

IN THE COURT OF APPEALS OF MARYLAND

No. 86

September Term, 2010

MONTGOMERY COUNTY VOLUNTEER FIRE-
RESCUE ASSOCIATION AND
ERIC N. BERNARD

v.

MONTGOMERY COUNTY BOARD OF
ELECTIONS AND MONTGOMERY
COUNTY, MARYLAND

Bell, C.J.
Harrell
Battaglia
Greene
Murphy
Adkins
Barbera,

JJ.

PER CURIAM ORDER
Harrell and Battaglia, JJ., dissent.

Filed: September 29, 2010

MONTGOMERY COUNTY VOLUNTEER * In the
RESCUE ASSOCIATION AND * Court of Appeals
ERIC N. BERNARD * of Maryland
v. *
MONTGOMERY COUNTY BOARD OF * No. 86
ELECTIONS AND MONTGOMERY *
COUNTY, MARYLAND * September Term, 2010

PER CURIAM ORDER

For reasons to be stated later in an opinion to be filed
it is this 29th day of September, 2010,

ORDERED, by the Court of Appeals of Maryland, a majority of
the Court concurring,* that the judgment of the Circuit Court for
Montgomery County be, and it is hereby, reversed, and the matter
remanded to the Circuit Court with directions to enter judgment in
favor of Appellants and an order that a referendum on the validity
of Montgomery County Council Bill No. 13-10 be placed on the ballot
at the General Election to be held on November 2, 2010. Costs to be
paid by the Appellees. Mandate to issue forthwith.

/s/ Robert M. Bell
Chief Judge

*Judges Harrell and Battaglia would affirm the judgment of the
Circuit Court.

/s/ Robert M. Bell
Chief Judge