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MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission

FROM: Michael W. Aniton, Deputy General Counsel

RE: Litigation & Administrative Proceedings Report for May 2026 – FY 2026

Please find attached the Litigation & Administrative Proceedings Report we have prepared for your meeting scheduled for Wednesday, June 17, 2026. We recently expanded the types of case matters that are included in the Report, and we continue to refine this document's content and layout. Please feel free to share suggestions as we look to improve this Report, provide more useful information, and enhance the formatting and presentation. As always, please do not hesitate to contact me or Debra Borden, General Counsel, if you would like us to provide a substantive briefing on any of the cases reported.

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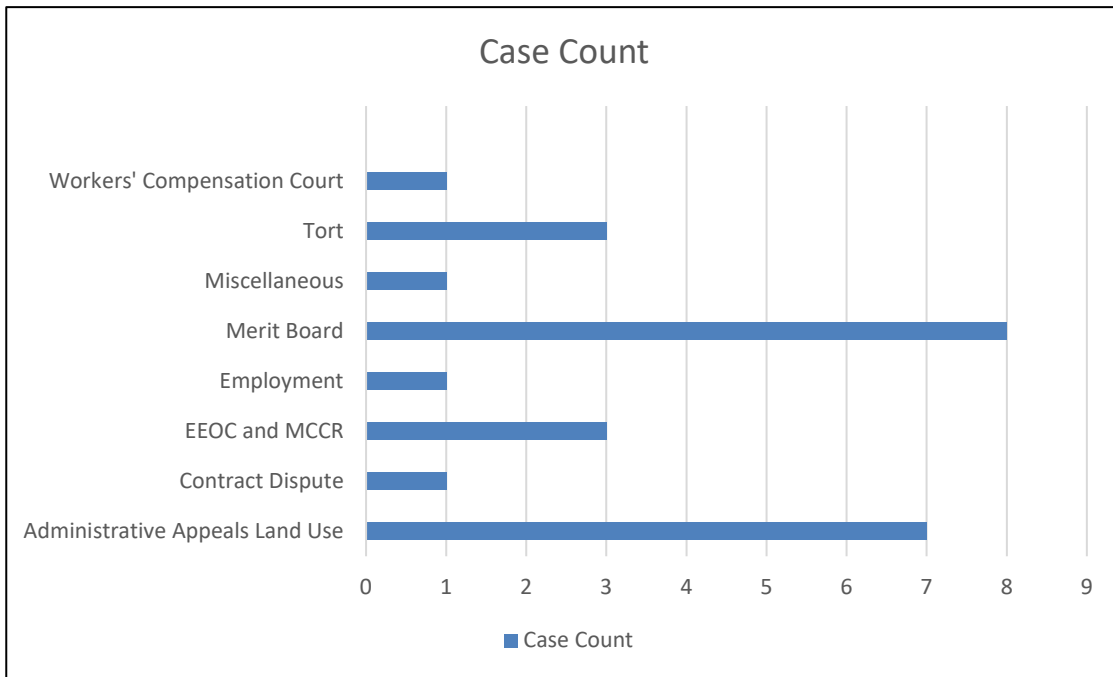
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Litigation and Administrative Hearings May 2026

Composition of Pending Litigation and Administrative Proceedings

Subject Matter	Forum	Total
Administrative Appeal Land Use	State Court	2
Administrative Appeal Land Use	Appellate Court of Maryland	5
Contract Dispute	State Court	1
Employment	Federal Trial Court	1
Employment	EEOC and MCCR	3
Employment	Merit Board	8
Miscellaneous	Federal Trial Court	1
Police Trial Board	Office of Administrative Hearings	0
Solar Projects	Maryland Public Service Commission	0
Tort Claims	State Court	3
Workers' Compensation	State Court	1
Workers' Compensation	Workers' Compensation Commission	44
Grand Total of all matters		69

Overview of Pending Matters



- Workers' Compensation, 1 case
- Tort, 3 cases
- Miscellaneous, 1 case
- Merit Board, 8 cases
- Employment, 1 case
- EEOC and MCCR, 3 cases
- Contract Dispute, 1 case
- Administrative Appeals Land Use, 7 cases

Activity Summary

- Administrative Appeal Land Use – There were six matters pending in April. One new matter was added, and no matters were resolved this month. There were 2 matters pending at the close of fiscal year 2025.
- Contract Disputes – There was one matter pending in April. No new matters were added this month, and no matters were resolved this month. There were no matters pending at the close of fiscal year 2025.
- EEOC and MCCR – There were three matters pending in April. 1 new matter was added and one right to sue letter was issued. These matters were not tracked in prior fiscal years.
- Employment – There was one matter pending in April. No new matters were added this month, and no matters were resolved this month. There were no matters pending at the close of fiscal year 2025.
- Merit Board – There were eight matters pending in April. One new matter was added and one matter was dismissed. These matters were not tracked in prior fiscal years.
- Miscellaneous – There was one matter pending in April. No new matters were added this month, and no matters were resolved this month. There was one matter pending at the close of fiscal year 2025.
- Police Trial Boards – There were no matters pending in April. No new matters were added this month. These matters were not tracked in prior fiscal years.
- Solar Projects – There were two matters pending in April. No new matters were added this month, and both matters were resolved. These matters were not tracked in prior fiscal years.
- Tort – There were four matters pending in April. No new matters were added this month, and one matter was resolved. There were four matters pending at the close of fiscal year 2025. There have been two new cases added in fiscal year 2026 and two cases have been resolved in fiscal year 2026.
- Workers' Compensation – There were 40 cases pending in April to include matters in State Courts as well as before the Workers' Compensation Commission. Five new matters were added this month. In prior fiscal years only matters in State or Federal Court were tracked.

Fiscal Year 2026 Cases to Date by County

New Trial Court Cases

Baltimore City

Case Name	Subject Matter	Month Filed
In the Matter of Rosemary Whelan	Workers' Compensation	August 2025

Montgomery County

Case Name	Subject Matter	Month Filed
Bratburd v. The Maryland-National Capital Park and Planning Commission	Miscellaneous – Administrative	July 2025
The Maryland-National Capital Park and Planning Commission v. Shirazi	Land Dispute	July 2025
The Maryland-National Capital Park and Planning Commission v. Marcello	Workers' Compensation	January 2026
Young v. The Maryland-National Capital Park and Planning Commission	Tort	February 2026

Prince George's County

Case Name	Subject Matter	Month Filed
In the Matter of Harvey Blonder, et al.	Administrative Appeal Land Use	June 2025
Martinez v. The Maryland-National Capital Park and Planning Commission, et al.	Tort	July 2025
In the Matter of Tamara Brown	Administrative Appeal Land Use	September 2025
In the Matter of Kamita Gray, et al.	Administrative Appeal Land Use	September 2025 Reopened January 2026
In the Matter of The Homeowners Association of the Ridings at Upper Marlboro	Administrative Appeal Land Use	October 2025
The Maryland-National Capital Park and Planning Commission v. DJL Equestrian Services	Contract Dispute	January 2026

New Appellate Court Cases

Prince George's County

Case Name	Subject Matter	Month Filed
In the Matter of Glenn Dale Citizens Association Inc., et al.	Administrative Appeal Land Use	December 2025
In the Matter of Kamita Gray, et al.	Administrative Appeal Land Use	December 2025
In the Matter of Tamara Brown, et al.	Administrative Appeal Land Use	April 2026
In the Matter of Harvey Blonder	Administrative Appeal Land Use	May 2026

New Federal Court Cases

Case Name	Subject Matter	Month Filed
Muse v. The Maryland-National Capital Park and Planning Commission	Employment	February 2026

Resolved Trial Court Cases

Baltimore City

Case Name	Subject Matter	Month Resolved
In the Matter of Rosemary Whelan	Workers' Compensation	December 2025

Montgomery County

Case Name	Subject Matter	Month Resolved
Bratburd v. The Maryland-National Capital Park and Planning Commission	Miscellaneous – Administrative	October 2025
The Maryland-National Capital Park and Planning Commission v. Shirazi	Land Dispute	January 2026
Chaberton Solar Sugarloaf	Solar Project	March 2026
Chaberton Solar Ramiere	Solar Project	April 2026

Prince George's County

Case Name	Subject Matter	Month Resolved
Glenn Dale Citizens Association Inc., et al. v. The Planning Board of Prince George's County	Administrative Appeal Land Use	November 2025
Ferguson v. Gantt, et al.	Tort	December 2025
Prince George's County v. Gantt, et al.	Tort	December 2025
In the Matter of Kamita Gray, et al.	Administrative Appeal Land Use	January 2026
In the Matter of Tamara Brown, et al.	Administrative Appeal Land Use	March 2026
Doe v. The Maryland-National Capital Park and Planning Commission, et al.	Tort	April 2026
In the Matter of Harvey Blonder	Administrative Appeal Land Use	April 2026

Disposition of Fiscal Year 2026 Closed Cases By Department

Client	Case and Principal Cause of Action in Dispute	Disposition
Montgomery County Department of Parks	The Maryland-National Capital Park and Planning Commission v. Shirazi - the Commission filed a Complaint for Permanent Injunctive Relief to prevent Defendant from encroaching on Commission property.	January 15, 2026, Injunction Granted.
Montgomery County Park Police	In the Matter of Rosemary Whelan - Petition for Judicial Review from the decision of the Workers' Compensation Commission. Former employee appealed a decision by the Workers' Compensation Commission that denied her additional vocational rehabilitation benefits.	December 17, 2025, Notice of Dismissal filed.
Montgomery County Planning Board	Bratburd v. The Maryland-National Capital Park and Planning Commission - Former employee challenged designation of reason for separation to Maryland Police Training Commission.	October 30, 2025, Court granted writ of mandamus in part and denied it in part.
Montgomery County Planning Board	Chaberton Solar Sugarloaf – Chaberton Solar Sugarloaf I LLC, filed an application to the Public Service Commission for a Certificate of Public Convenience and Necessity to Construct a 4.0-megawatt solar photovoltaic generating facility in Montgomery County.	March 24, 2026, Ordered that the November 12, 2025, proposed order by the Public Utility Law Judge is affirmed and adopted as a final order of the Maryland Public Service Commission.
Montgomery County Planning Board	Chaberton Solar Ramiere – Application filed by Chaberton Solar Ramiere LLC, to the Maryland Public Service Commission for a Certificate of Public Convenience and Necessity to construct a 3.0-megawatt solar photovoltaic facility in Montgomery County, Maryland.	April 20, 2026, Ordered that the November 12, 2025, proposed order by the Public Utility Law Judge is affirmed and adopted as a final order of the Maryland Public Service Commission.
Prince George's County Department of Parks and Recreation	Ferguson v. Gantt, et al. - Companion case to Prince George's County v. Gantt, et al. Suit for personal injuries sustained in a rear-end motor vehicle accident allegedly caused by an employee of The Maryland-National Capital Park and Planning Commission operating a company vehicle.	December 2, 2025, Stipulation of Dismissal filed.

Client	Case and Principal Cause of Action in Dispute	Disposition
Prince George's County Department of Parks and Recreation	Prince George's County v. Gantt, et al. - Suit filed by Prince George's County to recover worker's compensation benefits paid to a County employee as a result of injuries sustained in a rear-end motor vehicle accident allegedly caused by an employee of The Maryland-National Capital Park and Planning Commission operating a company vehicle.	December 2, 2025, Stipulation of Dismissal filed.
Prince George's County Department of Parks and Recreation	Doe v. The Maryland-National Capital Park and Planning Commission, et al. - Suit to recover for injuries and damages involving allegations of sexual assault of a minor by a former employee of the Commission.	May 6, 2026 – Case settled and matter dismissed without prejudice and closed statistically.
Prince George's County Planning Board	Glenn Dale Citizens Association, Inc. – Petitioners sought Judicial Review of Prince George's County Planning Board's Decision with regard to Preliminary Plan of Subdivision Number 4-22051.	November 12, 2025, Decision of Planning Board Affirmed.
Prince George's County Planning Board	In the Matter of Tamara Brown, et al. - Petitioners sought Judicial Review of Prince George's County Planning Board's decision approving a preliminary subdivision plan.	March 3, 2026, Order of the Court granting D.R. Horton Inc.'s Motion to Dismiss Petition for Judicial Review.
Prince George's County Planning Board	In the Matter of Kamita Gray, et al. – Petitioners sought Judicial Review of Prince George's County Planning Board's Decision approving a preliminary subdivision plan.	March 23, 2026, Order of the Court granting Respondent's Motion to Dismiss Cross-Petition.

Reported Cases by Forum and County

Maryland Public Service Commission

No Pending Matters

Circuit Court for Montgomery County, Maryland

The Maryland-National Capital Park and Planning Commission v. Michael Marcello Case No. C-15-CV-26-000009 (Workers' Compensation)

Lead Counsel: Ticer

Other Counsel: Bansal

Abstract: Appeal by The Maryland-National Capital Park and Planning Commission of a Workers' Compensation Commission Order finding Appellee's hernia compensable.

Status: Hearing scheduled.

Docket:

Date	Document Information
01/02/2026	Petition for Judicial Review filed
01/12/2026	Answer to Petition for Judicial Review
03/09/2026	Memorandum in Support of Petition for Judicial Review filed
04/03/2026	Consent Motion to Extend time to Respond
04/07/2026	Order of the Court granting extension of time to respond
04/22/2026	Claimant/Respondent's Answer Memorandum
05/07/2026	Employer/Petitioner's Reply Memorandum in Support of Judicial Review
07/30/2026	Hearing set

Belinda Young v. The Maryland-National Capital Park and Planning Commission
Case No. C-15-CV-26-000575 (Tort)

Lead Counsel: Rupert

Other counsel: Bansal

Abstract: Suit alleging personal injuries at Riverview Recreation Center on or about April 22, 2025.

Status: Motion to Dismiss pending.

Docket:

Date	Document Information
02/02/2026	Complaint filed
02/02/2026	Notice of Scheduling Order and Mandatory Settlement Conference
03/31/2026	Commission served
04/28/2026	Commission's Motion to Dismiss filed
05/13/2026	Opposition to Motion to Dismiss and Request for Hearing
11/19/2026	Pre-trial Conference

Circuit Court for Prince George's County, Maryland

The Maryland-National Capital Park and Planning Commission v. DJL Equestrian Services, LLC
Case No. C-16-CV-26-000111 (Contract Dispute)

Lead Counsel: Johnson

Abstract: Suit to recover \$48,500.00 from contractor for unearned portion of payment regarding improvements to, and refurbishments of, the track and infield areas of the Equestrian Center and Show Place Arena.

Status: Ex Parte Hearing scheduled.

Docket:

Date	Document Information
01/09/2026	Complaint filed
02/11/2026	Affidavit of Service
04/20/2026	Motion for Order of Default filed
05/07/2026	Order of Court. Default entered.
07/24/2026	Ex Parte Hearing

G.W. v. The Maryland-National Capital Park and Planning Commission, et al.

Case No. C-16-CV-25-002723 (Tort)

Lead Counsel: Rupert

Abstract: Suit to recover for injuries and damages involving allegations of sexual assault of a minor by a former employee of The Maryland-National Park and Planning Commission.

Status: Case stayed.

Docket:

Date	Document Information
05/19/2025	Complaint filed
06/20/2025	Commission served
08/25/2025	Joint Motion to Stay Case
09/03/2025	Order of Court. Joint Motion to Stay Case Granted

In the Matter of Harvey Blonder, et al.

Case No. C-16-CV-25-003504 (Administrative Appeal Land Use)

Lead Counsel: Warner

Abstract: Petitioners seek Judicial Review of Prince George's County Planning Board's decision approving a preliminary subdivision plan.

Status: Decision appealed to Appeals Court of Maryland

Docket:

Date	Document Information
06/25/2025	Petition for Judicial Review
07/14/2025	Response to Petition for Judicial Review filed
07/15/2025	Response to Petition. Request to Participate filed by SO-Eastgate, LLC
09/19/2025	Citizen-Petitioners' Memorandum in support of Petition for Judicial Review
10/01/2025	Consent Motion to Postpone Oral Argument
10/15/2025	Memorandum filed by Prince George's County Planning Board
10/17/2025	Answering Memorandum
10/20/2025	Order of the Court Granting Motion to Postpone Oral Argument

Date	Document Information
10/21/2025	Hearing Notice
10/31/2025	Citizen-Petitioners' Reply Memorandum
01/22/2026	Hearing held. Decision taken under advisement.
04/08/2026	Order of the Court denying administrative appeal and affirming the decision of the Prince George's County Planning Board.
05/07/2026	Notice of Appeal to Appeals Court of Maryland

**In the Matter of The Homeowners Association of the Ridings at Upper Marlboro
Case No. C-16-CV-25-005702 (Administrative Appeal Land Use)**

Lead Counsel: Warner

Abstract: Petitioners seek Judicial Review of Prince George's County Planning Board's decision approving a preliminary subdivision plan.

Status: Matter taken under advisement.

Docket:

Date	Document Information
10/14/2025	Petition for Judicial Review
10/28/2025	Response to Petition for Judicial Review filed
11/06/2025	Response of Prosperity Senior Communities, LLD filed
11/12/2025	Notice of hearing
12/10/2025	Record and Transcript filed
01/09/2026	Petitioner's Memorandum filed
02/05/2026	Respondent Prince George's County Planning Board's Answering Memorandum
02/06/2026	Memorandum of Law
02/09/2026	Joint Stipulation to extend time for filing of Petitioner's Reply Memorandum
02/10/2026	Judicial Notice of filing. Parties to submit a proposed order for the Court's consideration
02/13/2026	Order on Joint Stipulation to Extend Time for Filing of Petitioner's Reply Memorandum
03/10/2026	Petitioner's Reply Memorandum filed
03/27/2026	Hearing held. Matter taken under advisement.
04/07/2026	Petitioner's Reply Memorandum

Martinez v. The Maryland-National Capital Park and Planning Commission, et al.

Case No. C-16-CV-25-002445 (Tort)

Lead Counsel: Rupert

Abstract: Suit to recover damages for alleged injuries sustained relating to a motor vehicle accident involving a vehicle owned by The Maryland-National Capital Park and Planning Commission.

Status: In discovery.

Docket:

Date	Document Information
05/06/2025	Complaint filed
07/24/2025	The Maryland-National Capital Park and Planning Commission served
08/22/2025	Answer to Complaint and Request for Jury Trial filed
08/26/2025	Scheduling Order issued
05/18/2026	Scheduling Order
05/26/2026	Plaintiff's Expert Disclosure filed
06/26/2026	Settlement Conference set
08/25/2026	Trial set

Appellate Court of Maryland

In the Matter of Harvey Blonder, et al.

Case No. ACM-REG-0530-2026 (Administrative Appeal Land Use)

(Originally filed in Circuit Court for Prince George's County, Maryland, C-16-CV-25-003504)

Lead Counsel: Warner

Abstract: Appeal of Circuit Court's decision Affirming the Prince George's County Planning Board's decision approving a preliminary subdivision plan.

Status: Appeal filed.

Docket:

Date	Document Information
05/07/2026	Appeal filed.

In the Matter of Tamara Brown, et al.
Case No. ACM-REG-0242-2026 (Administrative Appeal Land Use)
(Originally filed in Circuit Court for Prince George's County, Maryland, C-16-CV-25-004951)

Lead Counsel: Warner

Other Counsel: Tallerico

Abstract: Appeal of Dismissal Order in Circuit Court Case C-16-CV-25-004951.

Status: Appeal filed.

Docket:

Date	Document Information
04/02/2026	Appeal filed
04/17/2026	Order to Proceed

In the Matter of Forest Grove Citizens Association, et al.
Case No. ACM-REG-2475-2024 (Administrative Appeal Land Use)
(Originally filed in Circuit Court for Montgomery County, Maryland, C-15-CV-24-001622)

Lead Counsel: Mills

Abstract: Appeal of the decision of the Circuit Court for Montgomery County, Maryland, affirming the Montgomery County Planning Board's decision in 9801 Georgia Avenue Plan, numbers 120230160, 820230130, and, F20240040.

Status: Awaiting ruling.

Docket:

Date	Document Information
02/26/2025	Appeal filed
03/25/2025	Order to Proceed
05/23/2025	Briefing Notice
07/02/2025	Appellant's Brief and Record Extract
07/25/2025	The Maryland-National Park and Planning Commission's Brief filed
08/01/2025	Appellee Forest Glen Medical Center Brief filed
08/12/2025	Appellant's Motion for Extension of Time to file Reply Brief

Date	Document Information
08/14/2025	Joint Stipulation of The Maryland-National Capital Park and Planning Commission and Forest Glen Medical Center consenting to Motion for Extension of Time
08/21/2025	Reply Brief filed
08/29/2025	Order of Court granting Motion for Extension Time
01/22/2026	Scheduling Notice
03/09/2026	Hearing held. Awaiting ruling.

In the Matter of Glenn Dale Citizens Association, Inc., et al.
Case No. ACM-REG-2192-2025 (Administrative Appeal Land Use)
(Originally filed in Circuit Court for Prince George's County, Maryland, C-16-CV-24-005361)

Lead Counsel: Warner

Abstract: Appeal of the decision of the Circuit Court for Prince George's County, Maryland, affirming the Prince George's County Planning Board's decision regarding Preliminary Plan of Subdivision number 4-22-51.

Status: Appeal filed.

Docket:

Date	Document Information
12/11/2025	Appeal filed
12/22/2025	Order to Proceed
02/20/2026	Briefing Notice
04/01/2026	Appellant's Brief and Record Extract filed
04/28/2026	Commission's Brief filed
05/01/2026	Appellee Glenn Dale Brief and Appendix filed
05/20/2026	Reply Brief filed

In the Matter of Kamita Gray, et al.
Case No. ACM-REG-2448-2025 (Administrative Appeal Land Use)
(Originally filed in Circuit Court for Prince George's County, Maryland, C-16-CV-25-004952)

Lead Counsel: Warner

Other Counsel: Coleman

Abstract: Petitioners seek Judicial Review of the Circuit Court for Prince George's County, Maryland, granting of Motion to Dismiss.

Status: Appeal filed.

Docket:

Date	Document Information
01/16/2026	Appeal filed
01/23/2026	Order to Proceed
02/03/2026	Motion to Stay
02/06/2026	Motion Supplement
03/19/2026	Order of Court denying Appellants Emergency Motion to Stay Circuit Court Proceedings
03/24/2026	Briefing Notice
04/17/2026	Motion to restore electronic access
04/24/2026	Appellant Brief and Record Extract filed
04/28/2026	Appellant's Motion to file Amended Brief
05/06/2026	Order granting Motion to file Amended Brief
05/06/2026	Motion to Dismiss
05/06/2026	Opposition to Motion to Dismiss
05/06/2026	Multiple Motions filed by Appellees for Reconsideration and to Dismiss
05/19/2026	Order of Court denying Joint Motions and updates briefing schedule

U.S. District Court of Maryland

Steven Muse v. The Maryland-National Capital Park and Planning Commission Case No. 8:26-cv-460 (Employment)

Lead Counsel: Ticer

Abstract: Former employee is alleging race discrimination and retaliation related to his termination in February 2025.

Status: Motion to Dismiss pending.

Docket:

Date	Document Information
02/04/2026	Complaint filed
03/03/2026	The Maryland-National Capital Park and Planning Commission served
03/24/2026	Motion to Dismiss filed
04/07/2026	Response in Opposition to Motion to Dismiss
04/10/2026	Reply to Response in Opposition to Motion to Dismiss

U.S. District Court of New Jersey

In Re: Insulin Pricing Litigation Case No. 2:25-cv-00389 (Miscellaneous)

Lead Counsel: Ko

Other Counsel: Bansal, Rupert

Abstract: Affirmative litigation brought by The Maryland-National Capital Park and Planning Commission against Pharmacy Benefits Managers and drug manufacturers alleging an illegal pricing and kickback scheme involving insulin and related drugs, harming The Maryland-National Capital Park and Planning Commission in its capacity as a third-party payor of pharmacy benefits.

Status: Complaint filed. Waiver of service of summons and complaint executed.

Docket:

Date	Document Information
01/13/2025	Complaint filed
01/31/2025	Waiver of Service of summons and complaint executed by The Maryland-National Capital Prk and Planning Commission
02/05/2025	Waiver of Service of summons and complaint executed by The Maryland-National Capital Prk and Planning Commission
03/24/2025	Waiver of Service of summons and complaint executed by The Maryland-National Capital Prk and Planning Commission
04/18/2025	Waiver of Service of summons and complaint executed by The Maryland-National Capital Prk and Planning Commission
06/24/2025	Case Reassigned to Magistrate Judge Leda D. Wettre