

Filed

JUL 03 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~~ 2016

ALTERNATIVE MEDICINE
MARYLAND, LLC

*

~~Petition~~ Docket No. ~~148~~ 98

*

Regular

Appellee/Respondent.

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* * * * *

**RESPONDENT’S MOTION TO REQUIRE RESPONDENT NATALIE M. LAPRADE
MARYLAND MEDICAL CANNABIS COMMISSION TO ARGUE WITH
PETITIONERS, OR IN THE ALTERNATIVE, MOTION FOR ADDITIONAL
ARGUMENT TIME
AND MOTION TO ALLOW RESPONDENT TO FILE A RESPONSIVE BRIEF TO
ANY BRIEF FILED BY RESPONDENT NATALIE M. LAPRADE MARYLAND
MEDICAL CANNABIS COMMISSION**

COMES NOW the Appellee/Respondent, Alternative Medicine Maryland, LLC (hereinafter “Respondent” or “AMM”), 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 and in support thereof states as follows:

1. On June 9, 2017, this Honorable Court Granted Petitioners’ Emergency Bypass Petition for a Writ of Certiorari to the Court of Special Appeals. Argument is scheduled for July 27, 2017. Respondent Nancy M. LaPrade Maryland Medical Cannabis Commission (hereinafter the “Commission”) was not a moving party to the Petition, and has been designated as a Respondent in this case.

2. The issue before this Honorable Court is limited to the trial court’s denials of Petitioners’ Motions to Intervene in the lower court proceedings. In the trial court, the Commission

took the position that Petitioners should have been permitted to Intervene, and it continues to hold that position as of this date. As Respondent opposed Petitioners' Motions to Intervene, the Commission and Respondent are adverse parties. It is Respondent's position that, for purpose of the briefing schedule and oral argument, the Commission should have been designated as a Petitioner.

3. One of the attorneys for the Commission, Julia Doyle Bernhardt, Esquire informed Brian S. Brown, one of the undersigned counsel for Respondent, that she intends to file a Motion with this Honorable Court requesting that the Commission be permitted to have ten minutes of argument time, and that as the Commission has been designated as a Respondent in this appeal, that said ten minutes be deducted from AMM's argument time. Ms. Bernhardt also informed Mr. Brown that the Commission intends to file a brief with this Honorable Court at the same time AMM files its brief.

4. As AMM and the Commission are adverse parties below, and that as the Commission supports Petitioners' position on the intervention issue before this Honorable Court, the Commission's argument time should be shared with Petitioners and not with AMM. In the alternative, should this Honorable Court deny its request, then Respondent should be permitted its full thirty minutes of argument time, with the Commission receiving an addition ten minutes of argument time, with the Commission's argument to immediately follow Petitioners' argument.

5. Additionally, given the unusual procedural posture of this case (adverse parties being designated as co-respondents), and given that the Commission will be filing its brief at the same time as Respondent files its brief, AMM requests that it be permitted to file a brief in response to the Commission's brief. If this request were denied, Respondent would be put in the position of arguing before this Honorable Court without being permitted to respond to the Commission's

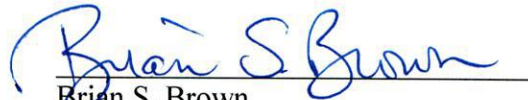
arguments in writing.

WHEREFORE, it is respectfully requested that this Honorable Court:

A. Issue an order directing that the Commission will share argument time with Petitioners; or, in the alternative

B. Issue an order directing that the Commission shall receive 10 minutes of oral argument time immediately following Petitioners' oral argument and that AMM shall receive its full 30 minutes of oral argument time, said argument to begin following the Commission's argument; and

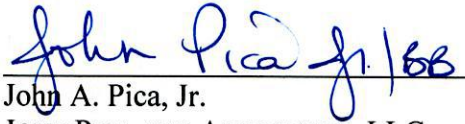
C. Issue an Order granting Petitioner's request to file a brief in response to the Commission's brief.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3RD day of July, 2017, copies of the forgoing were sent by first-class mail, postage prepaid, and via electronic mail, to:

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