



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Litigation Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Arena Ventures v. SMG, et al.</i>	03-C-13-002705	Petition for Cert. to COA pending	Plaintiff sued City operator of the Baltimore Arena for unjust enrichment and trespass to chattels for the use of the billboard structures attached to the building. City had agreed to defend and indemnify operator because City previously made representations that it owned the billboard structures when RFP to operate Arena went out. Plaintiff awarded damages of \$1.457M on 2/2/20.	\$5,000,000	None			
<i>Hancock, et al. v. MCCB, et al.</i>	24-C-20-000676	Defense verdict on motion; appeal pending	Plaintiffs filed wrongful death and survivorship actions against the City related to the death of young man who was working for a City contractor doing repair work for Rec and Parks. Decedent killed when a trench collapsed on him. City has tendered defense to the contractor's liability carrier.	\$800,000	None			
<i>L. Roane, et al. v. Laprade</i>	24-C-19-004228	Discovery	Plaintiffs filed wrongful death and survivorship actions against City driver. Decedent was killed when a large utility truck ran him over while moving from a parked position.	\$800,000	None			
<i>C. Roane v. MCCB</i>	24-C-18-005723	Discovery	Plaintiff sued for the wrongful death of her son who was run over by a large utility truck. This case is consolidated with L. Roane, et al. v. Laprade.	\$100,000+	None			
<i>Shah v. MCCB</i>	24-C-20-004395	Discovery	Plaintiff alleges serious injuries after driving into a felled tree in the road of which the City was aware.	\$100,000+	None			
<i>CSX v. Spiniello and MCCB</i>	19-cv-02976	Discovery	Plaintiff alleges significant property damages to Curtis Bay Coal Terminal for two events in which raw sewage entered a water filtration system on the property. The first event was related to a sanitary overflow from a manhole. The second event was caused by Spiniello, which was acting as a City contractor performing sanitary system improvements.	\$1,900,000	None			
<i>Garcia, et al. v. MTA and MCCB</i>	24-C-19-002697	Discovery	Plaintiff and wife allege personal injuries and loss of consortium after Plaintiff tripped and fell due to a missing missing brick adjacent to the light rail station at Camden Yards.	\$400,000	None			
<i>Montague, et al. v. MCCB</i>	24-C-17-006619	Remanded to trial court	Plaintiffs filed wrongful death and survivorship actions after decedent crashed car on a curvy portion of Cold Spring Avenue.	\$200,000	None			
<i>Muse-Wallace v. Wood, et al.</i>	24-C-21-000868	Answer to be filed	Plaintiff is the operator of a bus that was struck when a police car lost control on an icy road	\$100,000+	None			
<i>Cherry, et al. v. MCCB</i>	24-C-16-004670	Appeal pending	Class action where plaintiffs were members of police and fire pension system seeking damages for pension reforms enacted in 2010. As to claims of active members of plan, judgment entered in favor of City. As to approximately 1,500 retirees or retiree eligibles of plan, judgment entered against City in amount of \$31M	\$100,000,000+				
<i>Johnson v. MCCB</i>	24-C-20-001060	Discovery	Plaintiff alleges personal injuries after stepping into an open water meter vault.	\$150,000	None			
<i>RWN-200 East Lexington Street, LLC v. MCCB</i>	24-C-20-001153	Discovery	Plaintiff seeks compensation claiming that it was overbilled for water at its property over several years	\$500,000+	Put hold on all current and future water bills, correct water bills			
<i>Friends of Gwynns Falls, et al. v. MCCB and BGE</i>	24-C-19-002271	Interlocutory appeal over depositions	Plaintiffs is suing the City and BGE over deal to allow gas pipeline to run through the park for \$2.4M	None	Renegotiation of gas pipeline franchise fee			
<i>St. Paul Place Partnersip, LLC v. MCCB and MPEI</i>	24-C-19-001311	Discovery	Plaintiff is suing for property damage sustained as a result of flooding to property allegedly caused by construction activity by City and its contractor, Monumental Paving	\$400,000+	None			
<i>Petroleum Fuel and Terminal v. MCCB</i>	24-C-19-003804	Discovery; settlement discussions proceeding	Plaintiff seeks to prevent property from being sold in tax sale for disputed delinquent water bills.	None	Prevention of tax sale			



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<i>Chae Bros. et al. v. MCCB</i>	17-cv-001757	Defense Motion for Summary Judgement Pending	Approximately 65 plaintiff businesses owners are seeking damages under the riot Act for property destroyed during the Freddie Gray riots	\$10,000,000	None			
<i>Restaurant Assn. of MD v. MCCB and Scott</i>	24-C-20-005155	Hearing on motion for preliminary injunction set for 1/13/21	Plaintiffs are a group of restaurants seeking injunctive and declaratory relief from Mayor Scott's executive order restricting in-person dining	None	Seek declaration that EO is unenforceable	Injunctive relief not granted. Plaintiffs dismissed case.	2/25/2021	
<i>Mincy v. MCCB</i>	24-C-19-005413	Discovery	Plaintiff alleges that a board from a City-owned vacant rowhouse blew off of the property and struck her in the head rendering her unconscious and suffering traumatic brain injuries	\$100,000+	None			
<i>Davis v. HABC and MCCB</i>	24-C-20-004461	Discovery	Plaintiff alleges she slipped and fell, injuring herself, on black ice.	\$100,000+	None			
<i>1228 Durst Street, LLC v. MCCB et al.</i>	24-C-20-002481	Discovery	Plaintiff alleges that its rowhouse structure, an investment property, was negligently damaged and then razed during the razing of an adjoining property by the City's contractor. The agreement with the contractor requires it to indemnify and insure the City.	\$100,000	None			
<i>Brown v. MCCB, et al.</i>	24-C-19-006513	Discovery	Plaintiff alleges he was caused to fall over a guardrail and injure himself.	\$1,000,000	None			
<i>TC Entertainment v. MCCB</i>	1:21-cv-00512 ELH	Case settled	Plaintiff, operating as the Penthouse Club, sued the City over the constitutionality of the Mayor's EO that did not allow live performers at adult entertainment businesses.	\$0	Injunction against enforcement of EO	Case settled with modification of EO	3/3/2021	\$20,000 in legal fees, costs and expenses
<i>Michael Maurice Johnson v. MCCB, et al.</i>	24-C-20-00475	Closed	Action to indemnify a judgment obtained by the Plaintiff against three police officers.	\$281,000 plus interest from 1/31/2013	None	Judgment for Plaintiff	3/25/2021	\$512,498
<i>Kirkner v. MCCB</i>	24-C-20-001849	Discovery	Plaintiff alleges he was injured after falling due to missing bricks near the light rail line on Howard Street near the Geppi Museum	\$100,000+	None			
<i>Arscott v. MCCB, et al.</i>	24-C-20-002492	Discovery	Plaintiff alleges she tripped and fell on defective pavement in front of 100 E. Pratt Street, breaking her hip.	\$100,000+	None			
<i>Harrell and House v. MCCB and Hollard</i>	24-C-20-002388	Discovery	Plaintiffs allege police officer ran a stop sign and collided into their vehicle causing injuries.	\$100,000+/each	None			
<i>Estate of B. Johnson v. MCCB, et al.</i>	24-C-20-002678	Answer pending	Plaintiff, now deceased, alleges she fell into a hole outside her home causing injuries.	\$100,000+	None			
<i>Blair v. MCCB</i>	24-C-19-005120	Trial pending	Plaintiff was jogging and tripped on an uneven sidewalk causing injuries.	\$100,000+	None			
<i>Lockwood, et al. v. MCCB</i>	24-C-20-002497	Discovery	Plaintiff and his spouse allege that a City water maintenance crew left a large hole in the street unprotected and that he suffered traumatic brain injuries after driving into the hole.	\$100,000+	None			
<i>Willowbrook Apartment Associates, et al. v. MCCB, et al.</i>	20-cv-01818	Cross motions for summary judgment to be filed	Plaintiffs, numerous landlords in Baltimore City, City of Salisbury and Howard County, have sued the City and the other jurisdictions seeking monetary and injunctive relief over ordinances passed to prohibit rent increases during the COVID emergency and until 90 days after the emergency is lifted by the Governor.	presently undetermined but includes attorney's fees	Invalidation of Act; injunction against enforcement of Act			
<i>Edwards v. MCCB</i>	20-cv-01389	Discovery	Plaintiff alleges the City committed a "taking" of his property by rezoning it as Open Space.	\$1,000,000+	None			
<i>Barnett v. MCCB</i>	24-C-19-002520	Plaintiff verdict; appeal pending	Plaintiff claims to have tripped on a water meter cover causing her to fall and injure herself.	\$293,000 verdict	None			
<i>Todman, et al. v. MCCB, et al.</i>	19-cv-03296	Discovery	Plaintiffs are challenging the Eviction Chattel Law governing the disposition of tenant property after a judicial	\$100,000+	Invalidation of Act			
<i>Guest v. MCCB</i>	03-C-20-003181	Discovery	Plaintiff alleges injuries after his car slid on ice caused by a leaking water meter and crash into a house	\$400,000	None			



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<i>Erie Ins. Aso Argetakis v. Zane Corp and MCCB</i>	24-C-20-003018	Discovery	Plaintiff's property was destroyed after a neighboring property was condemned and then razed.	\$352,000	None			
<i>Duffy v. MCCB</i>	24-C-19-002985	Trial pending	Plaintiff claims to have tripped and fell on a sidewalk crack near the Baltimore Convention Center.	\$375,000	None			
<i>James v. BGE and MCCB</i>	24-C-21-000222	Responsive pleading to be filed	Plaintiff was seriously injured in the Labyrinth Road natural gas explosion and is claiming the City was grossly negligent in its rental property permitting process.	\$50,000,000	None			
<i>Peterson v. MCCB</i>	24-C-20-003607	Discovery	Plaintiff alleges personal injuries after stepping into an open water meter vault.	\$100,000	None			
<i>Anderson v. Veolia and MCCB</i>	24-C-20-003035	Discovery	Plaintiff alleges he was injured after a steam pipe exploded.	\$100,000	None			
<i>Davies v. MCCB</i>	24-C-20-002774	Discovery	Plaintiff alleges she was severely injured after stepping down of the curb into an uneven storm drain inlet	\$100,000+	None			
<i>McCulloch v. MCCB</i>	24-C-20-003672	Discovery	Plaintiff alleges she tripped and fell on a defective sidewalk.	\$100,000	None			
<i>Clark v. MCCB</i>	24-C-20-004236	Discovery	Plaintiff was the driver of a car claimed to have been rear-ended.	\$250,000	None			
<i>Denver Elek, Inc. v. MCCB</i>	24-C-20-005090	Discovery	Plaintiff claims it is owed \$159,963.13 for outstanding invoices for HVAC and plumbing work performed at City buildings.	\$159,963	None			
<i>Fulcher v. MCCB, et al.</i>	24-C-20-002111	Discovery	Plaintiff alleges the City and contractors damaged the structure of her home when a sidewalk and ADA ramp was installed adjacent to her home. She also alleges bodily injuries due to alleged rodent infestation caused by the structural damage.	\$100,000+	None			
<i>Gellar, et al. v. MCCB, et al.</i>	24-C-20-003754	Discovery	Plaintiffs are bringing a wrongful death action on behalf of minor child and survivorship action on behalf of decedent's estate. Decedent was killed after being struck by a City truck while crossing Orleans Street.	\$400,000	None			
<i>Royal v. John</i>	24-C-19-003544	Discovery	Plaintiff claims that driver of City vehicle struck his car door while it was open causing it to spring back and injure him	\$100,000+	None			



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<i>Kerron Andrews v. Baltimore City Police Department, et al.</i>	16-cv-02010	Discovery Underway	This lawsuit alleges that BPD officers used cell site simulator technology without a warrant or other court order, thus violating Plaintiff's rights. This resulted in Plaintiff's arrest and incarceration for 2 years. Plaintiff alleges BPD entered into an agreement with the creator of the cell simulator technology that BPD would not disclose the existence of the technology in exchange for access to the technology. Plaintiff alleges violations of his rights under the 4th and 14th Amendments to the U.S. Constitution and pursuant to 42 U.S.C. § 1983 as well as under the Maryland Constitution.	In excess of \$75,000	Permanent injunction that prohibits officers from using cell site simulator technology to track individuals without first obtaining a warrant that describes with reasonable particularity the location where the cell-site simulator may be activated			
<i>Steve Morse v. Justin Trojan, et al.</i>	17-cv-01331	Pending Trial	Plaintiff alleges that, on or about May 16, 2014, BPD officers arrived at his home and, without cause, seized his air rifle. Plaintiff further alleges that, in the same incident, he was violently tackled without provocation and unlawfully arrested.	Monetary Damages Not Specified in the Complaint	None			
<i>Ashley Overbey, et al. v. MCC</i>	17-cv-01793	MSJ Decided in Favor of Plaintiff; Fee Petition Pending	Alleges violation of Plaintiffs 1st Amendment rights via the enforcement of the non-disparagement clause included in Overbey's settlement agreement.	\$31,500 plus interest	Prohibit use of confidentiality clause in settlement agreements.			
<i>Michelle Gross, et al. v. Francisco Hopkins, et al.</i>	17-cv-03479	MTD Pending	Plaintiffs sue four police officers and an unnamed confidential informant alleging multiple violations of their Federal Constitutional rights as the result of the execution of a search warrant at on October 25, 2015 at a home owned or occupied by Plaintiffs. Plaintiffs allege the officers rushed into the home, pointed a gun at two of the plaintiffs, and ordered them into a room. Plaintiffs' phones were taken for the duration of the search. A canine unit searched Plaintiff Gross' car without a warrant and without permission. Plaintiffs claim that the warrant was issued based upon false information, and sue one officer for his alleged role in obtaining the warrant and executing it, the confidential informant that allegedly provided the false information, and the other officer defendants for their alleged roles in executing the warrant.	Monetary Damages Not Specified in the Complaint	None			



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<i>Darrius Kimbrough v. Tyler Sentz, et al.</i>	17-cv-03477	MSJ Ripe	Plaintiff seeks compensatory and punitive damages as well as attorneys' fees for alleged violations of his Federal Constitutional rights. More specifically, Plaintiff claims that he was unlawfully detained and arrested on August 6, 2014 based on the officers' allegation that Plaintiff stole a car. The juvenile case against Plaintiff was dismissed. Plaintiff allegedly sustained unspecified physical injuries as the result of excessive force used during his arrest.	Monetary Damages Not Specified in the Complaint	None			
<i>Theresa Rouse v. City of Baltimore</i>	17-cv-03482	Closed	Plaintiffs allege that, on or about May 7, 2016, they were subjected to an unjustified and excessive use of force. Further, officers are alleged to have falsified reports in support of criminal charges that were ultimately dropped. Plaintiffs assert various federal constitutional violations.	In excess of \$75,000 as to each of 7 counts.	None	Settlement	3/31/2021	\$45,000
<i>Shirley Johnson, et al v. Baltimore City Police Department et al.</i>	18-cv-02375	MTD Decided	Plaintiffs represent the estate of Elbert Davis, Phosa Cain, and the estates of the deceased children of Elbert Davis and Phosa Cain. The Plaintiffs allege that two suspects were stopped by former GTTF officers. The officers in question had guns drawn, were wearing masks, and were driving unmarked vehicles. The suspects, believing that they were being robbed, fled the scene at a high rate of speed. During their attempt to flee the scene, the suspects ran a stop sign and crashed their vehicle into a third party causing the death of Elbert Davis and injuries to Phosa Cain.	Monetary damages not specified in Complaint.	None			
<i>Alice Carson-Johnson v. Baltimore Police Department, et al.</i>	18-cv-03064	MSJ Filed	Title VII employment action alleging discrimination based on race, gender, and retaliation for engaging in protected activity. Plaintiff claims that all internal discipline that she faced was retaliatory, and that she was transferred to another division within BPD against her will.	In excess of \$75,000	None			
<i>Thomas Cassella vs Darryl DeSousa, et al</i>	24-C-18-00557	Pending Trial	Defamation lawsuit filed against former Commissioner DeSousa, stemming from a decision not to hire Plaintiff as a deputy police commissioner.	\$275,000	None			
<i>Tony Dewitt v. Ritz, et al.</i>	18-cv-03202	Dismissed as litigation sanction; Attorneys' Fee Petition Pending	This is a 12-year wrongful conviction lawsuit filed against several individual defendants. Mr. Dewitt was in prison for the murder of Sherene Moore and the attempted murder of Maurice Booker. Mr. Dewitt alleges the Defendants withheld material exculpatory evidence and maliciously prosecuted him.	In excess of \$100,000	None	Dismissed as litigation sanction; Attorneys' Fee Petition Pending	3/11/2021	\$0
<i>Tara Grim v. Baltimore Police Department, et al.</i>	18-cv-03864	Settlement and Status Conferences Pending	Alleges various violations of constitution regarding policy, practice, or custom of condoning unlawful strip searches.	\$5,000,000	None			
<i>Jeffry Taylor v. Baltimore Police Department, et al.</i>	18-cv-03999	Discovery Underway	Plaintiff alleges that members of the BPD retaliated against Plaintiff after he reported alleged violations of BPD policy surrounding Sgt. Roepcke's decision to use the BPD's Marine Unit to remove an allegedly abandoned boat in the Baltimore harbor. The Boat was removed from the harbor between January and February of 2017. Plaintiff's complaint alleges retaliation in violation of Federal and State constitutional rights, as well as violations of the Law Enforcement Officers Bill of Rights.	\$1,500,000, and costs and attorneys' fees.	None			



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<i>Winston v. Haziminas et al</i>	19-cv-00026	Discovery Underway	Plaintiff alleges violations of his Federal and State Constitutional rights as well as common law claims. More specifically, Plaintiff alleges that on February 20-21, 2016, he was unlawfully arrested by the defendant officer at a club in Power Plant Live. The defendant officer was working approved, uniformed secondary employment at the time of Plaintiff's arrest. Plaintiff further alleges that the officer used excessive force in effectuating the arrest. That alleged use of force caused a severe shoulder injury, which required surgery to repair.	Compensatory damages and punitive damages in excess of \$75K as to each count, as well as reasonable attorneys' fees.	None			
<i>Dameon Shaw v. State of Maryland, et al.</i>	24-C-19-000294	MTD Pending	Plaintiff's convictions of multiple armed robberies was vacated upon the reversal of an evidentiary ruling. Plaintiff alleges that the individual officers, together with third party witnesses conspired to frame him and procure his unlawful arrest, detention and conviction.	In excess of \$75,000 in respect of each count, plus costs and attorney's fees	Plaintiff demands that defendants be enjoined from "any further or similar unlawful or unconstitutional acts"			
<i>Eva Tonin v. Baltimore Police Department</i>	19-cv-00323	Case Stayed	Title VII employment action alleging discrimination based on gender, national origin, hostile work environment, and retaliation for engaging in protected activity. Plaintiff claims that she has a disability under the ADA and that BPD is no longer accommodating the request, even though it had previously. Plaintiff also claims that she has been subjected to a retaliatory hostile work environment.	\$400,000, plus attorney's fees.	None			
<i>Estate of Bryant v. BPD</i>	19-cv-00384	Discovery Underway	This is a 17-year wrongful conviction lawsuit filed against BPD and two individual defendants. Mr. Bryant was exonerated for murder based on DNA evidence. The estate alleges that defendants withheld material exculpatory evidence and manipulated eyewitness identification to cause his wrongful conviction. The estate also filed a Monell claim against BPD.	\$35 million (pre-suit notice letter)	None			
<i>Jerome Johnson v. BPD</i>	19-cv-00698	Discovery Underway	This is a 30-year wrongful conviction lawsuit filed against BPD and several individual defendants. Mr. Johnson was convicted as an accessory to the murder of Aaron Taylor. Mr. Johnson alleges the Defendants withheld material exculpatory evidence and maliciously prosecuted him for these crimes. Mr. Johnson also filed a Monell claim against BPD.	\$10 million (pre-suit notice letter)	None			
<i>Robert Johnson v. Gondo, et al.</i>	19-cv-00995	MSJ Ripe	The Plaintiff was arrested for possession of a firearm on August 24, 2014. The Plaintiff pled guilty and was sentenced to five years. He was incarcerated for four years. The Plaintiff is now saying that his arrest was illegal.	\$5 million in compensatory damages and \$5 million in punitive damages as to each count	None			
<i>Melvin Townes v. Carlos Rivera-Martinez</i>	24-C-19-003639	Closed	Plaintiff alleges that, on or about July 5, 2016, he was lawfully observing an unrelated arrest at which time Defendant approached him. Upon Plaintiff's attempt to leave, Defendant allegedly chased, forcibly subdued and illegally detailed him.	In excess of \$75,000 as to each of 6 counts; attorney's fees and costs	None	Motion to Dismiss Granted	1/7/2021	\$0
<i>Gary Washington v. BPD, et al.</i>	19-cv-02473	Discovery Underway	This is a 30-year wrongful conviction lawsuit filed against BPD and several individual defendants. Mr. Johnson was convicted for the murder of Faheem Ali based on the testimony of 1 minor child (Otis Robinson). Nearly 30 years later, Robinson recanted at a post-trial proceeding and Washington was released from jail. Washington alleges that defendants withheld material exculpatory evidence and manipulated eyewitness identification to cause his wrongful conviction. Washington also filed a Monell claim against BPD.	\$62 million (pre-suit notice letter)	None			
<i>Jamal Wilson v. Donald Gaff</i>	19-cv-02587	MTD Pending	Plaintiff alleges that on or about September 11, 2016 the Defendant stopped the car in which he was a passenger without cause, then assaulted Plaintiff for no reason.	Monetary damages not specified in Complaint.	None			



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<i>Shannon Noble v. Robert Lebrun, et al.</i>	24-C-19-004690	Complaint Filed	Plaintiff claims she was unlawfully arrested on July 5, 2017 pursuant to a warrant that she claims was improperly issued (she claims that the warrant was actually for someone else's arrest). She alleges common law claims against the defendant detective.	Monetary Damages Not Specified in the Complaint	None			
<i>Dennis Conyers v. Ryan Ernst</i>	24-C-19-004942	Discovery Underway	Plaintiff alleges that, on or about October 20, 2017, he was detained while getting into his vehicle and subsequently wrongfully arrested. He alleges that the criminal charges against him were ultimately resolved in a nolle prosequi disposition and asserts several state law torts.	\$75,000 as to each of 5 counts.	None			
<i>Lorren Hayman v. Baltimore Police Department, et al.</i>	24-C-19-005641	MTD Decided	Plaintiff alleges that she was falsely arrested, during the course of which she sustained injuries. She asserts several state law torts and violation of the Maryland Constitution.	In excess of \$75,000	None			
<i>Richard Gibbs Jr vs Jeffrey Melo</i>	24-C-19-005726	Discovery Underway	Plaintiff claims he was shot during a traffic stop for speeding, which occurred November 22, 2016. He was treated and released from the hospital. He claims that a gun was planted and he was arrested for its possession. He claims that he prevailed at trial as to all charges except driving without a license. Plaintiff alleges claims for State common law and constitutional claims.	Monetary Damages Not Specified in the Complaint	None			
<i>Lauren Holmes, et al. v. Baltimore Police Department, et al.</i>	19-cv-03392	Complaint Served	Civil rights claims arising from maintenance of crime scene in Harlem Park after shooting of Det. Sean Suiter.	Monetary Damages Not Specified in the Complaint	Plaintiffs seek injunctive relief including various prohibitions on the establishment and maintenance of a crime scene and police interactions with persons coming and going from a crime scene			
<i>Carla Green v. Timothy Zuhoski</i>	24-C-20-000115	Discovery Underway	Plaintiff sued Officer Zuhoski for battery, false arrest, false imprisonment, violation of Art. 24 and Art. 26 of Maryland Constitution, Declaration of Rights. PO Officer had probable cause to believe that Plaintiff was intoxicated or impaired. Plaintiff failed Field Sobriety Test (FST) and was subsequently arrested. Plaintiff later passed breathalyzer and was released. Plaintiff sues for the following damages: compensatory, pain, suffer, punitive, and the like.	In excess of \$1,000,000	None			
<i>Estate Of Curtis Jamal Deal vs Detective David Kincaid</i>	20-cv-00799	MTD Pending	On Feb. 7, 2017, Det. Kincaid was in a foot pursuit of Plaintiff/Decedent, Curtis Deal after he bailed out of the left rear passenger door of a car that was driving erratically. As Mr. Deal continued to run from Det. Kincaid, the decedent turned around and pointed his weapon in the directions of the Detective. Det. Kincaid in fear of his life, fired his weapon fatally shooting the plaintiff/decedent multiple times. The decedent/plaintiff's estate is alleging that the plaintiff/decedent pleaded for medical attention multiple times which were ignored, which ultimately led to his death.	In excess of \$75,000	None			
<i>Rich v. Hersl, et al.</i>	20-cv-00488	MTD Pending	Plaintiff claims that a firearm was planted on him and he was unlawfully arrested on October 2, 2007. He claims that he was arrested in part because he filed an Internal Affairs complaint against one of the officers approximately one week before he was arrested. Plaintiff also alleges that the head of IAD did not properly investigate his complaint or discipline the officers involved in Plaintiff's arrest. Plaintiff alleges claims for Federal and State Constitutional violations.	\$10 million in compensatory damages plus \$ 10 million in punitive damages for each of 19 counts, plus costs and attorneys' fees	None			
<i>Open Justice Baltimore v. City of Baltimore, et al.</i>	24-C-20-001269	Partial Summary Judgment for Defendants; on Appeal	Plaintiff alleges having made multiple requests for records to BPD and the City under the MPIA and that the responses were insufficient.	\$1,000 plus attorneys' fees	Plaintiff seeks to compel response to the MPIA request.			



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<i>Keneshia Cutchember v. Sufraim Hassan, et al.</i>	24-C-20-001617	Discovery Underway	Plaintiff alleges that, upon a second stop of her vehicle for equipment-related violations, she was detained and questioned, subjected to an illegal search, and her belongings removed from the vehicle. She alleges violations of the Maryland Constitution.	In excess of \$50,000	None			
<i>McPherson v. Baltimore Police Department, et al.</i>	20-cv-00795	Discovery Underway	This is a 24-year wrongful conviction suit filed against BPD and several individual defendants. Mr. McPherson and Mr. Simmons were convicted of the murder of Anthony Wooden, who was shot to death. They allege that police withheld witness statements and a confession from the real killer. They also filed a Monell claim against BPD.	Monetary damages not specified in Complaint.	None			
<i>Leaders of a Beautiful Struggle v. Baltimore Police Dept., et al.</i>	20-cv-00929	Complaint Filed; Stayed Pending Appeal	Plaintiffs allege that the operation of the Aerial Investigation Research Pilot Program violates their First and Fourth Amendment rights.	Attorneys' fees and costs.	Declaratory judgment that the AIR Pilot Program is unlawful and violates the United States Constitution; Order enjoining BPD from operating the AIR program and requiring expungement of related records.			
<i>Open Justice Baltimore v. City of Baltimore, et al.</i>	24-C-20-001956	MSJ Ripe	Plaintiff alleges having made multiple requests for records to BPD and the City under the MPIA and that the responses were insufficient.	\$1,000 in statutory damages as to each of 3 requests, plus costs and attorneys' fees.	Order Defendants to provide materials responsive to each of 3 MPIA requests; enter an injunction requiring Defendants to waive fees for each request.			
<i>James Handley v. Baltimore Police Department</i>	20-cv-01054	Case Stayed	Plaintiff is a former command member alleging race and gender discrimination in violation of Title VII. Plaintiff claims that he was removed from his position as Acting Inspector under Commissioner Davis and demoted to Major under Commissioner DeSousa and involuntarily transferred from the Recruitment Division to the Southwest District. Plaintiff alleges that DeSousa's goal was to replace all Caucasian male officers with African American female officers.	In excess of \$500,000 plus costs and attorneys' fees	Permanent Injunction directing BPD to remedy effects of discriminatory conduct and prevent same in the future.			
<i>Bonaparte v. Harrison, et al.</i>	20-cv-01343	Closed	Plaintiff is a former Deputy Commissioner of the BPD who alleges that he was wrongfully discharged in violation of his due process rights and in a racially discriminatory manner in violation of 42 U.S.C. 1983. Plaintiff also asserts several state law torts.	In excess of \$75,000 as to each of 7 counts.	None	Dismissed	4/15/2021	\$0
<i>Darnell Earl v. Taylor, et al.</i>	20-cv-01355	MTD Pending	Plaintiff alleges that, on October 18, 2015, the car in which he was a passenger was unlawfully stopped by former GTTF members and that during the search, the officers planted a firearm. Plaintiff asserts that the planted firearm was the basis for fabricated firearms charges to which he pled guilty and was subsequently incarcerated for roughly 18 months. Plaintiff asserts federal constitutional violations as well as state law torts.	\$30,000,000	None			
<i>Tyshawn Trogon v. Andre N. Smith, et al.</i>	24-C-20-002977	Answer Filed	Plaintiff alleges that he was a passenger in a stolen vehicle that was stopped by police. When the car stopped, Plaintiff alleges that he fled and was subsequently tased in an exercise of excessive force.	In excess of \$75,000 as to each of 5 counts; attorneys' fees.	None			
<i>David Dixon v. Leon Riley, et al.</i>	24-C-20-003326	Complaint Served	Plaintiff alleges that, on or about December 2, 2019, he was stopped and detained unlawfully by the officer defendants. He further alleges that he was subjected to excessive force and wrongfully arrested. Plaintiff asserts various state law torts.	In excess of \$75,000 as to each of 5 counts	None			
<i>Chestnut, et al. v. Kincaid, et al.</i>	20-cv-02342	MTD Pending	Plaintiffs allege that they were wrongfully convicted of the 1983 murder of DeWitt Duckett. Plaintiffs contend that their convictions arose from the improper investigative tactics of BPD members, which targeted plaintiffs in contravention of the evidence.	Not stated	None			



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Police Legal Affairs Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Potts v. DiPaola, et al.</i>	20-cv-02981	Complaint Filed	Plaintiff alleges 4th, 14th, and 8th Amendment violations arising from an allegedly unlawful arrest on or about August 24, 2017.	\$400,000	None			
<i>Jawone D. Nicholson v. State of Maryland, et al.</i>	20-cv-03146	MTD Pending	Plaintiff alleges that, on or about November 10, 2017, he was approached by a BPD officer who proceeded to question him aggressively and pointed a firearm at him without cause.	In excess of \$30,000 as to each of 11 counts; attorneys' fees and costs	None			
<i>Terrell Corbitt v. Baltimore Police Department, et al.</i>	20-cv-03431	MTD Pending	Plaintiff alleges that on or about December 15, 2017, BPD officers were engaged in a vehicle pursuit during which gunfire was exchanged between the fleeing suspect and pursuing officers. Plaintiff alleges that he was struck during the exchange of fire and asserts federal civil rights and state law tort claims.	\$11,500,000 plus attorneys fees.	None			
<i>Deanna Efland v. Baltimore Police Department</i>	20-cv-03503	Complaint Filed	Plaintiff, a BPD member, alleges that she was subjected to sex discrimination and retaliation in violation of Title VII.	Monetary damages not specified in Complaint.	Declaratory judgment; order requiring BPD to initiate and implement systems to ensure that individuals who file internal EEO complaints are treated in a non-discriminatory manner			
<i>Henrietta Middleton v. Baltimore Police Department, et al.</i>	20-cv-03536	MTD Pending	Plaintiff alleges that, on or about August 26, 2018, she was assaulted by a BPD member who then fabricated criminal charges against her. She asserts federal civil rights and several state tort claims.	\$20 million as to each of 9 counts	None			
<i>Enjona Baker v. Baltimore Police Department</i>	20-cv-03308	MTD Pending	Plaintiff alleges that she was terminated from her employment with BPD in July 2014 in retaliation for her complaints that she had been sexually assaulted by a male BPD officer.	Not stated	Injunction directing BPD to remedy effects of discriminatory and retaliatory conduct.			
<i>Institute for Constitutional Advocacy and Protection v. Baltimore Police Department</i>	24-C-21-000162	Complaint Served	Plaintiff alleges deficiencies in BPD's response to and MPIA request.	Not stated	Declaratory judgment; injunction requiring production of records and fee waiver.			
<i>Donna Roche v. Mayor and City Council, et al.</i>	24-C-21-000919	Complaint Filed						
<i>Kevron Evans, et al. v. Daniel Hersl, et al.</i>	24-C-21-000804	Complaint Filed	Plaintiff alleges that on or about October 20, 2012 former GTTF officers planted CDS on his person and based on this falsified evidence he was wrongfully convicted.	In Excess of \$75,000 as to each of 10 counts	None			
<i>Derrick Anderson v. Evodio Hendrix, et al.</i>	24-C-21-001117	Complaint Filed						
<i>Faye Cottman, et al. v. Baltimore Police Department, et al.</i>	21-cv-00837	Complaint Filed	Plaintiffs allege, on behalf of a putative class of "victims of serious assaults on or after April 1, 2018" that BPD unlawfully seized and withheld their property.	Not stated	Various declaratory and injunctive relief relating to cessation of allegedly unconstitutional practices and related training.			
<i>Simmons, et al. v. Baltimore Police Department, et al.</i>	21-cv-00969	Complaint Filed	Plaintiffs allege that, on or about March 21, 2020, the car in which they were driving was struck by a stolen vehicle, resulting in serious injury and death. Plaintiffs argue that, although no police vehicle struck the Plaintiffs, that officers seeking to apprehend the driver of the stolen vehicle caused the collision and that BPD's policies concerning pursuit are unconstitutional.	In Excess of \$75,000 as to each of 12 counts; costs and attorneys' fees	Complaint seeks unspecified injunctive relief.			



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Labor and Employment Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Donald Dziwulski v. M&CC</i>	18-cv-00277	Expert Discovery Phase	Plaintiff claims he was denied a promotion because of his race - Caucasian	\$250K	None			
<i>Eric Goods v. M&CC</i>	19-cv-02519	Motion to Dismiss pending	Plaintiff claims he was subject to a hostile work environment b/c of his race and age.	Unspecified	None			
<i>Kohl Falling v. M&CC</i>	19-cv-01500	Discovery Phase	Plaintiff claims that she was subjected to sexually harassing conduct and retaliation.	Unspecified	None			
<i>Stanley Abler v. M&CC</i>	18-cv-03668	Summary Judgment Stage	Plaintiff claims the BCFD failed to accommodate his disability	Unspecified	None			
<i>Roselyn Hale v. M&CC</i>	20-cv-00503	Discovery Phase	Plaintiff claims she was sexually harassed by supervisor who touched her and wrote her songs.	\$450K	None			
<i>Kenneth Butler v. M&CC</i>	16-cv-03309	Discovery Phase	Class action suit herein plaintiffs claims the city failed to pay proper wages and overtime.	Millions	None			
<i>Ann Harvey v. Enoch Pratt</i>	20-cv-00874	Discovery Stage	Plaintiff alleges she was subjected to a hostile work environment on account of her age and race, and suffered retaliation for filing a prior lawsuit.	\$900K	None			
<i>Rebecca Ebaugh v. M&CC</i>	20-cv-00663	Motion to Dismiss pending	Plaintiff claims that Rec & Parks failed to accommodate her disability and violated the law by terminating her.	Unspecified	Bar continuing discrimination			
<i>Roberta Hines v. M&CC</i>	20-cv-01808	Discovery Phase	Plaintiff claims that she was paid a lesser salary than her male counterparts in violation of the Equal Pay Act.	Unspecified Back-pay	None			
<i>Vincent DeSantis v. M&CC</i>	20-cv-3165	Discovery Phase	Plaintiff claims he was discriminated against on account of his alleged disability, gender, age and race.	Unspecified	None			
<i>Dax Johnson v. M&CC</i>	24-C-20-000197	Motion to Dismiss	Plaintiff alleges he was discriminated on account of his religion following the city's refusal to add his spouse to his medical benefits plan.	\$2.5 Million	Yes - order city to add wife to benefits plan	City's Motion to Dismiss granted.	2/10/2021	0
<i>Michael Rafferty v. M&CC</i>	20-cv-3327	Pleading Stage	Plaintiff alleges that he was terminated after requesting FMLA and brought claims under the ADA discrimination and retaliation provisions.	122000	reinstatement			



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Appellate Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Allan Myers, L.P. v. Mayor and City Council of Baltimore</i>	COA-PET-159-2020	Awaiting COA's ruling on cert petition	Contract dispute related to the reservoir work at Druid Hill Park. Contractor Allan Myers, L.P. sought additional compensation for emergency remedial repairs to the project; DPW denied the claim, finding that the need for repairs resulted from the contractor's own failure to follow project specifications. The circuit court affirmed, and the contractor appealed. The Court of Special Appeals dismissed the appeal for lack of jurisdiction and the contractor is now seeking review by the Court of Appeals.	\$4,900,000	None			
<i>Baltimore Police Department v. David Esteppe</i>	CSA-REG-3128-2018; COA-REG-47-2020	Awaiting decision in COA	Police scope of employment case. Seeking to impress a love interest, a BPD officer filed a fraudulent application for a search warrant that resulted in a search of the plaintiff's home and his arrest. The plaintiff obtained a \$167,000 judgment against the officer, and the circuit court ruled that the BPD is liable for that amount because the officer was acting within the scope of his employment. BPD appealed, and CSA vacated circuit court decision and remanded. COA granted cert in both petition and cross-petition.	\$167,000	None	CSA reversed the circuit court in a reported decision 8/27/2020; COA heard argument on 4/8/2021.		
<i>Baltimore Police Department v. Dominique Wiggins</i>	CSA-REG-1229-2020	Awaiting briefing in CSA	Police discipline action dismissed by circuit court for alleged LEOBR violation. BPD has appealed.	None	Dismissal of police disciplinary action			
<i>Baltimore Police Department v. Wanda Johnson</i>	CSA-REG-1230-2020	Awaiting briefing in CSA	Police discipline action dismissed by circuit court for alleged LEOBR violation. BPD has appealed.	None	Dismissal of police disciplinary action			
<i>BP p.l.c., et al., v. Mayor and City Council of Baltimore</i>	19-1644	Awaiting decision from SCOTUS (argued January 2021)	Interlocutory appeal in the City's climate change lawsuit against fossil fuel companies. The narrow question before the Court is whether 28 U.S.C. 1447(d) permits a court of appeals to review any issue encompassed in a district court's order remanding a removed case to state court where the removing defendant premised removal in part on the federal-officer removal statute, 28 U.S.C. 1442, or the civil rights removal statute, 28 U.S.C. 1443.					
<i>Clear Channel Outdoor, Inc. v. Director, Department of Finance of Baltimore City</i>	COA-REG-9-2020	Affirmed	Clear Channel challenges the City's billboard tax as a violation of the company's First Amendment free speech rights. The Tax Court, circuit court, and Court of Special Appeals have each rejected Clear Channel's claim.	\$6,000,000+	Invalidation of the billboard tax	COA affirmed that tax is constitutional.	3/15/2021	\$0
<i>Energy Policy Associates v. Mayor and City Council of Baltimore</i>	CSA-REG-1059-2020	Being briefed in CSA	Plaintiff seeking release of privileged and otherwise protected documents concerning lawsuit against fossil fuel companies.		Release of protected documents.			
<i>Gisell Paula, et al. v. Baltimore Police Department, et al.</i>	CSA-REG-1272-2020	Being briefed in CSA	Plaintiffs alleged the denial of the "right of protection of a civilian review board" and sought to enjoin the City's Law Department and Office of Equity and Civil Rights from providing administrative assistance and legal counsel to the Civilian Review Board. The circuit court found that the plaintiffs lacked standing to sue, and dismissed the lawsuit.		Injunction mandating how the Civilian Review Board is organized and operates			
<i>Joann Stupi v. Mayor and City Council</i>	CSA-REG-493-2018	CSA decision affirmed City circuit court victory.	Plaintiff's leg went through broken drainage gate; court granted judgement to City at close of plaintiff's case on ground that plaintiff failed to produce sufficient evidence of constructive notice of defective condition. Plaintiff appealed. CSA affirmed. Plaintiff sought cert from COA.	Unspecified damages over \$75,000	None	Favorable ruling by CSA.	3/12/2021	\$0



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Appellate Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Kathy Hudson, et al., v. Mayor and City Council of Baltimore, et al.</i>	CSA-REG-2346-2019	Awaiting CSA decision	The circuit court vacated and remanded the City Council's approval of the Overlook PUD. The City is appealing the part of the ruling in which the circuit court found that the PUD was governed by the PUD provisions of the former zoning code but the height regulations of the current zoning code		Cancellation of \$40 million, 148-unit apartment building planned near Falls Road and Northern Parkway (approved by City Council in 2017)			
<i>Kerron Andrews v. Baltimore Police Department</i>	18-1953	On limited remand for further factfinding in district court; Fourth Circuit has retained jurisdiction	Andrews sued the police department and individual officers who used a cell-site simulator to locate Andrews's cell phone and, thus, him, to execute a warrant for his arrest for attempted murder. The district court granted summary judgment against Andrews, but the Fourth Circuit ordered a limited remand for further factfinding before ruling on the propriety of the district court's ruling	\$100,000+	Injunction prohibiting use of cell-site simulators			
<i>Leaders of a Beautiful Struggle v. Baltimore Police Department</i>	20-1495	Awaiting en banc decision or dismissal by Fourth Circuit in March 2021	Interlocutory appeal of the district court's denial of a preliminary injunction of the BPD's Aerial Investigation Research pilot program. BPD sought to dismiss appeal as moot because the pilot program is over.		Injunction of the BPD's Aerial Investigation Research pilot program	Favorable ruling by Fourth Circuit panel, but en banc hearing granted.		
<i>Legends Sales And Marketing LLC, et al v. Arena Ventures LLC</i>	CSA-REG-0041-2020	Awaiting decision from CSA (argued in February 2021)	Contract dispute over billboards on the City arena. The City has already been found liable; the only remaining issue is the measure of damages, i.e., how much the billboard structures are worth. The circuit court ordered the City to pay about \$1.45 million. The City appeals that ruling.	\$1,457,264	None			
<i>Marquis Foster v. Baltimore Police Department</i>	CSA-REG-1666-2019	Awaiting CSA decision	Plaintiff sought \$1 million for alleged false arrest and battery by BPD officers. The circuit court dismissed the lawsuit, and the plaintiff appealed.	\$1,000,000	None			
<i>Matthew Petrus, et al., v. Mayor and City Council of Baltimore, et al.</i>	CSA-REG-2368-2019	CSA decision affirmed City victory in circuit court	The case relates to the City's repeal of the Remington Row PUD which Judge Fletcher-Hill agreed was a legislative-type decision. There is another matter presently stayed in the Circuit Court until the Petrus case is concluded in that if the repeal of the Remington Row PUD is upheld it will moot the other matter challenging an amendment of that PUD.		Reinstatement of repealed PUD.	Favorable ruling by CSA.	2/23/2021	\$0
<i>Mayor and City Council of Baltimore City v. Sade Barnett</i>	CSA-REG-2601-2019	Awaiting CSA decision	Personal injury action. Plaintiff alleged that she fell after tripping on a loose water meter cover and injured her right foot, which went into the water meter vault. City appeals multiple issues.	\$293,000 plus interest	None			
<i>Mayor And City Council of Baltimore City v. Friends of Gwynns Falls/Leakin Park, Inc., et al</i>	CSA-REG-1274-2020	Awaiting briefing in CSA	In dispute over the franchise fee charged for a pipeline through a park, the circuit court refused to quash a notice to depose the former Mayor and Comptroller. The City filed an interlocutory appeal.	None	The deposition of two high-ranking City officials regarding their deliberative processes.			
<i>Mayor and City Council of Baltimore v. AEG Live Mid-Atlantic, LLC ("Pier 6 II")</i>	CSA-REG-3056-2018	Awaiting CSA decision	Action to recover damages related to a contract dispute involving Pier 6. AEG obtained an injunction from the circuit court against the City and was required to post \$750,000 bond to protect the City against damages resulting from the injunction. The injunction was in place and operational for more than a month before the CSA stayed it during the City's appeal of the injunction. Months later, AEG voluntarily dismissed the underlying action against the City, which caused the appeal of the injunction to be dismissed as moot. AEG then moved to release the bond, and the City moved to recover damages in excess of \$325,000 from the bond. The circuit court denied the City's request. The City appealed.	City is seeking \$325,000+	None			



BALTIMORE CITY LAW DEPARTMENT
SIGNIFICANT LITIGATION REPORT
 - Appellate Practice Group -

<u>Name</u>	<u>No.</u>	<u>Case Status</u>	<u>Description</u>	<u>Monetary Demand</u>	<u>Injunctive Demand</u>	<u>Manner of Resolution</u>	<u>Date of Resolution</u>	<u>City Payment</u>
<i>Mayor and City Council of Baltimore v. ProVen Management, Inc.</i>	COA-REG-8-2020	COA decision dismissing appeal and reinstating City's circuit court victory.	This contract dispute regarding a sewer cleaning project involves requests for additional payments that were denied at the administrative level. That denial was then affirmed by the circuit court on judicial review. ProVen appealed to the CSA even though it did not have a right of appeal. The City moved to dismiss the appeal, which the CSA denied. The City appealed the denial of that motion to dismiss, and the COA granted cert.	\$1,600,000+	None	Favorable decision by COA.	3/1/2021	\$0
<i>Mayor and City Council of Baltimore v. Thornton Mellon LLC</i>	CSA-REG-1940-2019	Awaiting COA decision on cert petition.	Tax sale purchaser purported to assign a foreclosure judgment to another entity, then obtained a court order that the City issue a deed in the name of the purported assignee. The City believes the assignment is invalid and has appealed the order to issue the deed in the purported assignee's name.		The issuance of a tax sale deed to what the City believes is the improper party	CSA affirmed unfavorable circuit court decision on 1/28/2021; City filed cert petition in COA on 3/12/2021.		
<i>Michael Harrison, et al., v. Marcus Johnson</i>	CSA-REG-1209-2020	Awaiting briefing in CSA	Police discipline action dismissed by circuit court for alleged LEOBR violation. BPD has appealed.	None	Dismissal of police disciplinary action			
<i>Nathaniel Carter, Jr. v. Police Officer Sweet, et al.</i>	CSA-REG-1208-2020	Appeal dismissed.	Plaintiff alleges police misconduct regarding the use of his remote control car but his case was dismissed for failure to plead a viable cause of action and failure to provide LGTCA notice. Plaintiff appeals dismissal.	\$400,000		Plaintiff voluntarily dismissed appeal.	3/23/2021	\$0
<i>Open Justice Baltimore v. The City of Baltimore, et al.</i>	CSA-REG-1058-2020	Being briefed in CSA	Plaintiff seeking release of privileged and otherwise protected documents concerning Civilian Review Board without payment of statutorily provided fees.		Release of protected documents, and provision of copies without payment.			
<i>Robert Cherry, et al., v. Mayor and City Council of Baltimore</i>	COA-REG-36-2020	Awaiting decision in COA	Class action where plaintiffs were members of police and fire pension system seeking damages for pension reformed enacted in 2010. As to claims of active members of plan, judgment entered in favor of City. As to approximately 1,500 retirees or retiree-eligibles of the plan, judgment entered against City in amount of \$31 million	\$100,000,000+				
<i>Sabein Burgess v. Gerald Goldstein</i>	19-1600 & 19-1602	Awaiting Fourth Circuit decision	Appeal from large judgment in favor of man who was released from prison on petition for writ of actual innocence after spending 19 years in prison.	\$15,000,000 plus interest and attorneys fees	None			
<i>Verdessa McDougald v. Matthew Pow</i>	20-2313	Awaiting argument or decision in Fourth Circuit	Appeal of the summary judgment granted to all defendants on the grounds that in-custody suicide was not foreseeable	Unspecified damages over \$100,000	None			