

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

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

Plaintiffs, *

v. * Civil Action No.: 1:22-cv-00865-SAG

ANNE ARUNDEL COUNTY, MD *

Defendant. *

* * * * *

CONSENT MOTION TO MODIFY THE SCHEDULING ORDER

NOW COMES Defendant, Anne Arundel County, Maryland (the “County”), by and through undersigned counsel, and with the consent of counsel for the Plaintiffs, files this Consent Motion to Modify the Scheduling Order and states as follows:

1. Plaintiffs filed their motion for summary judgment on September 30, 2022. Defendant filed its response and cross-motion on October 24, 2022. On the same date, Defendant filed a motion in limine to exclude the testimony of Plaintiffs’ expert Gary Kleck. Plaintiffs filed their opposition to Defendant’s motion in limine on October 31, 2022. The following are the current deadlines for the parties’ subsequent briefing on the cross-motions for summary judgment and the motion in limine: Plaintiffs’ reply and/or response to the cross-motions is due on November 10, 2022; Defendant’s reply to the motion in limine is due on November 14, 2022; and Defendant’s reply to the cross-motions is due on November 21, 2022. In order to have sufficient time to fully and adequately brief Defendant’s motion in limine and the cross-motions for summary judgment, and in light of the Thanksgiving holiday and previously-scheduled travel, the parties seek additional time for the upcoming cross-motions for summary judgment briefing deadlines. The

parties have conferred and agree to the following modified scheduling order dates, subject to the Court's approval:

Plaintiffs' Reply and/or Response to Cross-Motion: **November 18, 2022**

Anne Arundel County's Cross-Motion Reply: **December 9, 2022**

2. Defendant's deadline of November 14, 2022, to file its reply to the motion in limine will not be affected by this motion. No party will be prejudiced by this motion, since Defendant has previously agreed not to enforce the ordinance at issue until a decision on the merits has been reached in this case.

WHEREFORE, Defendant Anne Arundel County, Maryland, respectfully requests, with Plaintiffs' consent, that the Court modify the current scheduling order and for such other and further relief as justice and their cause may require.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of November 2022, the foregoing motion was electronically filed in the United States District Court for the District of Maryland.

Tamal A. Banton

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