polymer80 component parts include slides, barrels, slide parts, and frame parts. Consumers can complete a “build” and possess a functioning firearm with these component parts.

38. Like Polymer80, Hanover Armory sells Polymer80 “80%” receivers and frames along with kits with which consumers can complete a Polymer80 “build” to assemble and possess a functioning firearm.

39. Up until recently, Polymer80 directly made “Buy Build Shoot” kits available on its website. “Buy Build Shoot” kits packaged all component parts of a firearm together, including “the 80% frame kit, complete slide assembly, complete frame parts kit, 10 round magazine and a pistol case.” *See id.* ¶ 7. The ATF has determined that “Buy Build Shoot” kits are “firearms” under the GCA. *See id.* ¶ 65. Some Polymer80 dealers continue to list “Buy Build Shoot” kits on their websites.

40. Despite the ATF's determination, the Company still knowingly allows and encourages consumers to buy all component parts of a firearm on its website. Today, while Polymer80 no longer directly markets a "Buy Build Shoot" kit on its website, a consumer can purchase a "80% frame kit, complete slide assembly, complete frame parts kit, 10 round magazine and a pistol case" on the Polymer80 website. *Id.* ¶ 7.

41. Polymer80 makes it easy to purchase all components of a Polymer80 standard pistol, including the slides, barrels, and frame parts.¹ Thus, while the words "Buy Build Shoot" no longer appear on the Polymer80 website, Polymer80 still makes a de facto "Buy Build Shoot" kit available for purchase.

42. Through its combined sales of frames, receivers, slides, barrels, frame parts, and magazines, Polymer80 has knowingly violated the GCA by knowingly selling firearms to customers without conducting a background check or affixing serial numbers to its frames and receivers.

43. Through its combined sales of frames, receivers, slides, barrels, frame parts, and magazines, Polymer80 knowingly manufactures and sells handguns, including its PF9SS, PF940SC, PF45, PF940v2, and PF940c lines of handguns, that are not listed on the Maryland Handgun Register. The Company sells frame kits, slides, and all other component parts for these handguns despite their omission from the Maryland Handgun Register.

44. Directly or indirectly through its dealers, the Company aids and abets individuals who have manufactured and sold these lines of handguns that are not included on the Maryland

¹ For example, Polymer80 states on its website that its "P80 PF940v2/PF940CL 9mm Slides" are "the perfect way to complete your Polymer80 PF940v2 80% or PFS9 Serialized pistol build." Its "P80 Barrel" is also available for purchase "[f]or PF-Series™ 9mm, PFS9™/PF940v2™/PF940CL." Completing the shopping list for a consumer that wants to buy all parts necessary to assemble a fully-functioning firearm, Polymer80 provides a "Full Pistol Frame Parts Kit," 10-round magazine, and pistol case.

Handgun Register. Even if the Company only sold some of these individuals "80%" frames and receivers without including any other component part of a firearm, the Company would still aid and abet the sale and manufacture of firearms not included on the Maryland Handgun Register because many individuals acquire "80%" frames or receivers to assemble and sell a firearm.

45. Hanover Armory aids and abets individuals who have manufactured and sold these lines of handguns that are not included on the Maryland Handgun Register. Even if Hanover Armory only sold some of these individuals "80%" frames and receivers without including any other component part of a firearm, Hanover Armory would still aid and abet the sale and manufacture of firearms not included on the Maryland Handgun Register because many individuals acquire "80%" frames or receivers to assemble and sell a firearm.

46. Through its combined sales of frames, receivers, slides, barrels, frame parts, and magazines, Polymer80 knowingly manufactures and has sold handguns to Maryland residents who did not have valid Maryland Handgun Qualification Licenses.

47. Polymer80 aids and abets individuals and dealers, including but not limited to Hanover Armory, who have sold these lines of handguns to individuals who lack valid Maryland Handgun Qualification Licenses.

48. Through its sales of Polymer80 "80%" frames and receivers and other, similar combined sales of frames, receivers, slides, barrels, frame parts, and magazines, Hanover Armory has intentionally sold handguns to Maryland residents who have lacked valid Maryland Handgun Qualification Licenses.

49. As of June 1, 2022, Polymer80's unfinished frames and receivers are now illegal to sell even if not part of a combined sale with other products or part of a kit. Despite this more extensive prohibition on the sale of Polymer80's products, there is no indication that the Company will take any efforts to halt the flow of unserialized, unfinished frames and receivers into the City.

50. Individuals have acquired Polymer80 products from the 108 internet-based and brick-and-mortar dealers listed on the Polymer80 website. Many of the internet-based dealers sell all necessary component parts to create a fully-functioning firearm as part of the same purchase order with a Polymer80 “80%” frame or receiver kit. Few, if any, of these internet-based dealers seek any information to determine whether a purchaser is a domestic abuser, felon, juvenile, or any other kind of prohibited purchaser. It is doubtful that many of these internet-based dealers will take any steps to comply with Maryland’s June 1, 2022 ban on the sale of unserialized, unfinished frames and receivers.

51. Hanover Armory has sold both Polymer80 frame kits and “completion kits.” In making these sales, Hanover Armory does not seek to determine whether a purchaser is a domestic abuser, felon, juvenile, or any other kind of prohibited purchaser. The Polymer80 frame kits and completion kits that Hanover Armory has sold have contributed to the ghost gun crisis in Baltimore City. There is no indication that Hanover Armory has taken any steps to comply with Maryland’s June 1, 2022 ban on the sale of unserialized, unfinished frames and receivers.

52. To the extent Polymer80 continues to sell unserialized, unfinished frames and receivers to dealers who do business in Maryland, Polymer80 aids and abets these dealers in their violations of Maryland’s June 1, 2022 ban on the sale of unfinished frames or receivers by intentionally providing unfinished frames and receivers to dealers who continue to flout the law.

B. POLYMER80 AND HANOVER ARMORY HAVE CREATED A PUBLIC HEALTH CRISIS IN BALTIMORE CITY

53. The results of Defendants’ conscious evasion and knowing violations of the law are predictable. Marketing to those who cannot legally purchase a firearm and want to undetectably use a firearm for criminal purposes is the whole point. Underage buyers, buyers with criminal convictions, and gun traffickers can now easily obtain a functioning firearm by exerting minimal

effort to finish Polymer80 products.

54. Polymer80 is the primary driver of Baltimore City's growing public health crisis. Before 2018, BPD had never recovered a ghost gun. If current trends hold, BPD anticipates recovering 393 ghost guns in 2022. 91% of all ghost guns recovered by BPD between January 2020 and April 2022 were manufactured by Polymer80.

55. Defendants' practices stymie law enforcement investigations of gun violence. Because there are no serial numbers inscribed on ghost guns, Polymer80 is a favored gun of violent criminals who want to evade law enforcement investigations. With a serialized firearm, law enforcement agents can generate leads and identify illegal purchases through an ATF trace request. Law enforcement agents cannot do the same with ghost guns. In 2021, 32 of the 345 ghost guns recovered by BPD were linked to a homicide or shooting. But for Polymer80's illegal practice of not serializing its frames and receivers, BPD could solve more crimes and more effectively reduce gun violence in Baltimore City.

56. This surge of gun violence has inevitable ripple effects within Baltimore City. Victims of gun violence often receive intensive medical care from Baltimore City Emergency Medical Services and require government support to fully recover. People in neighborhoods with high rates of gun violence often face stress, depression, anxiety, and post-traumatic stress disorder ("PTSD"). High rates of gun violence also affect communities' housing prices and credit scores. This reduction in housing prices in turn reduces Baltimore City's tax revenue.

57. According to a 2020 study published by the Johns Hopkins Center for Gun Policy and Research, nearly 80% of residents in East and West Baltimore neighborhoods expressed concern about people illegally carrying guns in their communities, leading many residents to believe that they, too, must carry a gun to protect themselves. This anxiety and its attendant consequences have been amplified by the proliferation of ghost guns in the City.

58. Polymer80 could foresee that its intentional failure to conduct background checks, serialize its products, or take any other measures to prevent its products from falling into the wrong hands would cause harm to cities including Baltimore. A firearm without a serial number that can be acquired without a background check is highly appealing to individuals who are prohibited from possessing firearms under the law. Polymer80 now knows that this foreseeable harm has become a reality. ATF has revealed that Polymer80 has sold its products to individuals using fictitious names and individuals with violent criminal records who are not allowed to possess firearms under the law. Search Warrant App. ¶ 87.

59. Hanover Armory could foresee that its intentional sales of unserialized frames and receivers, failure to conduct background checks, and lack of any other measures to prevent its products from falling into the wrong hands would cause harm to Baltimore City. A firearms dealer less than seven miles from the City border that does not conduct background checks is highly appealing to individuals who should not have firearms under the law and seek to use firearms for criminal activity in the City.

60. Hanover Armory knows that it fuels the ghost gun crisis in Baltimore City. It is common knowledge among Maryland firearms dealers like Hanover Armory that ghost guns are marketed toward and have become a problem “in the inner cities” in Maryland, most notably Baltimore. See Mary Murphy, *The Plastic Pipeline: Queens ‘ghost gun’ suspect lives in stately Maryland home* PIX11 (May 2, 2022) (quoting the owner of a firearms dealer in Laurel, Maryland), available at <https://pix11.com/news/the-plastic-pipeline-queens-ghost-gun-suspect-lives-in-stately-maryland-home/>. Despite its knowledge of its contribution to the ongoing crisis in Baltimore City, Hanover Armory has continued to sell Polymer80 ghost gun products.

61. For years, Polymer80 has known about and continued to profit from the nationwide widespread destruction and death its products, sales, and marketing practices have caused.

62. For example, in December 2020, the ATF served and executed a search warrant on Polymer80. The affidavit supporting the search warrant details some of this widespread violence. It avers, “[The ATF] reviewed records of these recoveries and saw that POLYMER80 completed pistols were used in hundreds of crimes throughout the United States. In 2019 and 2020, these crimes have included unlawful firearm possession, firearm trafficking, domestic violence, aggravated assault, kidnapping, carjacking, robbery, and homicide.” Search Warrant App. ¶ 28.b. The ATF search warrant affidavit details instances in which Polymer80 guns were used in violent crimes. *Id.* ¶ 28.c, d. All of the above details of the widespread crime and death from Polymer80 products in the sworn ATF search warrant affidavit was served on Polymer80 and its owners in 2020.

63. When criminals, gang members, and children can easily access firearms in Baltimore City, gun violence—and the harm that flows from it—increases, as these examples demonstrate:

(a) On January 17, 2021, Dante Barksdale became a victim of the same gun violence that he had dedicated his life to prevent. Mr. Barksdale, who spent time in prison as a youth, turned his life around to become an author, community leader, and outreach worker with Safe Streets Baltimore, an evidence-based violence prevention and interruption program that works to reduce shootings and homicides in high violence areas. Mayor Brandon Scott has called Mr. Barksdale “the heart and soul of Baltimore” because he went into neighborhoods “where most people won’t go . . . to eradicate the harsh legacy of violence that has plagued our city for generations.” Emily Sullivan, *Baltimore Police Make Arrest In Killing Of Dante Barksdale*, WYPR (May 20, 2021). Violence prevention advocates lamented the loss, noting that Mr. Barksdale’s murder was “a blow to Baltimore and the ongoing work of violence prevention.” *Id.* Baltimore Police Commissioner Michael Harrison eulogized him by saying, “Dante embodied a message of redemption and peace, and used his own experience as a living testimony for young people to resolve conflicts without resorting to violence.” *Id.* The murderer brutally shot Mr. Barksdale nine times with an unserialized Polymer80 handgun in the same public housing project where, just weeks before, he had delivered donated winter coats to families. Alex Mann, *‘Not enough evidence’: Man acquitted of murder in fatal shooting of Safe Streets leader Dante Barksdale*, BALT. SUN (May 26, 2022); Justin Fenton & Hallie Miller, *Dante Barksdale, ‘heart and soul’ of Safe Streets, is shot to death Sunday in Baltimore, officials say*, BALT. SUN (Jan. 17, 2021). Police ultimately found the murder weapon but were stymied by the difficulty of tracing a firearm that was designed to be untraceable. *Id.* (Mann). While an

individual was ultimately charged with the murder, a jury acquitted the primary suspect in part because “[y]ou couldn’t place the gun.” *Id.*

(b) On June 25, 2021, a Baltimore man used an unserialized Polymer80 semi-automatic pistol to commit a homicide. Had the shooter undergone a background check, the shooter would have been barred from purchasing a firearm due to previous convictions.

(c) On January 18, 2022, BPD recovered an unserialized Polymer80 handgun from a fugitive who was one of two shooting victims at a crime scene. Had the fugitive undergone a background check, the fugitive would have been barred from purchasing a firearm due to previous convictions for violent crimes and open arrest warrants.

(d) On February 13, 2022, BPD arrested two seventeen-year-olds in connection with a February 11, 2022 armed robbery in Baltimore City. The two 17-year-olds possessed two unserialized Polymer80 handguns that were used in the armed robbery. A dealer could not have legally sold handguns to these seventeen-year-olds.

(e) On March 22, 2022, BPD recovered an unserialized Polymer80 handgun that was used in an armed robbery upon arresting three armed robbery suspects, all under twenty-one years of age. Had any of the armed robbers undergone a background check, none of them would have been able to pass a background check due to previous convictions.

64. Polymer80 has been aware of many specific, similar incidents and the ghost gun crisis in Baltimore City generally. The effects of the ghost gun crisis in Baltimore City has also been well publicized and documented. For example, national and local media covered the arrest of several individuals in which BPD confiscated 40 Polymer80 jigs.

65. Despite Polymer80’s knowledge that its products and practices cause harm to the City, the Company has acted with deliberate disregard of this harm by continuing to deceptively market its products and consciously evading the law and aiding and abetting others to violate the law, as well.

C. POLYMER80 HAS MADE UNFAIR AND MISLEADING STATEMENTS AND HAS OMITTED MATERIAL FACTS ABOUT ITS PRODUCTS

66. Polymer80 has been aware that its products are the guns of choice for criminals, juveniles, and other people who want to acquire guns without complying with the law. Indeed, instead of taking steps to keep its products out of dangerous hands, Polymer80 exploits this

criminal need and misleadingly markets and sells its products.

67. Despite the unlawful nature of its manufacturing and sales of firearms, Polymer80 has led Maryland consumers to believe that its products are lawful. Polymer80 misleadingly markets to Maryland residents and sells its products, directly, or indirectly through its dealers, to Maryland residents.

68. As recently as June 2020, Polymer80 website's homepage has included the question, "Is it legal?" and responds unequivocally, "YES!" when, in fact, under Md. Code Ann., Pub. Safety § 5-405, a Maryland resident cannot manufacture or sell handguns not approved by the Handgun Roster Board.

69. It is illegal for a Maryland consumer to assemble and sell or distribute a Polymer80 handgun that is not listed on the Maryland Handgun Register. It is also illegal for a Maryland consumer to purchase a Polymer80 frame kit, "Buy Build Shoot" kit, or combination of Polymer80 component parts without a valid Maryland Handgun Qualification License.

70. Polymer80 continues to list a false or misleading "ATF Determination Letter" on its website. The ATF provided letters to Polymer80 from 2015 to 2017 and concluded that some Polymer80 products were not "firearms" pursuant to the GCA. Specifically, Polymer80 submitted several unfinished lower frames and receivers to the ATF, and the ATF concluded that these frames and receivers were not firearms.

71. Polymer80 did not submit its unfinished frame kits to the ATF, which would have included a plastic jig, drill bits, pins, and a rail system. Nor did Polymer80 submit its "Buy Build Shoot" kits or a similar combination of component parts available on its website to the ATF, which would have included all component parts to assemble a functioning firearm.

72. Once the ATF learned that Polymer80 submitted misleadingly incomplete products for its review, the ATF asked for submissions that were more complete. In response to Polymer80's

request for opinion on a “PF940V2 Blank,” the ATF asked for “the additional components that are advertised as being sold in combination with the PF940V2 Blank on Polymer80’s website” before rendering an opinion. The ATF emphasized that a valid opinion could not be based on a “partial product submission” and that Polymer80 should submit the full frame kit.

73. In issuing a regulation removing and replacing the regulatory definitions of “firearm frame or receiver” and “frame or receiver” under the GCA, the ATF stated that Polymer80 engaged in misleading conduct by submitting only the lower receiver of its products without including the plastic jig, drill bits, pins, and a rail system that accompany its kits: “In the past, ATF encountered situations in which incomplete frames or receivers were sent to ATF for classification without any of the other parts, jigs, templates, or materials that are sold or distributed with the item or kit. ATF then issued a classification that an unfinished item or kit was not a ‘frame or receiver’ without the benefit of, or considering, such parts, jigs, templates, or information.” ATF, *Definition of “Frame or Receiver” and Identification of Firearms*, 87 Fed. Reg. 24652-01. Because the ATF has concluded that these classifications are misleading and incomplete, Polymer80 will need to resubmit the full unfinished frame and receiver kits it actually sells to consumers when the ATF’s rule takes effect on August 24, 2022.

74. Polymer80’s marketing of the “ATF Determination Letter” is false or misleading. Despite not receiving ATF approval for its frame kits or combined sales of frame kits and component parts, Polymer80 has expressly and impliedly asserted that its products are legal and approved by the ATF. A reasonable consumer would conclude from the Company’s posting of the ATF Determination Letter that the ATF has approved Polymer80 frame and receiver kits when, in fact, the ATF did not review the full kits and has asked Polymer80 to submit its full kits for review.

75. Based on the misleading and incomplete ATF Determination Letter, Polymer80 has asserted that all of its “80%” lower receivers, not just the ones mentioned in ATF letters, are

approved by the ATF. Polymer80 includes the following statement in the “FAQ” section of its website about all frame and receiver kits not submitted to the ATF: “All other Polymer80 80% lower receivers are dimensional based on the designs classified by the Bureau of Alcohol, Tobacco, Firearms and Explosives as not being ‘firearms’ or ‘frames or receivers,’ under federal law.” A reasonable consumer would conclude from this statement that the ATF has approved all Polymer80 “80%” frame and receiver designs when, in fact, the ATF has not done so.

76. By making no mention of requirements under Maryland law and emphasizing its ATF Determination Letter, Polymer80 misleads Maryland consumers into believing that Polymer80 products are legal in Maryland and that Maryland consumers can legally purchase and assemble Polymer80 products. In fact, these products are illegal to purchase, assemble, and sell under Maryland law.

77. Baltimore City has sustained losses as a result of Polymer80’s misleading and false statements to Maryland consumers. As a result of Polymer80 deceiving and misleading Maryland consumers, more Maryland consumers possess ghost guns, and Baltimore City faces a more severe ghost gun crisis.

V. CAUSES OF ACTION

COUNT I PUBLIC NUISANCE (AGAINST POLYMER80 AND HANOVER ARMORY)

78. Plaintiff incorporates all preceding and subsequent paragraphs by reference.

79. Plaintiff brings this action to abate the public nuisance created by Defendants, and to recover past and future costs for law enforcement, emergency services, medical services, social services, public works, and other costs that are reasonably required to abate the public nuisance created by Defendants.

80. Each Defendant, acting alone or with one or more co-defendants, created a condition that was, and continues to be, dangerous and injurious to people of Baltimore City. Each Defendant, acting alone or in concert, injured the property of Baltimore City.

81. Defendant Polymer80 created a public nuisance by manufacturing and promoting selling unfinished frames, “Build Buy Shoot” kits, and combinations of unfinished frames and other component parts without serial numbers. Defendant Polymer80 also created this public nuisance by selling directly, or indirectly through its dealer network, the same products without background checks to Maryland residents. These practices have caused a public health crisis in Baltimore City.

82. Defendant Hanover Armory created a public nuisance by selling unfinished frames and combinations of unfinished frames and other component parts without serial numbers. Defendant Hanover Armory also created this public nuisance by selling the same products without background checks to Maryland residents.

83. The public nuisance created by Defendants endangers the life, health, and safety of Baltimore City’s residents, interferes with the reasonable and comfortable use of Baltimore City’s property and resources, and has caused and continues to cause significant harm to the community that includes but is not limited to:

- (a) Deaths caused by gun violence;
- (b) Higher costs for emergency medical services;
- (c) Higher costs for fire and rescue services;
- (d) Higher costs for law enforcement;
- (e) Emergency medical care for physical trauma, and ongoing medical care for survivors of gun violence;
- (f) Greater costs for social services;

- (g) Higher costs for public works;
- (h) Community-wide stress, depression, anxiety, and PTSD in neighborhoods afflicted with high levels of gun violence;
- (i) More unsolved crimes because of the untraceable nature of ghost guns;
- (j) Blight, vagrancy, property damage, and property crime;
- (k) The creation and expansion of a secondary, illegal market for ghost guns;
- (l) Reduction in property values in Baltimore City resulting in reduced revenue to Plaintiff; and
- (m) Interference with the use and quiet enjoyment of property owned by Plaintiff and property owned by the citizens Plaintiff represents.

84. Baltimore City residents have also suffered the costs of Defendants' public nuisance. Many have endured both the emotional and financial costs of caring for loved ones who have faced gun violence and cope with the trauma of living in fear for one's life.

85. The illegal gun market created by Defendants has placed unnecessary and excessive demands on the medical, public health, law enforcement, social services, emergency services, public works, courts, and governmental services provided by Baltimore City. Those limited public resources are being diverted in efforts to address the ghost gun crisis, thereby eliminating available resources which could be used to benefit the public at large in Baltimore City.

86. The public nuisance created, perpetuated, and maintained by Defendants can be abated and further recurrence of such harm and inconvenience can be abated.

87. Baltimore City has incurred significant costs to date in its efforts to provide services that were reasonably necessary to abate the public nuisance created, perpetuated, and maintained by Defendants. Baltimore City has and will incur significant costs going forward to ameliorate the harm caused by Defendants.

88. As a direct and proximate result of the public nuisance, Baltimore City has sustained (and continues to sustain) harm by spending substantial money trying to fix the societal harms caused by the Defendants' nuisance-causing activity. These costs include but are not limited to: the costs of healthcare, emergency medical services, social services, intervention, law enforcement, lost tax revenues, and lost communal benefits of Baltimore City's limited and diverted resources as set forth more fully above.

**COUNT II
NEGLIGENCE
(AGAINST POLYMER80 AND HANOVER ARMORY)**

89. Plaintiff incorporates all preceding and subsequent paragraphs by reference.

90. Defendant Polymer80 has a duty to Plaintiff to employ a reasonable standard of care in the sale, distribution, and promotion of ghost gun kits and parts. This includes a duty to not create a foreseeable risk of harm to others.

91. Defendant Hanover Armory has a duty to Plaintiff to employ a reasonable standard of care in the sale of ghost gun kits and parts. This includes a duty to not create a foreseeable risk of harm to others.

92. Defendants breached this duty by failing to prevent or reduce the dangerous and illegal proliferation of ghost guns in Baltimore City. Defendants intentionally made firearms available to the marketplace knowing that they were being used for criminal purposes.

93. Defendants placed their profit motives above their legal duty and enabled, encouraged, and caused the flood of ghost guns into Baltimore City.

94. Polymer80 knew or should have known that individuals purchasing Polymer80 "80%" frame kits and ghost gun parts fuel a secondary criminal market because these individuals assemble and then sell fully-functioning firearms comprised of Polymer80 products to Maryland residents without background checks or Maryland Handgun Qualification Licenses. Polymer80

knew or should have known that dealers sell its “80%” frame kits and ghost gun parts to Maryland residents without background checks or Maryland Handgun Qualification Licenses. Polymer80 also knew or should have known of the high likelihood of foreseeable harm to communities including Baltimore City from gun violence. Polymer80 breached its duties when it failed to act with reasonable care to prevent the flood of ghost guns into Baltimore City.

95. Hanover Armory knew or should have known that selling individuals “80%” frame kits and ghost gun parts fuels a secondary criminal market because these individuals assemble and then sell fully-functioning firearms comprised of Polymer80 products to Maryland residents without background checks or Maryland Handgun Qualification Licenses. Hanover Armory knowingly sold “80%” frame kits and ghost gun parts to Maryland residents without background checks or Maryland Handgun Qualification Licenses. Polymer80 also knew or should have known of the high likelihood of foreseeable harm to communities including Baltimore City from gun violence. Polymer80 breached its duties when it failed to act with reasonable care to prevent the flood of ghost guns into Baltimore City.

96. A negligent and/or intentional violation of Defendants’ duties poses distinctive and significant dangers to the Plaintiff, including the frustration of law enforcement efforts in tracking illegal firearms, increased emergency medical care for physical trauma, and ongoing medical care for survivors of gun violence.

97. As a proximate result of the failure to prevent the flow of ghost gun kits and parts to Baltimore City, Defendants have caused the Plaintiff to incur excessive costs related to responding to the ghost gun crisis. These costs include but are not limited to: the costs of healthcare, emergency medical services, social services, intervention, law enforcement, lost tax revenues, and lost communal benefits of Baltimore City’s limited and diverted resources as set forth more fully above.

COUNT III
VIOLATION OF THE MARYLAND CONSUMER PROTECTION ACT
(AGAINST POLYMER80)

98. Plaintiff incorporates all preceding and subsequent paragraphs by reference.

99. The Maryland Consumer Protection (“CPA”) seeks to provide a remedy to unfair and unethical standards of business interactions between suppliers and the consuming public. As alleged herein, Polymer80 knowingly violated the CPA by representing that Maryland consumers can lawfully purchase and assemble Polymer80 gun kits and parts.

100. The CPA prohibits “unfair, abusive or misleading” statements. Md. Code Ann., C.L. § 13-301. This includes any “[f]alse, falsely disparaging, or misleading oral or written statement, visual description, or other representation of any kind which has the capacity, tendency, or effect of deceiving or misleading consumers[.]” *Id.* § 13-301(1). The CPA also prohibits “[d]eception, fraud, false pretense, false premise, misrepresentation, or knowing concealment, suppression, or omission of any material fact with the intent that a consumer rely on the same[.]” *Id.* § 13-301(9).

101. The CPA states that “any person may bring an action to recover for injury or loss sustained by him as the result of a practice prohibited by this title.” Md. Code Ann., C.L. § 13-408(a). Baltimore City is a “person” under the CPA. Md. C.L. § 13-301(h) (defining person as a “corporation . . . or any other legal or commercial entity”).

102. Polymer80 has made false and misleading statements to Maryland residents about the legality of Polymer80 ghost gun kits and parts. Those false and misleading statements have the capacity, tendency, and effect of deceiving or misleading consumers. Maryland consumers have relied and continue to rely on those statements in purchasing Polymer80 ghost gun kits and parts from Polymer80 directly or through Polymer80’s network of dealers. Those representations have included (a) the Polymer80 website reading “Is it legal?” and including the answer, “YES!”, and

(b) the Polymer80 website and other public representations touting the applicability of an ATF determination letter.

103. Polymer80's affirmations that "it" is legal and the ATF has approved Polymer80's practices is misleading and false. A reasonable consumer would interpret Polymer80's statement that "it" is legal as applying to all Polymer80 ghost gun kits and parts, not merely the unfinished frames and receivers that the Company submitted to the ATF. In fact, Polymer80 did not submit its unfinished frame or receiver kits to the ATF, which would have included a plastic jig, drill bits, pins, and a rail system. Nor did Polymer80 submit its "Buy Build Shoot" kits or the combination of component parts available on its website to the ATF, which would have included all component parts to assemble a functioning firearm. Its frame kits and combined sales of ghost gun parts are "firearms" and cannot be legally sold, purchased, or assembled under the GCA and Maryland law.

104. Polymer 80 has also omitted material information about the legality of Polymer80 ghost gun kits and parts from Maryland consumers. A significant number of unsophisticated consumers would likely find the following information important in determining whether to purchase Polymer80 ghost gun kits and parts:

(a) It is illegal for a Maryland consumer to assemble and distribute a Polymer80 handgun that is not listed on the Maryland handgun register.

(b) It is illegal for a Maryland consumer to purchase a Polymer80 unfinished handgun frame, "Buy Build Shoot" kit, or combination of Polymer80 component parts without a valid Maryland Handgun Qualification License.

(c) It is illegal for a Maryland consumer to purchase, receive, sell, offer to sell, or transfer a Polymer80 unfinished frame or receiver.

105. As a proximate result of Polymer80's deceptive acts and material omissions, Plaintiff has incurred excessive costs related to responding to the ghost gun crisis. These costs include but are not limited to: the costs of healthcare, emergency medical services, social services,

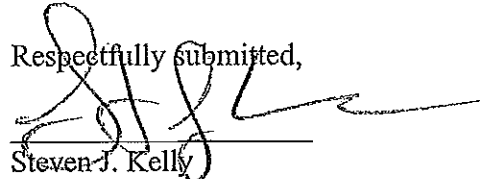
intervention, law enforcement, lost tax revenues, and lost communal benefits of Baltimore City's limited and diverted resources as set forth more fully above.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays for judgment and relief as possible:

1. Injunctive relief requiring Defendants to cease the public nuisance they have created, as alleged in Count I above;
2. Establishment of an abatement fund to remediate the public nuisance caused by Defendants;
3. Maximum statutory civil penalties against Polymer80 pursuant to the Maryland Consumer Protection Act;
4. Compensatory damages in an amount in excess of \$75,000 for costs, losses, and damages for the injuries sustained by the City of Baltimore proximately caused by Defendants' unlawful acts;
5. Punitive damages to the maximum extent allowable by law based on the preceding facts establishing actual malice;
6. Costs of suit and attorneys' fees to the fullest extent permitted by law;
and
7. Such other relief as the Court may deem is just and proper.

Respectfully submitted,


Steven J. Kelly

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apowell@sanfordheisler.com

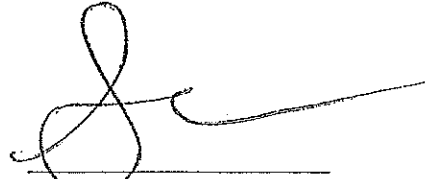
BRADY
Jonathan E. Lowy, *pro hac vice* pending

Philip Bangle, *pro hac vice* pending
840 First Street NE
Ste. 400
Washington, D.C. 20002

*Attorneys for Plaintiff Mayor & City
Council of Baltimore*

DEMAND FOR JURY TRIAL

Pursuant to Maryland Rule 2-325(a), Plaintiff demands a trial by jury on all issues so triable.

A handwritten signature in black ink, appearing to read 'Steven J. Kelly', written over a horizontal line.

Steven J. Kelly

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CIVIL - NON-DOMESTIC CASE INFORMATION SHEET

DIRECTIONS

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a).

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: [X] PLAINTIFF [] DEFENDANT CASE NUMBER
CASE NAME: Mayor & City Council of Baltimore vs. Polymer80, Inc.; Hanover Armory, LLC
PARTY'S NAME: Mayor & City Council of Baltimore PHONE: 410-396-3947
PARTY'S ADDRESS: 100 North Holliday Street Baltimore, Maryland 21202
PARTY'S E-MAIL: Sara.Gross@baltimorecity.gov
If represented by an attorney:
PARTY'S ATTORNEY'S NAME: Steven J. Kelly PHONE: 410-834-7416
PARTY'S ATTORNEY'S ADDRESS: 111 S. Calvert St., Ste. 1950. Baltimore MD, 21202
PARTY'S ATTORNEY'S E-MAIL: skelly@sanfordheisler.com
JURY DEMAND? [X] Yes [] No
RELATED CASE PENDING? [] Yes [X] No If yes, Case #(s), if known:
ANTICIPATED LENGTH OF TRIAL?: ___ hours 14 days

PLEADING TYPE

New Case: [X] Original [] Administrative Appeal [] Appeal
Existing Case: [] Post-Judgment [] Amendment

If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.

IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)

TORTS

- [] Asbestos
[] Assault and Battery
[X] Business and Commercial
[] Conspiracy
[] Conversion
[] Defamation
[] False Arrest/Imprisonment
[] Fraud
[] Lead Paint - DOB of Youngest Plt:
[] Loss of Consortium
[] Malicious Prosecution
[] Malpractice-Medical
[] Malpractice-Professional
[X] Misrepresentation
[] Motor Tort
[X] Negligence
[X] Nuisance
[] Premises Liability
[] Product Liability
[] Specific Performance
[] Toxic Tort
[] Trespass
[] Wrongful Death

CONTRACT

- [] Asbestos
[] Breach
[] Business and Commercial
[] Confessed Judgment (Cont'd)
[] Construction
[] Debt

Government

- [] Insurance
[] Product Liability
PROPERTY
[] Adverse Possession
[] Breach of Lease
[] Definue
[] Distress/Distrain
[] Ejectment
[] Forcible Entry/Detainer
[] Foreclosure

- [] Commercial
[] Residential
[] Currency or Vehicle
[] Deed of Trust
[] Land Installments
[] Lien
[] Mortgage
[] Right of Redemption
[] Statement Condo

- [] Forfeiture of Property / Personal Item
[] Fraudulent Conveyance
[] Landlord-Tenant
[] Lis Pendens
[] Mechanic's Lien
[] Ownership
[] Partition/Sale in Lieu
[] Quiet Title
[] Rent Escrow
[] Return of Seized Property
[] Right of Redemption
[] Tenant Holding Over

PUBLIC LAW

- [] Attorney Grievance
[] Bond Forfeiture Remission
[] Civil Rights
[] County/Mncpl Code/Ord
[] Election Law
[] Eminent Domain/Condemn.
[] Environment
[] Error Coram Nobis
[] Habeas Corpus
[] Mandamus
[] Prisoner Rights
[] Public Info. Act Records
[] Quarantine/Isolation
[] Writ of Certiorari

EMPLOYMENT

- [] ADA
[] Conspiracy
[] BEO/HR
[] FLSA
[] FMLA
[] Worker's Compensation
[] Wrongful Termination

INDEPENDENT PROCEEDINGS

- [] Assupmtion of Jurisdiction
[] Authorized Sale
[] Attorney Appointment
[] Body Attachment Issuance
[] Commission Issuance

Constructive Trust

- [] Contempt
[] Deposition Notice
[] Dist Ct Mtn Appeal
[] Financial
[] Grand Jury/Petit Jury
[] Miscellaneous
[] Perpetuate
[] Testimony/Evidence
[] Prod. of Documents Req.
[] Receivership
[] Sentence Transfer
[] Set Aside Deed
[] Special Adm. - Atty
[] Subpoena Issue/Quash
[] Trust Established
[] Trustee Substitution/Removal
[] Witness Appearance-Compel

PEACE ORDER

- [] Peace Order

EQUITY

- [] Declaratory Judgment
[] Equitable Relief
[] Injunctive Relief
[] Mandamus

OTHER

- [] Accounting
[] Friendly Suit
[] Grantor in Possession
[] Maryland Insurance Administration
[] Miscellaneous

Vertical stamps: DOCUMENT RECEIVED, FORECLOSURE, BALTIMORE, 2022 MAR 22, 11:03 AM

IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)

- | | | | |
|--|--|---|--|
| <input checked="" type="checkbox"/> Abatement | <input type="checkbox"/> Earnings Withholding | <input type="checkbox"/> Judgment-Default | <input type="checkbox"/> Reinstatement of Employment |
| <input type="checkbox"/> Administrative Action | <input type="checkbox"/> Enrollment | <input type="checkbox"/> Judgment-Interest | <input type="checkbox"/> Return of Property |
| <input type="checkbox"/> Appointment of Receiver | <input type="checkbox"/> Expungement | <input type="checkbox"/> Judgment-Summary | <input type="checkbox"/> Sale of Property |
| <input type="checkbox"/> Arbitration | <input type="checkbox"/> Financial Exploitation | <input checked="" type="checkbox"/> Liability | <input type="checkbox"/> Specific Performance |
| <input type="checkbox"/> Asset Determination | <input type="checkbox"/> Findings of Fact | <input type="checkbox"/> Oral Examination | <input type="checkbox"/> Writ-Error Coram Nobis |
| <input type="checkbox"/> Attachment b/f Judgment | <input type="checkbox"/> Foreclosure | <input checked="" type="checkbox"/> Order | <input type="checkbox"/> Writ-Execution |
| <input type="checkbox"/> Cease & Desist Order | <input checked="" type="checkbox"/> Injunction | <input type="checkbox"/> Ownership of Property | <input type="checkbox"/> Writ-Garnish Property |
| <input type="checkbox"/> Condemn Bldg | <input type="checkbox"/> Judgment-Affidavit | <input type="checkbox"/> Partition of Property | <input type="checkbox"/> Writ-Garnish Wages |
| <input type="checkbox"/> Contempt | <input checked="" type="checkbox"/> Judgment-Attorney Fees | <input type="checkbox"/> Peace Order | <input type="checkbox"/> Writ-Habeas Corpus |
| <input checked="" type="checkbox"/> Court Costs/Fees | <input type="checkbox"/> Judgment-Confessed | <input type="checkbox"/> Possession | <input type="checkbox"/> Writ-Mandamus |
| <input checked="" type="checkbox"/> Damages-Compensatory | <input type="checkbox"/> Judgment-Consent | <input type="checkbox"/> Production of Records | <input type="checkbox"/> Writ-Possession |
| <input checked="" type="checkbox"/> Damages-Punitive | <input type="checkbox"/> Judgment-Declaratory | <input type="checkbox"/> Quarantine/Isolation Order | |

If you indicated *Liability* above, mark one of the following. This information is not an admission and may not be used for any purpose other than Track Assignment.

- Liability is conceded. Liability is not conceded, but is not seriously in dispute. Liability is seriously in dispute.

MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)

- Under \$10,000 \$10,000 - \$30,000 \$30,000 - \$100,000 Over \$100,000
- Medical Bills \$ _____ Wage Loss \$ _____ Property Damages \$ _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

- | | | | |
|----------------|---|--------------------------|---|
| A. Mediation | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | C. Settlement Conference | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| B. Arbitration | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | D. Neutral Evaluation | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

SPECIAL REQUIREMENTS

- If a Spoken Language Interpreter is needed, check here and attach form **CC-DC-041**
- If you require an accommodation for a disability under the Americans with Disabilities Act, check here and attach form **CC-DC-049**

ESTIMATED LENGTH OF TRIAL

With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL.

(Case will be tracked accordingly)

- | | |
|---|---|
| <input type="checkbox"/> 1/2 day of trial or less | <input type="checkbox"/> 3 days of trial time |
| <input type="checkbox"/> 1 day of trial time | <input type="checkbox"/> More than 3 days of trial time |
| <input type="checkbox"/> 2 days of trial time | |

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.

- | | |
|--|--|
| <input type="checkbox"/> Expedited - Trial within 7 months of Defendant's response | <input type="checkbox"/> Standard - Trial within 18 months of Defendant's response |
|--|--|

EMERGENCY RELIEF REQUESTED

**COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

*FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under
Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.*

- Expedited - Trial within 7 months of Defendant's response Standard - Trial within 18 months of Defendant's response

**IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, OR BALTIMORE COUNTY,
PLEASE FILL OUT THE APPROPRIATE BOX BELOW.**

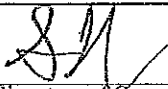
CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

- Expedited Trial 60 to 120 days from notice. Non-jury matters.
 Civil-Short Trial 210 days from first answer.
 Civil-Standard Trial 360 days from first answer.
 Custom Scheduling order entered by individual judge.
 Asbestos Special scheduling order.
 Lead Paint Fill in: Birth Date of youngest plaintiff _____
 Tax Sale Foreclosures Special scheduling order.
 Mortgage Foreclosures No scheduling order.

CIRCUIT COURT FOR BALTIMORE COUNTY

- Expedited (Trial Date-90 days) Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.
 Standard (Trial Date-240 days) Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.
 Extended Standard (Trial Date-345 days) Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency.
 Complex (Trial Date-450 days) Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

05/31/2022 _____
Date



Signature of Counsel / Party 0312160392
Attorney Number

111 S. Calvert St., Ste. 1950 _____
Address

Steven J. Kelly _____
Printed Name

Baltimore MD 21202
City State Zip Code