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October 15, 2013

*BY CM/ECF*

The Honorable Catherine C. Blake  
United States District Judge  
United States District Court for  
the District of Maryland  
101 West Lombard Street  
Baltimore, Maryland 21201

**Re: *Doe v. O'Malley*, 1:13-cv-02861-CCB**  
***Tardy v. O'Malley*, 1:13-cv-02841-CCB**

Dear Judge Blake:

As directed by the Court, the parties have conferred with respect to the scheduling of future proceedings with respect to the above-referenced cases, and submit this status report to the Court on behalf of both parties.

**I. *Doe v. O'Malley*, 1:13-cv-02861-CCB**

On September 27, 2013, the plaintiffs filed their complaint, along with a motion for temporary restraining order and preliminary injunction. The defendants filed an opposition to the motion for temporary restraining order and preliminary injunction on September 30, 2013. On October 1, 2013, after hearing argument, the Court denied the plaintiffs' motion for temporary restraining order. The plaintiffs have decided not to seek an immediate hearing on their motion for preliminary injunction, but reserve the right to do so in the future. The defendants reserve all rights in the event that the plaintiffs seek a hearing on their motion for preliminary injunction.

The plaintiffs have also consented to an enlargement of time for the defendants to respond to the plaintiffs' complaint, as well as their motion to proceed under fictitious

names, until 21 days following the earlier of: (1) the filing by the plaintiffs of an amended complaint; or (2) written notice from the plaintiffs that they intend to seek a hearing on their motion for a preliminary injunction.

At this time, no further proceedings are required on this case.

## **II. *Tardy v. O'Malley*, 1:13-cv-02841-CCB**

The parties have agreed to request that, instead of proceeding with a preliminary injunction hearing, the Court proceed to consider this matter on the merits on an expedited schedule. The parties have agreed to propose the following schedule:

1. The defendants shall answer or move in response to the complaint on or before October 23, 2013.
2. Initial disclosures, pursuant to Rule 26(a)(1)(A), shall be made on or before October 28, 2013.
3. The plaintiffs shall make their expert disclosures, pursuant to Rule 26(a)(2), on or before December 13, 2013.
4. All fact discovery shall be completed by December 20, 2013.
5. The defendants shall make their expert disclosures, pursuant to Rule 26(a)(2), on or before January 10, 2014.
6. All expert discovery shall be completed by January 24, 2014.
7. A trial on the merits, which the parties currently estimate will last approximately 4 days, will be scheduled to begin at the Court's convenience, on or after February 10, 2014.

The defendants believe that it is likely that this case will be resolvable on dispositive motions, and reserve the right to file a motion for summary judgment, if necessary, no later than January 31, 2014. Both parties currently believe it is possible to proceed on the schedule set forth above, but reserve the right to request changes for good cause. The defendants expressly reserve the right to seek an adjustment in the schedule if the plaintiffs in *Doe* seek to activate proceedings in that case. If that occurs, the parties will confer in good faith in an effort to determine what adjustments in the schedule for this case may be necessary.

The parties will work together in good faith to attempt to resolve any discovery or other disputes before bringing them to the Court's attention. The parties request that the Court schedule a status/pre-trial conference as soon as convenient after January 13, 2014.

Proposed orders are attached.

Respectfully submitted,

/s/ (w/ permission)

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/s/

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