



The Maryland-National Capital Park and Planning Commission

Office of the General Counsel

Reply to:

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September 4, 2026

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission

FROM: Debora S. Borden, General Counsel

RE: Litigation & Administrative Proceedings Report for July and August 2026 – FY 2027

Please find attached the Litigation & Administrative Proceedings Report we have prepared for your meeting scheduled for Wednesday, September 16, 2026. This report includes July 2026 and August 2026 case information. We continue to refine this document's content and layout as we enhance the formatting and presentation to comply with required web content accessibility guidelines. Please feel free to share suggestions as we look to improve this Report to meet these guidelines and provide more useful information. As always, please do not hesitate to contact me if you would like us to provide a substantive briefing on any of the cases reported.

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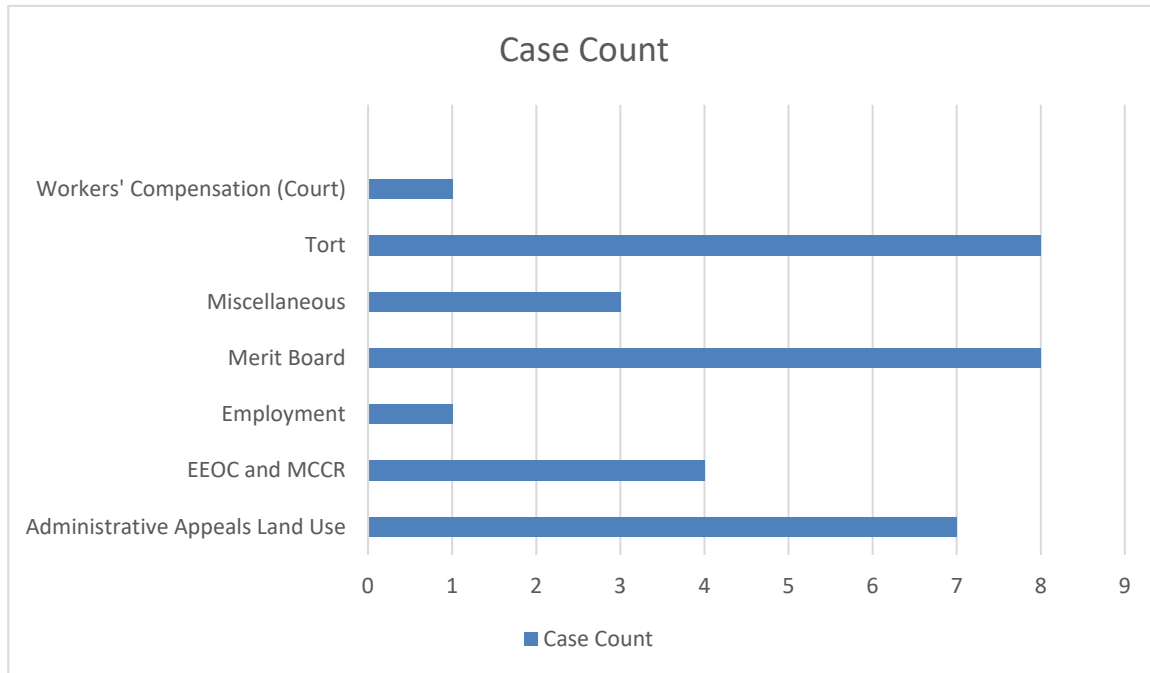
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Litigation and Administrative Hearings June 2026

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	0
Employment	Federal Trial Court	1
Employment	EEOC and MCCR	3
Employment	Merit Board	8
Miscellaneous	State Court	2
Miscellaneous	Federal Trial Court	1
Police Trial Board	Office of Administrative Hearings	0
Solar Projects	Maryland Public Service Commission	0
Tort Claims	State Court	8
Workers' Compensation	State Court	1
Workers' Compensation	Workers' Compensation Commission	49
Grand Total of all matters		80

Overview of Pending Matters



- Workers' Compensation (Court), 1 case
- Tort, 8 cases
- Miscellaneous, 3 cases
- Merit Board, 8 cases
- Employment, 1 case
- EEOC and MCCR, 4 cases
- Administrative Appeals Land Use, 7 cases

Activity Summary

- Administrative Appeal Land Use – There were 7 matters pending at the close of fiscal year 2026. One new matter was added and no matters were resolved.
- Contract Disputes – There was 1 matter pending at the close of fiscal year 2026. That matter was resolved and there are currently no matters pending.
- EEOC and MCCR – There were 4 matters pending at the close of fiscal year 2026. One reconsideration has been filed on an old matter. There are currently 5 matters pending.
- Employment – There was 1 matter pending at the close of fiscal year 2026. No new matters were added and no matters were resolved.
- Merit Board – There were 10 matters pending at the close of fiscal year 2026. Two matters have been resolved.
- Miscellaneous – There were 2 matters pending at the close of fiscal year 2026. One new matter was added.
- Police Trial Boards – There were no matters pending at the close of fiscal year 2026. No new matters have been added.
- Solar Projects – There were no matters pending at the close of fiscal year 2026. No new matters have been added.
- Tort – There were 5 matters pending at the close of fiscal year 2026. Three new matters have been added, and one matter has been resolved.
- Workers' Compensation – There were 60 cases pending at the close of fiscal year 2026 to include matters in State Courts as well as before the Workers' Compensation Commission. One matter in the State Court has been resolved. There are currently 50 cases pending.

Fiscal Year 2027 Cases to Date by County
New Trial Court Cases

Montgomery County

Case Name	Subject Matter	Month Commission Served
Goldie v. M-NCPPC	Tort	July 2026

Prince George's County

Case Name	Subject Matter	Month Commission Served
Maggie Lee, et al. v. Elizabeth Watson, et al.	Miscellaneous	July 2026
Joseph Mullins v. The Maryland-National Capital Park and Planning Commission, et al.	Tort	July 2026
Sharry Walker, et al. v. Darius Stanton, et al.	Tort	August 2026

New Appellate Court Cases

Prince George's County

Case Name	Subject Matter	Month Commission Served
In the Matter of The Homeowners Association of the Ridings at Upper Marlboro	Administrative Appeal Land Use	July 2026

New Federal Court Cases

No Pending Matters

Resolved Trial Court Cases

Montgomery County

Case Name	Subject Matter	Month Resolved
The Maryland-National Capital Park and Planning Commission v. Michael Marcello	Workers' Compensation - This is an appeal by The Maryland-National Capital Park and Planning Commission of a Workers' Compensation Commission Order finding Appellee's hernia compensable	July 2026
Kimberly Kargbo v. Montgomery County Park Police	Tort - Suit was brought alleging personal injuries as a result of a motor vehicle accident involving a vehicle driven by an employee of the park police.	August 2026

Prince George's County

Case Name	Subject Matter	Month Resolved
The Maryland-National Capital Park and Planning Commission v. DJL Equestrian Services, LLC	Contract Dispute	July 2026
Martinez v. The Maryland-National Capital Park and Planning Commission, et al.	Tort	August 2026

Disposition of Fiscal Year 2027 Closed Cases By Department

Client	Case and Principal Cause of Action in Dispute	Disposition
Prince George's Parks	The Maryland-National Capital Park and Planning Commission v. DJL Equestrian Services, LLC - Suit to recover \$48,500.00 from a contractor for the unearned portion of payment regarding improvements to, and refurbishments of, the track and infield areas of the Equestrian Center and Show Place Arena	July 7, 2026, Default Judgment entered.
Montgomery County Parks	The Maryland-National Capital Park and Planning Commission v. Michael Marcello - An appeal by The Maryland-National Capital Park and Planning Commission of a Workers' Compensation Commission Order finding Appellee's hernia compensable.	July 30, 2026, Order of Court Workers' Compensation Commission finding of a new compensable hernia reversed.
Prince George's Parks	Martinez v. The Maryland-National Capital Park and Planning Commission, et al. – 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.	August 26, 2026, case settled.
Montgomery County Park Police	Suit was brought alleging personal injuries as a result of a motor vehicle accident involving a vehicle driven by an employee of the park police.	August 27, 2026, case dismissed with prejudice.

Reported Cases by Forum and County
Maryland Public Service Commission

No Pending Matters

District Court of Maryland for Montgomery County

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)

This is an appeal by The Maryland-National Capital Park and Planning Commission of a Workers' Compensation Commission Order finding Appellee's hernia compensable. The lead counsel for this matter is Amy Ticer and Lucy Bansal is also assisting with this case. Decision of the Workers' Compensation Commission reversed.

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 held. Order that the Workers' Compensation Commission finding of a new compensable hernia is reversed.
08/31/2026	Order remanding case back to Maryland Workers' Compensation Commission

Eric Goldie v. The Maryland-National Capital Park and Planning Commission, et al.
Case No. C-15-CV-26-003733 (Tort)

Suit was brought alleging personal injuries as a result of a fall in Wheaton Regional Park. The lead counsel for this matter is Ben Rupert. A Pretrial conference has been set for April 2, 2027.

Docket: The Commission has yet to be properly served with the complaint.

Date	Document Information
06/23/2026	Complaint filed
07/20/2026	Commission received copy of complaint but has not been properly served
07/22/2026	Motion to Modify Scheduling Order
07/31/2026	Order of the Court Granting Motion to Modify Scheduling Order

Kimberly Kargbo v. Montgomery County Park Police
Case No. C-15-CV-26-002908 (Tort)

Suit was brought alleging personal injuries as a result of a motor vehicle accident involving a vehicle driven by an employee of the park police. The lead counsel for this matter is Amy Ticer. Case dismissed with prejudice.

Docket:

Date	Document Information
05/13/2026	Complaint filed
06/15/2026	Commission served
07/15/2026	Motion to Dismiss filed
08/27/2026	Order of the Court Granting Motion to Dismiss with Prejudice

Village of Friendship Heights, et al. v. Montgomery County Planning Board, et al.
Case No. C-15-CV-26-002906 (Administrative Appeal Land Use)

This is a Declaratory Judgment matter that was filed in error. Refer to case C-15-CV-26-002907. Matt Mills is the lead counsel on this matter. This case is awaiting dismissal by the court.

Docket:

Date	Document Information
05/13/2026	Complaint for Declaratory Judgment filed
05/21/2026	Motion for Withdrawal or Dismissal of Inadvertent Filing
05/26/2026	Notice of Striking Non-Compliant Submission
05/26/2026	Motion for Withdrawal or Dismissal of Inadvertent Duplicate Filing
07/02/2026	Motion Granted
07/02/2026	Order Granting Motion for Refund of Payment for Inadvertent Duplicate Filing

Village of Friendship Heights, et al. v. Montgomery County Planning Board, et al.
Case No. C-15-CV-26-002907 (Administrative Appeal Land Use)

This is a Declaratory Judgment matter related to a series of pending regulatory applications which was filed prior to the scheduled Planning Board hearing (July 30, 2026). The Petitioners are requesting that the submitted plan be rejected prior to any consideration by the Planning Board. Matt Mills is the lead counsel on this matter. All three defendants, the Planning Board, the District Council, and the Developer (Friendship Commons Partners LLC0, filed Motions to Dismiss, which are currently pending.

Docket:

Date	Document Information
05/13/2026	Complaint for Declaratory Judgment filed by Petitioner Friendship Heights
05/19/2026	Petitioner's Motion for Summary Judgment and Request for Virtual Hearing
05/22/2026	Proof of Service on Planning Board
05/28/2026	Amended Complaint filed adding the Brookdale Citizens Association as a Co-Petitioner
06/15/2026	Motion to Dismiss and Request for Hearing - Defendant District Council

Date	Document Information
06/16/2026	Motion to Dismiss – Defendant Planning Board
06/16/2026	Response to Motion for Summary Judgment – Defendant Planning Board
06/18/2026	Motion to Dismiss and Request for Hearing – Defendant Developer
06/18/2026	Response to Motion for Summary Judgment – Defendant Developer
06/26/2026	Petitioners’ Response to Defendant Planning Board’s Motion to Dismiss
06/26/2026	Petitioners’ Response to District Council’s Motion to Dismiss
06/26/2026	Petitioners’ Response to Friendship Common Partners LLC Motion to Dismiss
06/26/2026	Memorandum to Motion for Summary Judgment
07/23/2026	Notice of Hearing on Pending Motions – 10/19/2026
08/03/2026	Petitioners’ Motion to Shorten Time (Advance Hearing Date)
08/04/2026	Petitioners’ Supplemental Opposition to all Motions to Dismiss
08/05/2026	Order of Court – Petitioners’ Motion to Shorten Time DENIED
10/19/2026	Motions Hearing Currently Scheduled

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

This is a case alleging personal injuries at Riverview Recreation Center on or about April 22, 2025. Ben Rupert is the lead counsel on this matter and Lucy Bansal is also assisting with this case. The case is currently in discovery.

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
05/27/2026	Reply to Opposition to Motion to Dismiss
07/28/2026	Order of Court. Motion to Dismiss denied.
08/06/2026	Commission’s Answer to Complaint

Date	Document Information
08/12/2026	Attorney Limited Appearance for The Fort Washington Area Recreation Council, Inc.
08/15/2026	Motion to Dismiss and/or Strike Process and Service of Process filed by The Fort Washington Area Recreation Council, Inc.
11/19/2026	Pre-trial Conference

District Court of Maryland for Prince George's County

State Farm Mutual Auto Ins. Co. a/s/o Ebony Harris v. Maryland-National Capital Park and
Planning Commission
Case No. D-05-CV-26-022521 (Tort)

This is a subrogation matter to recover damages involving a vehicle owned by the commission and operated by a Commission employee. George Johnson is the lead counsel for this matter. This matter is currently in discovery and is set for trial September 16, 2026.

Docket:

Date	Document Information
04/20/2026	Complaint filed
06/16/2026	Commission served
06/25/2026	Notice of Intent to Defend filed
09/16/2026	Trial set

Sharry Walker, et al. v. Darius Stanton, et al.
Case No. D-05-CV-26-014787 (Tort)

This is a suit to recover damages for destruction to property as a result of trees falling on plaintiffs' property allegedly from park land owned and maintained by the Commission. Amy Ticer and Renee Orleans are handling this matter. This matter is tentatively set for trial on September 16, 2026.

Docket:

Date	Document Information
02/24/2026	Complaint filed
08/26/2026	Commission served

Circuit Court for Prince George's County, Maryland

G.W. v. The Maryland-National Capital Park and Planning Commission, et al.
Case No. C-16-CV-25-002723 (Tort)

This is a 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. Ben Rupert is the lead counsel for this matter. The case is currently 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

Maggie Lee, et al. v. Elizabeth Watson, et al.
Case No. C-16-CV-26-003259 (Miscellaneous)

This is a declaratory judgment action. George Johnson is the lead counsel, and Kristen Maneval is also assisting with this matter. The matter is currently in discovery, and a trial date has been set for February 10, 2027.

Docket:

Date	Document Information
05/27/2026	Complaint filed
06/09/2026	Affidavit of Service
06/30/2026	Motion to Dismiss
07/13/2026	Amended Complaint
07/13/2026	Opposition to Defendant Watson's Motion to Dismiss
07/27/2026	Answer to First Amended Complaint filed by Defendant Watson
07/27/2026	Answer to Complaint filed by Co-Defendants Rober Slade and Rhoda Slade
07/28/2026	Civil Scheduling Order
08/03/2026	Order of Court. Motion to Dismiss denied as moot.
08/19/2026	Commission served
02/10/2027	Trial set

Martinez v. The Maryland-National Capital Park and Planning Commission, et al.
Case No. C-16-CV-25-002445 (Tort)

This is a 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. Ben Rupert is the lead counsel, and Lucy Bansal is also assisting with this matter. Case settled.

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

Date	Document Information
08/26/2025	Scheduling Order issued
05/18/2026	Scheduling Order
05/26/2026	Plaintiff's Expert Disclosure filed
06/29/2026	Order of the Court. Consent Motion to Move Alternative Dispute Resolution and Trial Pending. Discovery not complete.
06/29/2026	Order for Alternative Dispute Resolution
06/29/2026	Consent Motion for Continuance
07/06/2026	Hearing Notice
07/08/2026	Order of the Court granting consent motion for continuance and setting new ADR and trial date.
08/24/2026	Settlement Conference held. Case settled.

The Maryland-National Capital Park and Planning Commission v. Prince George's County
Case No. C-16-CV-26-003522 (Miscellaneous)

The Commission filed an emergency lawsuit requesting a declaratory judgment and injunction in response to Prince George's County's ordinances relating to the Commission's Fiscal Year 2027 budget, specifically the County's mandate to divert Commission tax revenues in a manner the Commission believes is inconsistent with Maryland State law. Ben Rupert is the lead counsel on this case. A hearing on the merits is scheduled for September 21st and 22, 2026.

Docket:

Date	Document Information
06/09/2026	Complaint filed
06/15/2026	Affidavit of Service
06/15/2026	Opposition to Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction
06/17/2026	Hearing held and taken under advisement
06/26/2026	Order of Court granting a time-limited Temporary Restraining Order. A hearing has been set for September.
06/30/2026	Order of the Court grating Temporary Restraining Order in Part.
07/08/2026	Answer to Complaint filed by Prince George's County

Date	Document Information
08/06/2026	Scheduling Order
08/24/2026	Commission's Brief filed
09/21/2026	Merit hearing set

Joseph Mullins v. The Maryland-National Capital Park and Planning Commission, et al.
Case No. C-16-CV-26-004674 (Tort)

Suit brought alleging personal injuries as a result of being struck by a stone dislodging and falling from retaining wall at Henson Creek Golf Course. The lead counsel for this matter is Ben Rupert.

Docket: The Commission has yet to be properly served with the complaint.

Date	Document Information
7/31/2026	Complaint filed
08/11/2026	Commission received copy of complaint but has not been properly served

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)

This is an appeal from the Circuit Court's decision affirming the Prince George's County Planning Board's decision approving a preliminary subdivision plan. David Warner is the lead counsel. A briefing notice has been received.

Docket:

Date	Document Information
05/07/2026	Appeal filed
05/28/2026	Order to Proceed
07/27/2026	Briefing Notice

In the Matter of The Homeowners Association of the Ridings at Upper Marlboro
Case No. ACM-REG-1181-2026 (Administrative Appeal Land Use)
(Originally filed in Circuit Court for Prince George's County, Maryland, C-16-CV-25-005702)

This is an appeal from the Circuit Court's decision affirming the decision of the Prince George's County Planning Board approving a preliminary subdivision plan. David Warner is the lead counsel for this case.

Docket:

Date	Document Information
07/24/2026	Appeal filed
08/03/2026	Order to Proceed

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)

This is an appeal of the Order of Dismissal in Circuit Court Case C-16-CV-25-004951. David Warner is the lead counsel on this appeal and Laura Tallerico is also assisting with this case. A briefing notice has been received.

Docket:

Date	Document Information
04/02/2026	Appeal filed
04/17/2026	Order to Proceed
06/16/2026	Record Received
06/16/2026	Briefing Notice
07/13/2026	Appellants Motion for Extension of Time
07/16/2026	DR Horton Motion requesting denial of extension of time
07/17/2026	Order of the Court dismissing appellant Karleen Powell
07/21/2026	Order Granting Kamita Gray's Motion to extend time for filing Brief
07/30/2026	Motion by Tamara Davis Brown to withdraw from the case as an appellant
08/3/2026	Order Granting Brown's Motion to withdraw

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)

This is an 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. David Warner is the lead Counsel on this matter. Oral argument is set for November 2, 2026.

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
11/02/2026	Argument scheduled

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)

The Petitioners seek Judicial Review of the Circuit Court for Prince George's County, Maryland's, decision granting of a Motion to Dismiss. David Warner is the lead counsel on this matter and Delisa Coleman is also assisting with this case. Briefs have been filed. Oral argument is set for February 1, 2027.

Docket:

Date	Document Information
01/16/2026	Appeal filed
01/23/2026	Order to Proceed
02/03/2026	Motion to Stay

Date	Document Information
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
05/21/2026	Opposition to Motion
06/18/2026	Appellee Brief
07/06/2026	Appellant Reply Brief
02/01/2027	Argument scheduled

U.S. District Court of Maryland

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

A former employee is alleging race discrimination and retaliation related to his termination in February 2025. Amy Ticer is the lead counsel on this case. A Motion to Dismiss is 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)

This is 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. The Commission has hired outside counsel in this matter and both Ben Rupert and Lucy Bansal are also working on the case. There is currently no action in this matter.

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 Park and Planning Commission
02/05/2025	Waiver of Service of summons and complaint executed by The Maryland-National Capital Park and Planning Commission
03/24/2025	Waiver of Service of summons and complaint executed by The Maryland-National Capital Park and Planning Commission
04/18/2025	Waiver of Service of summons and complaint executed by The Maryland-National Capital Park and Planning Commission
06/24/2025	Case Reassigned to Magistrate Judge Leda D. Wettre