

Filed

JUN 02 2017

Bessie M. Decker, Clerk
Court of Appeals
of Maryland

IN THE COURT OF APPEALS OF MARYLAND

JANE AND JOHN DOE, *et al.*

*

Appellants/Petitioners,

*

v.

*

September Term, 2017

ALTERNATIVE MEDICINE
MARYLAND, LLC

*

Petition Docket No. 148

*

Appellee/Respondent.

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**RESPONDENT'S MOTION TO MAINTAIN *STATUS QUO* PENDING FURTHER
ORDER OF THIS HONORABLE COURT
AND REQUEST FOR HEARING**

COMES NOW the Appellee/Respondent, Alternative Medicine Maryland, LLC (hereinafter "Respondent"), by and through counsel, Brian S. Brown, Christopher T. Casciano, Brown & Barron, LLC, Byron L. Warnken, Byron B. Warnken, Warnken, LLC, John A. Pica, Jr., and John Pica and Associates, LLC, filing this Motion to Maintain *Status Quo* Pending Further Order of this Honorable Court, and in support thereof states as follows:

1. On May 25, 2017, the Circuit Court for Baltimore City issued a Temporary Restraining Order in *Alternative Medicine Maryland v. Natalie M. LaPrade Maryland Medical Cannabis Commission, et al.*, Case No.: 24-C-16-005801. That same Order set a hearing on Respondent's Request for a Preliminary Injunction for June 2, 2017.

2. On June 2, 2017, Petitioner filed an Emergency Motion for Stay of Proceedings in the Circuit Court for Baltimore City and/or Injunction requesting, "pursuant to Maryland Rule 8-425, this Court enter an order staying the hearing on preliminary injunction, or, in the alternative, any preliminary injunction in the Underlying Lawsuit, and staying any further actions in the Underlying Lawsuit pending the outcome of this appeal."

3. On June 2, 2017, as the hearing on the Preliminary Injunction was about to begin, this Honorable Court issued an Order stating as follows:

This Court having considered the emergency motion for stay of proceedings in the Circuit Court for Baltimore City and/or injunction and the responses thereto, in the above entitled case, it is this 2nd day of June, 2017

ORDERED, by the Court of Appeals of Maryland, that the emergency motion for stay of proceedings in the Circuit Court for Baltimore City be, and it is hereby, granted, and the hearing on preliminary injunction in the matter of *Alternative Medicine Maryland, LLC v. Natalie M LaPrade Maryland Medical Cannabis Commission, et al*, Case No. 24-C-16-005801, Circuit Court for Baltimore City is hereby STAYED, until further Order of this Court.

4. Thus, this Honorable Court did not “stay[] any further actions in the Underlying Lawsuit pending the outcome of this appeal,” it merely stayed the hearing on the preliminary injunction and stayed “proceedings” in the Circuit Court for Baltimore City.

5. Pursuant to Maryland Rule 15-504, had this matter not been stayed, the Temporary Restraining Order would have dissolved by its own terms ten days after its issuance.

6. However, given that this matter has been stayed by this Honorable Court, the Temporary Restraining Order cannot dissolve because all “proceedings” are at a standstill. The *status quo* should be maintained, and this Honorable Court should issue an Order indicating that the Temporary Restraining Order issued by the Circuit Court for Baltimore City on May 25, 2017 remains in full force and effect until further Order of the Court.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of June, 2017, copies of the forgoing were sent by first-class mail, postage prepaid, and via electronic mail, to:

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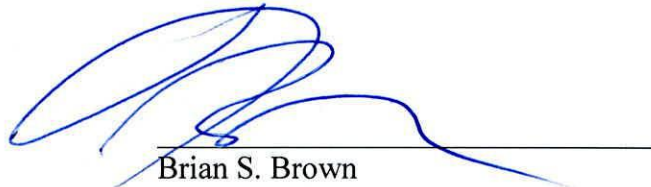
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JANE AND JOHN DOE, *et al.*

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Appellants/Petitioners,

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v.

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September Term, 2017

ALTERNATIVE MEDICINE
MARYLAND, LLC

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Case No.

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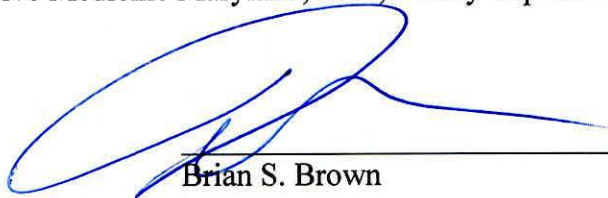
Appellee/Respondent.

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REQUEST FOR HEARING

Appellee/Respondent, Alternative Medicine Maryland, LLC, hereby requests a hearing.



Brian S. Brown