

Circuit Court of Maryland

[Go Back](#)**Case Information**

Court System: Circuit Court for Carroll County - Civil System
Case Number: 06C03039552
Title: Forty West Builders Inc, et al vs Carroll County Commissioners
Case Type: Other Civil **Filing Date:** 10/09/2003
Case Status: Closed/Inactive
Case Disposition: Stipulation/Settlement **Disposition Date:** 06/15/2009

Plaintiff/Petitioner Information

(Each Plaintiff/Petitioner is displayed below)

Party Type: Plaintiff **Party No.:** 1

Business or Organization Name: Forty West Builders Inc

Address: 3230 Bethany Lane
City: Ellicott City **State:** MD **Zip Code:** 21042

Attorney(s) for the Plaintiff/Petitioner

Name: Shaffer, Esq, Clark R

Practice Name:

Address: 202 East Main Street
Suite 2
City: Westminster **State:** MD **Zip Code:** 21157

Name: Palaigos, Esq, Anthony P

Practice Name: Kollman & Saucier P A

Address: The Business Law Building
1823 York Road

City: Timonium **State:** MD **Zip Code:** 21093

Name: Severino, Esq, Michael

Practice Name: Kollman & Saucier, P.A.

Address: The Business Law Building
1823 York Road

City: Timonium **State:** MD **Zip Code:** 21093

Party Type: Plaintiff **Party No.:** 2

Business or Organization Name: Harrison Farm LLC

Address: 3230 Bethany Lane
City: Ellicott City **State:** MD **Zip Code:** 21042

Attorney(s) for the Plaintiff/Petitioner

Name: Shaffer, Esq, Clark R

Practice Name:

Address: 202 East Main Street
Suite 2
City: Westminster **State:** MD **Zip Code:** 21157

Name: Palaigos, Esq, Anthony P

Practice Name: Kollman & Saucier P A

Address: The Business Law Building
1823 York Road

City: **Timonium** State: **MD** Zip Code: **21093**
Name: **Severino, Esq, Michael**
Practice Name: **Kollman & Saucier, P.A.**
Address: **The Business Law Building**
1823 York Road
City: **Timonium** State: **MD** Zip Code: **21093**

Party Type: **Plaintiff** Party No.: **3**
Business or
Organization Name: **Ridgewood LLC**
Address: **3230 Bethany Lane**
City: **Ellicott City** State: **MD** Zip Code: **21042**

Attorney(s) for the Plaintiff/Petitioner

Name: **Shaffer, Esq, Clark R**
Practice Name:
Address: **202 East Main Street**
Suite 2
City: **Westminster** State: **MD** Zip Code: **21157**
Name: **Palaigos, Esq, Anthony P**
Practice Name: **Kollman & Saucier P A**
Address: **The Business Law Building**
1823 York Road
City: **Timonium** State: **MD** Zip Code: **21093**
Name: **Severino, Esq, Michael**
Practice Name: **Kollman & Saucier, P.A.**
Address: **The Business Law Building**
1823 York Road
City: **Timonium** State: **MD** Zip Code: **21093**

Defendant/Respondent Information

(Each Defendant/Respondent is displayed below)

Party Type: **Defendant** Party No.: **1**
Business or
Organization Name: **Carroll County Commissioners**
Address: **225 N. Center St**
City: **Westminster** State: **MD** Zip Code: **21157**

Attorney(s) for the Defendant/Respondent

Name: **Millender, Esq, Kimberly A**
Practice Name: **County Attorney Department Of The County Attorney**
Address: **225 North Center Street**
City: **Westminster** State: **MD** Zip Code: **21157-5194**
Name: **Borten, Esq, Cathy S**
Practice Name: **Abrams, West & Storm, P.C.**
Address: **4550 Montgomery Ave**
Suite 760 N
City: **Bethesda** State: **MD** Zip Code: **20814**
Name: **Abrams, Stanley D**
Practice Name:
Address: **Suite 760-N**
4550 Montgomery Avenue
City: **Bethesda** State: **MD** Zip Code: **20814**
Name: **Jones, Esq, Terri Ann**

Practice Name: **County Attorney's Office**
Address: **225 North Center Street**
City: **Westminster** State: **MD** Zip Code: **21157**

Court Scheduling Information

Event Type: **Hearing** Notice Date: **10/23/2003**
Event Date: **10/29/2003** Event Time: **10:00 AM**
Result: **Held/Concluded** Result Date: **10/29/2003**

Event Type: **Disposition** Notice Date:
Event Date: **01/22/2004** Event Time: **12:00 PM**
Result: **Cancelled/Vacated** Result Date: **01/06/2004**

Event Type: **Contempt Hearing** Notice Date: **06/29/2004**
Event Date: **07/28/2004** Event Time: **10:00 AM**
Result: **Held/Concluded** Result Date: **07/28/2004**

Event Type: **Motion to Dismiss** Notice Date: **06/22/2005**
Event Date: **07/25/2005** Event Time: **10:00 AM**
Result: **Held/Concluded** Result Date: **07/25/2005**

Event Type: **Motion Hearing (Civil)** Notice Date: **12/15/2005**
Event Date: **03/23/2006** Event Time: **09:30 AM**
Result: **Postponed/Reset** Result Date: **03/02/2006**

Event Type: **Motion Hearing (Civil)** Notice Date: **05/15/2006**
Event Date: **06/08/2006** Event Time: **09:00 AM**
Result: **Held/Concluded** Result Date: **06/08/2006**

Event Type: **Motion Hearing (Civil)** Notice Date: **08/04/2008**
Event Date: **09/22/2008** Event Time: **09:00 AM**
Result: **Postponed/Reset** Result Date: **08/13/2008**

Event Type: **Motion Hearing (Civil)** Notice Date: **08/22/2008**
Event Date: **11/05/2008** Event Time: **09:00 AM**
Result: **Held/Concluded** Result Date: **11/05/2008**

Event Type: **Pre-Trial Conference** Notice Date:
Event Date: **07/31/2009** Event Time: **09:00 AM**
Result: **Cancelled/Vacated** Result Date: **06/15/2009**

Event Type: **Civil Non-Jury Trial** Notice Date:
Event Date: **10/19/2009** Event Time: **09:00 AM**
Result: **Held/Concluded** Result Date: **06/15/2009**

Event Type: **Civil Non-Jury Trial** Notice Date:
Event Date: **10/20/2009** Event Time: **09:00 AM**
Result: **Held/Concluded** Result Date: **06/15/2009**

Event Type: **Civil Non-Jury Trial** Notice Date:
Event Date: **10/21/2009** Event Time: **09:00 AM**
Result: **Held/Concluded** Result Date: **06/15/2009**

Event Type: **Civil Non-Jury Trial** Notice Date:
Event Date: **10/22/2009** Event Time: **09:00 AM**
Result: **Cancelled/Vacated** Result Date: **06/15/2009**

Event Type: **Civil Non-Jury Trial** Notice Date:
Event Date: **10/23/2009** Event Time: **09:00 AM**
Result: **Cancelled/Vacated** Result Date: **11/17/2008**

Event Type: **Civil Non-Jury Trial** Notice Date:
Event Date: **10/26/2009** Event Time: **09:00 AM**
Result: **Cancelled/Vacated** Result Date: **06/15/2009**

Document Tracking

(Each Document listed. Documents are listed in Document No./Sequence No. order)

Doc No./Seq No.: **1/0**

File Date: **10/09/2003** Close Date: **10/18/2005** Decision:

Party Type: **Plaintiff** Party No.: **3**

Document Name: **Verified Complaint**

Filed by **PLT003-Ridgewood LLC, , PLT001-Forty West Builders Inc, , PLT002-Harrison Farm LLC,**

Doc No./Seq No.: **1/1**

File Date: **11/20/2003** Close Date: **10/18/2005** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Answer**

Doc No./Seq No.: **2/0**

File Date: **10/09/2003** Close Date: **10/10/2003** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Attorney Appearance Filed**

Anthony P Palaigos

Doc No./Seq No.: **3/0**

File Date: **10/09/2003** Close Date: **10/10/2003** Decision:

Party Type: **Plaintiff** Party No.: **2**

Document Name: **Attorney Appearance Filed**

Anthony P Palaigos

Doc No./Seq No.: **4/0**

File Date: **10/09/2003** Close Date: **10/10/2003** Decision:

Party Type: **Plaintiff** Party No.: **3**

Document Name: **Attorney Appearance Filed**

Anthony P Palaigos

Doc No./Seq No.: **5/0**

File Date: **10/09/2003** Close Date: **10/18/2005** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Motion for Preliminary Injunction.**

Filed by **PLT001-Forty West Builders Inc, , PLT002-Harrison Farm LLC, , PLT003-Ridgewood LLC,**

Doc No./Seq No.: **5/1**
File Date: **10/28/2003** Close Date: **10/18/2005** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Opposition to Motion For Preliminary Injunction**

Doc No./Seq No.: **6/0**
File Date: **10/09/2003** Close Date: **10/18/2005** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Case Information Sheet Filed**
Filed by PLT001-Forty West Builders Inc, , PLT002-Harrison Farm LLC, , PLT003-Ridgewood LLC,

Doc No./Seq No.: **7/0**
File Date: **10/09/2003** Close Date: **10/18/2005** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Request for Emergency Hearing**
Filed by PLT001-Forty West Builders Inc, , PLT002-Harrison Farm LLC, , PLT003-Ridgewood LLC,

Doc No./Seq No.: **8/0**
File Date: **10/16/2003** Close Date: **10/17/2003** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Entry of Appearance as Co-Counsel**

Doc No./Seq No.: **9/0**
File Date: **10/16/2003** Close Date: **10/17/2003** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Attorney Appearance Filed**
Clark R Shaffer

Doc No./Seq No.: **10/0**
File Date: **10/16/2003** Close Date: **10/17/2003** Decision:
Party Type: **Plaintiff** Party No.: **2**
Document Name: **Attorney Appearance Filed**
Clark R Shaffer

Doc No./Seq No.: **11/0**
File Date: **10/16/2003** Close Date: **10/17/2003** Decision:
Party Type: **Plaintiff** Party No.: **3**
Document Name: **Attorney Appearance Filed**
Clark R Shaffer

Doc No./Seq No.: **12/0**
File Date: **10/22/2003** Close Date: **10/22/2003** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Writ of Summons - Civil Issued**

Doc No./Seq No.: **13/0**
File Date: **10/22/2003** Close Date: **10/18/2005** Decision:
Document Name: **Order of Court: Case reassigned to Michael M Galloway**
Copies sent to Atty's: Shaffer/Palaigos/Carroll County Commissioners

Doc No./Seq No.: **14/0**

File Date: **10/23/2003** Close Date: **10/23/2003** Decision:

Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **15/0**

File Date: **10/24/2003** Close Date: **10/18/2005** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Motion to Stay Proceedings of Motion for Preliminary Injunction**

Doc No./Seq No.: **16/0**

File Date: **10/24/2003** Close Date: **10/18/2005** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Motion to Shorten Time to Respond to Motion to Stay**

Doc No./Seq No.: **17/0**

File Date: **10/27/2003** Close Date: **10/18/2005** Decision:

Document Name: **Order of Court denying Motion to Shorten time for responding to Motion to stay proceedings on Motion for Preliminary Injunction and mandamus. Copies to Attys (Borten, Palaigos, Bowden, Shaffer).**

Doc No./Seq No.: **18/0**

File Date: **10/24/2003** Close Date: **10/28/2003** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Attorney Appearance Filed
Cathy S Borten**

Doc No./Seq No.: **19/0**

File Date: **10/24/2003** Close Date: **10/28/2003** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Attorney Appearance Filed
Stanley D Abrams**

Doc No./Seq No.: **20/0**

File Date: **10/28/2003** Close Date: **10/28/2003** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **21/0**

File Date: **10/28/2003** Close Date: **10/28/2003** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **22/0**

File Date: **10/27/2003** Close Date: **10/28/2003** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Attorney Appearance Filed
Kimberly A Millender**

Doc No./Seq No.: **23/0**

File Date: **10/27/2003** Close Date: **10/18/2005** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Defendant's Motion to Dismiss Plaintiffs' Motion for Preliminary Injunction**

Doc No./Seq No.: **24/0**
File Date: **10/27/2003** Close Date: **10/28/2003** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Defendant's Memorandum of Points and Authorities in Support of Defendant's Motion to Dismiss Motion for Preliminary Injunction**

Doc No./Seq No.: **25/0**
File Date: **10/29/2003** Close Date: **10/18/2005** Decision:
Document Name: **Court Proceeding**
Case called. Counsel present and heard. Court denies Motion to Dismiss and Motion to Stay. Testimony taken. Court denies Defendant's Motion for Judgment. Court to hold sub curia and will issue written decision.

Doc No./Seq No.: **26/0**
File Date: **11/13/2003** Close Date: **10/18/2005** Decision:
Document Name: **Memorandum Opinion and Order of the Court**
Pltf's preliminary Injunction is granted, Def resume the development review and approval process pertaining to Eagles Crest and Ridgewood Estates, Def shall revise the milestones in concurrency mgmt Certs. Pltf shall file a \$100,000.00 bond with the clerk for the pymt of any damages to which a party enjoined may be entitled. Copies to palaigos/borten/jones/co. atty.

Doc No./Seq No.: **27/0**
File Date: **11/14/2003** Close Date: **10/18/2005** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Defendants Motion to Suspend Preliminary Injunction**

Doc No./Seq No.: **27/1**
File Date: **11/18/2003** Close Date: **10/18/2005** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Plaintiffs Response in Opposition to Defendants Motion to Suspend Preliminary Injunction**

Doc No./Seq No.: **28/0**
File Date: **11/14/2003** Close Date: **11/17/2003** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Memorandum of Points and Authorities in Support of Defendants Motion to Suspend Preliminary Injunction**

Doc No./Seq No.: **29/0**
File Date: **11/20/2003** Close Date: **10/18/2005** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Case Information Sheet Filed**

Doc No./Seq No.: **30/0**
File Date: **11/20/2003** Close Date: **11/20/2003** Decision:
Document Name: **Case at Issue**

Doc No./Seq No.: **31/0**
File Date: **12/01/2003** Close Date: **10/18/2005** Decision:
Document Name: **Order of Court: Defendant's Motion to suspend preliminary injunction is denied**

Doc No./Seq No.: **32/0**
File Date: **12/08/2003** Close Date: **12/08/2003** Decision:
Document Name: **Bond Approved and Recorded
Preliminary Injunction (\$100,000)**

Doc No./Seq No.: **33/0**
File Date: **12/11/2003** Close Date: **10/18/2005** Decision:
Document Name: **Notice of Appeal to COSA or COA**

Doc No./Seq No.: **34/0**
File Date: **01/12/2004** Close Date: **01/14/2004** Decision:
Document Name: **Reporter's Official Transcript**

Doc No./Seq No.: **35/0**
File Date: **01/23/2004** Close Date: **10/18/2005** Decision:
Document Name: **Order of Court
of Special Appeals directs appeal to proceed without prehearing conference.**

Doc No./Seq No.: **37/0**
File Date: **03/18/2004** Close Date: **03/18/2004** Decision:
Document Name: **Certification of Case File Issued**

Doc No./Seq No.: **38/0**
File Date: **03/18/2004** Close Date: **03/18/2004** Decision:
Document Name: **Note
Mailed Case to COSA.
3-22-04 Green certified mail card returned**

Doc No./Seq No.: **39/0**
File Date: **03/30/2004** Close Date: **03/30/2004** Decision:
Document Name: **Correspondence
INDEX, DOCKET ENTRIES AND CLERK'S CERTIFICATION MAILED TO ATTYS
(BOREN, SHAFFER, PALAIGOX AND JONES).**

Doc No./Seq No.: **40/0**
File Date: **04/06/2004** Close Date: **04/06/2004** Decision:
Document Name: **Receipt for Records**

Doc No./Seq No.: **41/0**
File Date: **05/03/2004** Close Date: **10/18/2005** Decision:
Document Name: **Writ of Certiorari filed w/COA 4-27-04**

Doc No./Seq No.: **42/0**
File Date: **05/26/2004** Close Date: **10/18/2005** Decision:

Party Type: **Plaintiff** Party No.: **1**
Document Name: **Petition for Constructive Civil Contempt**
Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC

Doc No./Seq No.: **42/1**
File Date: **06/09/2004** Close Date: **10/18/2005** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Defendant's opposition to plaintiffs' petition for constructive civil contempt**

Doc No./Seq No.: **43/0**
File Date: **05/26/2004** Close Date: **10/18/2005** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Motion for Additional Injunctive Relief**
Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC

Doc No./Seq No.: **43/1**
File Date: **06/22/2004** Close Date: **10/18/2005** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Defendant's opposition to plaintiff's motion for additional injunctive relief**

Doc No./Seq No.: **44/0**
File Date: **05/26/2004** Close Date: **10/18/2005** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Request for Immediate Hearing**
Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC

Doc No./Seq No.: **45/0**
File Date: **05/27/2004** Close Date: **06/01/2004** Decision:
Document Name: **Correspondence to Judge Galloway from Kenneth West, Esq.**

Doc No./Seq No.: **46/0**
File Date: **06/10/2004** Close Date: **10/18/2005** Decision:
Document Name: **Show Cause Order of Court**
06/14/04 Copies mailed to Clark Shaffer, Esq.

Doc No./Seq No.: **47/0**
File Date: **06/14/2004** Close Date: **06/14/2004** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Writ of Summons to Appear Issued**

Doc No./Seq No.: **48/0**
File Date: **06/09/2004** Close Date: **10/18/2005** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Request for Hearing**

Doc No./Seq No.: **49/0**
File Date: **06/09/2004** Close Date: **06/09/2004** Decision:

Party Type: **Defendant** Party No.: **1**
Document Name: **Affidavit of bruce R Waldron**

Doc No./Seq No.: **50/0**
File Date: **06/29/2004** Close Date: **06/29/2004** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **51/0**
File Date: **06/29/2004** Close Date: **06/29/2004** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **52/0**
File Date: **07/28/2004** Close Date: **10/18/2005** Decision:
Document Name: **Court Proceeding**
Case called. Counsel present and heard. Testimony taken. Court denies Respondent's Motion to Dismiss. Additional testimony taken. Counsel w/closing. Court to issue written decision.

Doc No./Seq No.: **53/0**
File Date: **01/03/2005** Close Date: **10/18/2005** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Amendment by Interlineation to Verified Complaint**

Doc No./Seq No.: **53/1**
File Date: **01/14/2005** Close Date: **10/18/2005** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Answer to Amendments by Interlineation to Verified Complaint**

Doc No./Seq No.: **54/0**
File Date: **01/06/2005** Close Date: **10/18/2005** Decision:
Document Name: **Mandate Received from Court of Appeals of Maryland**
Disposition of Appeal in Court of Appeals December 3, 2004 - Appeal Dismissed. Costs to be paid by Carroll County - PER CURIAM

Doc No./Seq No.: **55/0**
File Date: **01/06/2005** Close Date: **01/13/2005** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Certificate of Service**

Doc No./Seq No.: **56/0**
File Date: **01/13/2005** Close Date: **10/18/2005** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Motion to Dismiss or in the Alternative to Stay**
02/03/05 Affidavit in Support of Motion

Doc No./Seq No.: **56/1**
File Date: **02/16/2005** Close Date: **10/18/2005** Decision:

Document Name: **Plaintiffs' Response in Opposition to Defendant's Motion to Dismiss or in the Alternative to Stay.**

Doc No./Seq No.: **56/2**

File Date: **07/13/2005** Close Date: **10/18/2005** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Reply to Opposition**

Doc No./Seq No.: **57/0**

File Date: **01/24/2005** Close Date: **01/27/2005** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Line**

Doc No./Seq No.: **58/0**

File Date: **03/04/2005** Close Date: **03/04/2005** Decision:

Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **59/0**

File Date: **05/20/2005** Close Date: **10/18/2005** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Motion for Partial Summary Judgment**

Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC

Doc No./Seq No.: **59/1**

File Date: **06/17/2005** Close Date: **10/18/2005** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Opposition to Motion**

Doc No./Seq No.: **59/2**

File Date: **07/20/2005** Close Date: **10/18/2005** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Reply Memorandum in Support of Plaintiffs' Motion for Partial Summary Judgment**

Doc No./Seq No.: **60/0**

File Date: **06/22/2005** Close Date: **06/22/2005** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **61/0**

File Date: **07/25/2005** Close Date: **10/18/2005** Decision:

Document Name: **Court Proceeding**

Case called. Attys (Parsons, Abrams, Jones, Palaigos, Shaffer) present and argument heard. Court to issue written decision.

Doc No./Seq No.: **62/0**

File Date: **10/18/2005** Close Date: **10/18/2005** Decision:

Document Name: **Memorandum Opinion and Order**

Defendant's Motion to dismiss or in the alternative to stay - denied; Plaintiffs' motion for partial summary judgment - granted; Concurrency Management Certificate No P-02-44 & P-02-44 constitutes a contractual obligation precluding the Board of County Commissioners of Carrol County, the Carroll County Planning Commission or any agencies thereof from requiring any further approval fro adequate public facilities as long as the project is completed in accordance with its milestones as amended by this courts prior order granting injuctive relief; Plaintiffs' petition for constructive contempt & the County can purge itself of contempt by continuing to process Ridgewood Estates & Eagle Crest under Chapter 167 of the Code of Public Laws and Ordinances of Carroll County , the law in effect at the time of the Concurrency Management Certificates for both projects were issued; Plaintiffs' motion for additional injuctive relief - granted; the Board of County Commissioners be enjoined from applying to Eagles Crest and Ridgewood Estates any adequate public facilities ordinances or criteria othe than that which was in force and effect at the time the Concurrency Management Certificates wer issued/ Copies sent to Shaffer, Palaigos, Abrams, Millender, Borten

Doc No./Seq No.: 63/0

File Date: 10/26/2005 Close Date: 06/15/2009 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Motion to Alter/Amend Judgment

Doc No./Seq No.: 64/0

File Date: 10/28/2005 Close Date: 06/15/2009 Decision:

Party Type: Defendant Party No.: 1

Document Name: Motion to Alter or amend judgment & response to Plaintiff's Motion to alter or amend

Doc No./Seq No.: 64/1

File Date: 11/09/2005 Close Date: 06/15/2009 Decision:

Document Name: Plaintiffs Response to Defendants Motion to Aler or Amend Judgment and Response to Plaintiffs Motion to Alter or Amend

Doc No./Seq No.: 65/0

File Date: 10/28/2005 Close Date: 06/15/2009 Decision:

Party Type: Defendant Party No.: 1

Document Name: Request for Hearing

Doc No./Seq No.: 66/0

File Date: 11/16/2005 Close Date: 06/15/2009 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Motion to Alter/Amend Court's Order of October 17, 2005
Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC**

Doc No./Seq No.: 67/0

File Date: 12/15/2005 Close Date: 12/15/2005 Decision:

Document Name: Hearing Notice Issued

Doc No./Seq No.: 68/0

File Date: 03/02/2006 Close Date: 03/02/2006 Decision:

Document Name: Memorandum

from Chambers requesting the motion's hearing scheduled for 3/23/06 be rescheduled on another day by itself. Copy of new hearing notice sent to Attys Shaffer, West and Bowden.

Doc No./Seq No.: **69/0**

File Date: **03/02/2006** Close Date: **03/02/2006** Decision:

Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **70/0**

File Date: **05/15/2006** Close Date: **05/15/2006** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **71/0**

File Date: **06/08/2006** Close Date: **06/15/2009** Decision:

Document Name: **Court Proceeding**

Case called; Atty Palaigos appeared o/b/o Forty West Builders; Attys Parson, West and Jones appeared o/b/o Deft; Testimony taken; Court holds subcuria.

Doc No./Seq No.: **72/0**

File Date: **08/17/2006** Close Date: **06/15/2009** Decision:

Document Name: **Order of Court granting motion to alter and amend judgment, shall extend each milestone for a period of 287 days beyond the 156 day extension ordered in the courts Memorandum Opinion order dated November 13, 2003. Copies to Shaffer/Abrams**

Doc No./Seq No.: **73/0**

File Date: **08/28/2006** Close Date: **06/15/2009** Decision:

Document Name: **Order of Court that Defendant's Motion to Alter or Amend Judgment is Denied Copies to Palaigos/Millender**

Doc No./Seq No.: **74/0**

File Date: **08/28/2006** Close Date: **06/15/2009** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Motion to alter or amend court's order of August 17, 2006**

Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC

Doc No./Seq No.: **74/1**

File Date: **09/11/2006** Close Date: **06/15/2009** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Defendant's opposition to plaintiffs' motion to alter or amend the court's order of August 17, 2006**

Doc No./Seq No.: **75/0**

File Date: **09/08/2006** Close Date: **06/15/2009** Decision:

Document Name: **Notice of Appeal to COSA or COA**

Doc No./Seq No.: **76/0**

File Date: **10/12/2006** Close Date: **06/15/2009** Decision:

Document Name: **COSA order directing appeal proceed without a prehearing conference**

Doc No./Seq No.: **77/0**

File Date: **11/15/2006** Close Date: **11/15/2006** Decision:

Document Name: **Certification of Case File Issued**

Doc No./Seq No.: **78/0**

File Date: **11/30/2006** Close Date: **12/04/2006** Decision:

Document Name: **Transcript of ()
of hearing on July 28, 2004**

Doc No./Seq No.: **79/0**

File Date: **12/04/2006** Close Date: **06/15/2009** Decision:

Document Name: **Record of Proceeding Mailed to COSA**

Doc No./Seq No.: **80/0**

File Date: **12/07/2006** Close Date: **06/15/2009** Decision:

Document Name: **Certified Mail Receipt Received - Court Special Appeals**

Doc No./Seq No.: **81/0**

File Date: **05/08/2007** Close Date: **06/15/2009** Decision:

Document Name: **Order of Court of Appeals**

Ordered pursuant to MD Rule 8-414 that the Clerk's Office for the Circuit Court for Carroll County forthwith supplement herein with updated docket entries and the filings corresponding to docket entries #0001001 through 0041000 inclusive and upon receipt therof in this Court the record herein shall be deemed supplemented therewith.

Doc No./Seq No.: **82/0**

File Date: **07/18/2007** Close Date: **06/15/2009** Decision:

Document Name: **Certified Mail Receipt Received 7/16/07 from COSA (Supplemental Record)**

Doc No./Seq No.: **83/0**

File Date: **03/14/2008** Close Date: **06/15/2009** Decision:

Document Name: **Mandate Received from Court of Special Appeals**

Judgment: February 11, 2008: Judgment of the Circuit Court for Carroll County affirmed; case remanded for further proceedings not inconsistent with this opinion; costs to be paid by appellant. Reported onion by Hollnader, J.; March 12, 2008: Mandate issued.

Doc No./Seq No.: **84/0**

File Date: **04/03/2008** Close Date: **06/15/2009** Decision:

Document Name: **Writ of Certiorari filed by Court of Appeals of Maryland**

Doc No./Seq No.: **85/0**

File Date: **07/22/2008** Close Date: **06/15/2009** Decision:

Document Name: **Plaintiffs motion to amend its motion to alter or amend courts order of August 17, 2006**

Doc No./Seq No.: **85/1**

File Date: **07/29/2008** Close Date: **06/15/2009** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Defendants Opposition to Plaintiffs Motion to Amend its Motion to Alter or Amend
the Courts Order of August 17, 2006**

Doc No./Seq No.: **86/0**
File Date: **07/25/2008** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Withdrawal of Appearance**

Doc No./Seq No.: **87/0**
File Date: **07/29/2008** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Defendants Motion to Dismiss Claim for Damages**

Doc No./Seq No.: **87/1**
File Date: **08/12/2008** Close Date: **06/15/2009** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Plaintiffs Response to Defendants Motion to Dismiss Claim for Damages Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC**

Doc No./Seq No.: **88/0**
File Date: **07/29/2008** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Request for Hearing**

Doc No./Seq No.: **89/0**
File Date: **07/31/2008** Close Date: **06/15/2009** Decision:
Document Name: **Order of Court: Motion to amend its motion to alter or amend courts order of August 17, be set for hearing/ copies sent to Shaffer, Palaigos, Millender, Borten**

Doc No./Seq No.: **90/0**
File Date: **08/04/2008** Close Date: **08/04/2008** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **91/0**
File Date: **08/07/2008** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Withdrawal of appearance**

Doc No./Seq No.: **92/0**
File Date: **08/11/2008** Close Date: **08/12/2008** Decision:
Document Name: **Line stating parties agree to reschedule hrg.**

Doc No./Seq No.: **93/0**
File Date: **08/13/2008** Close Date: **08/13/2008** Decision:
Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **94/0**

File Date: **08/12/2008** Close Date: **06/15/2009** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Second Amended Verified Complaint**
Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC

Doc No./Seq No.: **94/1**
File Date: **08/28/2008** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Defendant's Answer to Plaintiffs' Second Amended Verified Complaint**

Doc No./Seq No.: **95/0**
File Date: **08/22/2008** Close Date: **08/22/2008** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Hearing Notice Issued**

Doc No./Seq No.: **96/0**
File Date: **11/05/2008** Close Date: **06/15/2009** Decision:
Document Name: **Court Proceeding**
Case called for Motions Hearing. Attorney Palaigos present with Plaintiff. Attorney Jones present on behalf of Defendant. Counsel heard as to Motions to Amend/Alter and Motion to Dismiss. Palaigos requests milestones be extended. Court directs each side to submit proposed orders if the Court does extend milestones within 15 days. Court denies Motion to Dismiss. Court holds sub-curria.

Doc No./Seq No.: **97/0**
File Date: **11/17/2008** Close Date: **11/17/2008** Decision:
Document Name: **Track Assigned and Scheduling Order Prepared**

Doc No./Seq No.: **98/0**
File Date: **11/17/2008** Close Date: **11/17/2008** Decision:
Document Name: **Notice of Assignment Issued**

Doc No./Seq No.: **99/0**
File Date: **11/18/2008** Close Date: **06/15/2009** Decision:
Document Name: **Order of Court**
Signed Scheduling Order and Notice of Assignment sent to attys (Millinder; Palaigos w/Notice to Plaintiffs; Shaffer w/Notice to Plaintiffs) and Settlement Officer Kartalia

Doc No./Seq No.: **100/0**
File Date: **11/20/2008** Close Date: **11/20/2008** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Correspondence from Attorney Palaigos regarding proposed order with exhibits**

Doc No./Seq No.: **101/0**
File Date: **11/26/2008** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Notice of Discovery Material**

Doc No./Seq No.: **102/0**
File Date: **11/26/2008** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Notice of Discovery Material**

Doc No./Seq No.: **103/0**
File Date: **11/26/2008** Close Date: **12/01/2008** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Correspondence to Judge Galloway**

Doc No./Seq No.: **104/0**
File Date: **12/15/2008** Close Date: **12/16/2008** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Correspondence Regarding Rebuttal**

Doc No./Seq No.: **105/0**
File Date: **12/17/2008** Close Date: **06/15/2009** Decision:
Document Name: **Order of Court Amending and Altering Courts Order of August 17, 2006
Copies sent to Shaffer/Palaigos/Millender**

Doc No./Seq No.: **106/0**
File Date: **12/24/2008** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Motion to Alter/Amend Court Order dated 12-16-08**

Doc No./Seq No.: **106/1**
File Date: **01/12/2009** Close Date: **06/15/2009** Decision:
Party Type: **Plaintiff** Party No.: **1**
Document Name: **Plaintiff's Response to Defendant's Motion to Alter or Amend Court Order
Dated
December 16,2008**

Doc No./Seq No.: **107/0**
File Date: **01/15/2009** Close Date: **06/15/2009** Decision:
Document Name: **Order of Court Denying Defendant's Motion to Alter Or Amend Court Order
Dated
12/16/08. Copies sent to Millender/Shaffer**

Doc No./Seq No.: **108/0**
File Date: **02/11/2009** Close Date: **06/15/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Notice of Appeal to COSA or COA**

Doc No./Seq No.: **109/0**
File Date: **02/11/2009** Close Date: **02/12/2009** Decision:
Party Type: **Defendant** Party No.: **1**
Document Name: **Attorney Appearance Filed
Terri A Jones**

Doc No./Seq No.: **110/0**

File Date: **02/11/2009** Close Date: **06/15/2009** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Notice of Service of Discovery**

Filed by PLT001-Forty West Builders Inc, PLT002-Harrison Farm LLC, PLT003-Ridgewood LLC

Doc No./Seq No.: **111/0**

File Date: **02/11/2009** Close Date: **02/12/2009** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Attorney Appearance Filed**

Michael Severino

Doc No./Seq No.: **112/0**

File Date: **02/11/2009** Close Date: **02/12/2009** Decision:

Party Type: **Plaintiff** Party No.: **2**

Document Name: **Attorney Appearance Filed**

Michael Severino

Doc No./Seq No.: **113/0**

File Date: **02/11/2009** Close Date: **02/12/2009** Decision:

Party Type: **Plaintiff** Party No.: **3**

Document Name: **Attorney Appearance Filed**

Michael Severino

Doc No./Seq No.: **114/0**

File Date: **03/11/2009** Close Date: **06/15/2009** Decision:

Party Type: **Defendant** Party No.: **1**

Document Name: **Notice of Discovery Material**

Doc No./Seq No.: **115/0**

File Date: **03/18/2009** Close Date: **06/15/2009** Decision:

Document Name: **Order directing prep. of transcript-COSA Due May 18, 2009**

Doc No./Seq No.: **116/0**

File Date: **04/17/2009** Close Date: **04/20/2009** Decision:

Document Name: **Reporter's Official Transcript (Motion Hearing)**

Doc No./Seq No.: **117/0**

File Date: **04/22/2009** Close Date: **06/15/2009** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Plaintiffs Expert Designation**

Doc No./Seq No.: **118/0**

File Date: **04/22/2009** Close Date: **06/15/2009** Decision:

Party Type: **Plaintiff** Party No.: **1**

Document Name: **Notice of Service of Discovery**

Doc No./Seq No.: **119/0**

File Date: **05/08/2009** Close Date: **05/08/2009** Decision:

Document Name: Certification of Case File Issued

Doc No./Seq No.: 120/0

File Date: 05/12/2009 Close Date: 05/12/2009 Decision:

Document Name: \$50.00 C.O.S.A. Appeal Fee received on 2/12/09, Receipt #933, forwarded to C.O.S.A. on 5/12/09 via Stars 120, Doc.#CRD078.

Doc No./Seq No.: 121/0

File Date: 05/18/2009 Close Date: 05/18/2009 Decision:

Document Name: \$50.00 Appeal Fee received on 2/09/09 Receipt #933 forwarded to C.O.S.A. on Stars 120 #CRD078 5/12/09

Doc No./Seq No.: 122/0

File Date: 05/19/2009 Close Date: 06/15/2009 Decision:

Document Name: Certified Mail Receipt Received from Court of Special Appeals

Doc No./Seq No.: 123/0

File Date: 06/04/2009 Close Date: 06/04/2009 Decision:

Document Name: Receipt for Record from COSA

Doc No./Seq No.: 124/0

File Date: 06/05/2009 Close Date: 06/15/2009 Decision:

**Document Name: Mandate Received from Court of Special Appeals
May 28, 2009: Notice of Dismissal filed by the Counsel for the Appellant. Appeal Dismissed.
June 1, 2009: Mandate Issued.**

Doc No./Seq No.: 125/0

File Date: 06/05/2009 Close Date: 06/15/2009 Decision:

Document Name: Record received from COSA

Doc No./Seq No.: 126/0

File Date: 06/15/2009 Close Date: 06/16/2009 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Stipulation of Dismissal with prejudice

The complete case file can be obtained from the Circuit Courthouse.