

IN THE SUPREME COURT OF MARYLAND

MARYLAND STATE BOARD
OF ELECTIONS, *et al.*,

*

*

Appellants,

*

September Term

v.

*

No. 26

ANTHONY AMBRIDGE, *et al.*,

*

Appellees.

*

* * * * *

MOTION FOR LEAVE TO FILE BRIEF BEYOND DEADLINE

COME NOW, Appellees, by and through counsel, Thiru Vignarajah, Esq., pursuant to Md. R. Rev. Ct. App. & Spec. App. 8-431, 8-502, and Md. Gen. Provi. 1-204, file this Motion for Leave to File Brief Beyond Deadline to respectfully ask this Honorable Court to issue a nunc pro tunc, ex parte Order permitting Appellees’ Brief to be filed beyond the deadline of October 3, 2024, and in support thereof states as follows:

1. This Motion is filed contemporaneously with a Motion to Exceed Word Limit.
2. Appellees hereby incorporate the entirety of their Motion to Exceed Word Limit and adopt by reference those points as part and parcel of the Motion.
3. Accompanying this Motion is a copy of Appellees’ Brief, as directed by this Court.
4. After the Circuit Court for Anne Arundel County issued its decision, Appellants MCB HP Baltimore LLC (“MCB”) and the Mayor and City Council of Baltimore (“MCC”) both filed successful motions to intervene which authorized them to join the matter as Appellants in this appeal.
5. On Friday, September 27, Appellees were served with three substantial briefs, one from each of the Appellants; the prevailing Order does not provide Appellees with any flexibility or allowance in light of the multiple robust briefs filed by Appellants in this complex and important matter.
6. Counsel for Appellees unfortunately lost two days over the past week to illness, and as a solo practitioner was unable to obtain immediate coverage.

7. Although there is naturally some overlap among Appellants' briefs, each of the three filings raises a series of substantial and standalone points.
8. Collectively, Appellants presented a total of ten (10) Questions Presented, including eight (8) unique QPs. These include weighty procedural and substantive arguments.
9. Furthermore, the intervenor Appellants, whose QPs make up the majority of the total (8 out of 10), largely raise arguments that were never briefed or presented before the Circuit Court, requiring Appellees to address them now for the first time.
10. Brief of Appellees, as ready to be filed and accompanying this Motion, consists of a merits document that is just under 24,000 words. It endeavors to comprehensively address the myriad points raised by all three of Appellants' complementary filings, which combine for a total of nearly 35,000 words.
11. That, further, in order to conform with rules regarding physical copies of briefs, undersigned counsel, through staff, contacted several local print stores that indicated they were unavailable to assist in completing the requisite print jobs on time given the volume and timeframe of the order.
12. Counsel, through staff, contacted the following stores that advertise same-day services:
 - a. Staples, 2631 Housley Road, Annapolis, MD 21401, (410) 266-9757
 - b. FedEx, 11 S Charles Street, Baltimore, MD 21201, (410) 625-5862
 - c. FedEx, 30003 N Charles Street, Baltimore, MD 21218, (410) 467-2454
13. That this Motion is ripe and proper for an ex parte ruling as, pursuant to Md Rule 1-204, Appellants were advised via email of Appellees' intent to file this motion, and Appellants have not offered their consent.
14. Along with Appellees' Brief, Appellees will file the instant Motion and a Revised Motion to Exceed Word Limit and will file hard copies of Appellees' Brief today.

WHEREFORE, for the foregoing reasons and any which may appear to the Court, the Appellees respectfully requests that this Motion be granted, and this Court issue an order granting Appellees leave to file their brief by 12 PM on October 4, 2024, and to implement this order nunc pro tunc to the Order of September 20, 2024.

Respectfully submitted,

/s/ Thiru Vignarajah

THIRUVENDRAN VIGNARAJAH

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Counsel for Appellees

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of October 2024 the foregoing *Motion for Leave*, was filed with the Clerk of the Supreme Court of Maryland, and served via MDEC to the following:

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