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ASSISTANT ATTORNEYS GENERAL

May 5, 2023

Civil Clerk
Circuit Court for Baltimore City
111 North Calvert Street
Courthouse East, Room 462
Baltimore, Maryland 21202

Re: *Maryland Department of the Environment v. Television Tower, Inc., et al.*

Dear Mr./Mrs. Clerk:

Enclosed please find an original Complaint for Injunctive Relief and Enforcement of Civil Penalties and Case Information Report for filing in the above-noted matter. Please forward the Writs of Summon to me to be served upon the Defendants by private process.

As the Maryland Department of the Environment is a state agency, it is my understanding that there is no filing fee. However, should you have any questions, please do not hesitate to call. Thank you for your attention to this matter.

Sincerely yours,


Christopher S. Corzine
Assistant Attorney General

Enclosures

MARYLAND DEPARTMENT OF THE ENVIRONMENT,
1800 Washington Blvd, Suite 6048
Baltimore, Maryland 21230-1719,

Plaintiff,

v.

TELEVISION TOWER, INC.,
a Maryland Corporation,
Television Hill
Baltimore, Maryland 21211,
Serve On:
Mark T. Jensen, Resident Agent
210 W. Pennsylvania Avenue, Suite 400
Towson, Maryland 21204,

and

SKYLINE TOWER PAINTING, INC.,
a Foreign State Corporation,
250275 Highland Road
Scottsbluff, Nebraska 69361,
Serve On:
Lindsey Mecklam, Resident Agent
6500 Hyslop Road
Corvallis, Oregon 97330,

Defendants.

IN THE
CIRCUIT COURT
FOR
BALTIMORE CITY

Case No.:

* * * * *

COMPLAINT FOR INJUNCTIVE RELIEF AND ENFORCEMENT OF CIVIL PENALTIES

The Maryland Department of the Environment (the "Department"), by and through counsel, files this Complaint seeking injunctive relief and civil penalties against Television

Tower, Inc. (“TTI”) and Skyline Tower Painting, Inc. (“Skyline”), Defendants, and states as follows:

INTRODUCTION

1. This is an action for injunctive relief to require TTI, which owns a broadcast tower located at 3723 Malden Avenue in Baltimore City (the “Tower”), to stabilize the Tower and prevent the further release of paint containing lead, a known hazardous substance, into the area surrounding the Tower, and conduct cleanup, testing and remediation, if necessary, in the areas surrounding the Tower. This action seeks cost recovery of soil testing and reporting conducted by the Department, as well as civil penalties for violations of Title 6, subtitle 10, Title 7, subtitle 2, and Title 9, subtitle 2 of the Environment Article of the Annotated Code of Maryland (the “Environment Article”) and applicable regulations under the Code of Maryland Regulations (COMAR).

2. This is also an action for injunctive relief and civil penalties against Skyline, which conducted activities upon the Tower, for violations of Title 6, subtitle 10, Title 7, subtitle 2, and Title 9, subtitle 2 of the Environment Article and applicable regulations under COMAR and seeking cost recovery of soil testing conducted by the Department.

3. TTI, which owns the Tower and was aware of the presence of lead-containing paint on the Tower, improperly hired an unaccredited contractor to conduct uncontained lead paint abatement services on the Tower, resulting in lead-containing paint being dispersed, and continuing to be dispersed, into the surrounding residential community due

to improper work practices and lack of containment. These actions violated Title 6, subtitle 10 of the Environment Article and COMAR 26.16.01.04B and resulted in conditions which present significant health and environmental risks.

4. Skyline, hired by TTI, was the contractor that conducted lead abatement services on the Tower, performed work disturbing lead-based paint without proper accreditation, and failed to comply with applicable lead abatement procedures and requirements, including the failure to properly contain paint chip debris and particulates, resulting in lead-containing paint being dispersed into the surrounding residential community. These actions violated the requirements of Title 6, subtitle 10 of the Environment Article and associated COMAR 26.16 *et seq.* and resulted in conditions which present significant health and environmental risks.

5. Defendants, individually and/or through agents, disposed of, or allowed and suffered the disposal of, solid waste in the form of leaded paint chips in an open dump without permits required for a sanitary landfill, as well as engaged in solid waste handling in a manner that would likely create a nuisance, impair the quality of the environment, or create other hazards to the public health, safety, or comfort. These actions violated Title 9, subtitle 2 of the Environment Article, COMAR 26.04.07.03B(4), and COMAR 26.04.07.03A.

6. Defendants, individually and/or through agents, failed to test the solid waste being generated from the Tower in order to make a hazardous waste determination. This

violated Title 7, subtitle 2 of the Environment Article and COMAR 26.13.03.02.

7. The Department is not only entitled to penalties against Defendants under Environment Article Title 6, subtitle 10, Title 7, subtitle 2, and Title 9, subtitle 2, but also injunctive relief to require thorough cleanup of the surrounding communities and to require one or both Defendants immediately to stabilize and contain the Tower paint to prevent further dispersal of leaded paint chips, conduct any necessary soil remediation based upon soil sampling results, conduct any follow-up dust testing and cleaning in certain properties at which paint chips from the Tower were identified, and conduct any further follow-up soil sampling or other testing for closure purposes.

8. The Department is further entitled to cost recovery under Environment Article Title 7, subtitle 2 from Defendants for costs that it has and will incur in connection with the remedial actions that the State of Maryland has taken, and will take, in response to the release or threatened release of hazardous substances from the Tower into the residential community, and also to award attorneys' fees and costs associated with this litigation.

JURISDICTION AND VENUE

9. The Department brings this action for injunctive relief pursuant to §§ 6-422 through 6-422 and 6-1001 through 6-1005 of the Environment Article and Maryland Rules 15-502 and 15-505.

10. This Court is the proper venue for this action pursuant to §§ 6-201 and 6-202 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland because Defendants own property and/or were engaged in activities relevant to this Complaint in Baltimore City.

PARTIES

11. Plaintiff is an agency within the Executive Branch of the State of Maryland. The Secretary of the Environment is responsible for enforcing the provisions of the Environment Article and the rules and regulations adopted under the Environment Article.

12. TTI owns the Tower and regularly conducts business in Baltimore City. TTI hired Skyline to perform work on the Tower on behalf of TTI.

13. Skyline is a contractor that performed services on the Tower and conducted business in Baltimore City.

REGULATORY AUTHORITY

Title 6, subtitle 10 – Accreditation of Lead Paint Abatement Services

14. In order to assure that lead paint abatement services are performed in a safe manner and by competent workers and contractors, § 6-1002 of the Environment Article requires contractors, supervisors, inspectors and trainers to be accredited by the Department. Section 6-1003 of the Environment Article authorizes the Department to issue regulations covering the requirements of such accreditation. Pursuant to this authorization, the Department adopted COMAR 26.16.01, .02 and .05.

A. Definitions

15. Under § 6-1001(e) of the Environment Article, “provide lead paint abatement services” means “to engage in the risk assessment, inspection, or abatement of lead-containing substances.”

16. Under § 6-1001(b) of the Environment Article, “abatement” means “a set of measures that eliminate or reduce lead-based paint hazards in residential, public, or commercial buildings, bridges, or other structures or superstructures,” to include the removal of lead-based paint, the containment or encapsulation of lead-based paint, and the replacement or demolition of lead-painted surfaces or fixtures.

17. COMAR 26.16.01.02B(7) defines a lead-containing substance as “[a]ny paint, plaster, or other surface encapsulation material containing more than 0.50 percent lead by weight calculated as lead metal in the dried solid, or more than 0.7 milligram per square centimeter.”

18. COMAR 26.16.01.02B(4)(a) defines “Contractor” as a company, partnership, corporation, sole proprietorship, association, self-employed individual or other business entity.

19. COMAR 26.16.01.02B(21) defines “Structural steel” as the metallic and related structural components of an industrial, commercial, or public structure or superstructure.

B. Requirement of Accreditation

20. Section 6-1002(a) of the Environment Article mandates that unless a person is accredited by the Department under this subtitle, that person may not act as a contractor or supervisor for the purpose of providing lead paint abatement services.

21. COMAR 26.16.01.04A(1) provides that unless a person is accredited by the Department under this chapter, the person may not provide lead paint abatement services as a contractor, inspector, lead paint risk assessor, or supervisor.

22. Under COMAR 26.16.01.13C, contractors performing lead abatement services on structural steel must meet the following standards: (1) at least 24 hours prior to beginning a lead paint abatement involving structural steel, the contractor shall notify the Department of the location and start and completion dates for the project, (2) the contractor shall prevent airborne dispersal of lead-contaminated particulate matter, in accordance with COMAR 26.11.06.03,¹ and (3) the contractor shall contain all wastes within the work site or a secure storage area and dispose of wastes in accordance with COMAR 26.13.03.²

¹ COMAR 26.11.06.03C(1) prohibits a person from “causing or permitting emissions from an unconfined source without taking reasonable precautions to prevent particulate matter from becoming airborne.”

² The relevant portion of COMAR 26.13.03 requires the generator of solid waste to determine whether it is a hazardous waste.

C. Hiring of Unaccredited Structural Steel Contractors

23. COMAR 26.16.01.04B further prohibits a person from hiring, contracting, or retaining a person who is not properly accredited by the Department to perform lead abatement services.

D. Civil Penalty Provisions of Title 6, subtitle 10

24. Civil Penalties. Violators are subject to a civil penalty for violations of Title 6, subtitle 10 and the corresponding regulations of up to \$ 25,000 per violation. Md. Code Ann., Env't § 6-422(a).

25. Each day a violation continues is a separate violation under the subtitle. Env't §§ 6-422(a)(2), 6-1005.

Title 9, subtitle 2 – Open Dumping of Solid Waste and Creating a Nuisance

26. The Department regulates the installation, alteration and extension of solid waste acceptance facilities in accordance with the requirements set forth in §§ 9-204 through 9-229 of the Environment Article and COMAR 26.04.07.

27. Definition of Solid Waste. Solid waste is any garbage, refuse, sludge, or liquid from industrial, commercial, mining, or agricultural operations or from community activities. Env't § 9-101(j)(1).

28. Refuse Disposal System. A refuse disposal system is any incinerator, transfer station, landfill system, landfill, solid waste processing facility or other solid waste acceptance facility. Env't § 9-201(e). A permit is required prior to the installation and/or

material alteration or extension of a refuse disposal system. Env't § 9-204(d).

29. Prohibition against Installation or Material Alteration or Extension of Refuse Disposal System Without a Permit. A person may not construct or operate a system of refuse disposal without a permit or cause, suffer, allow or permit the construction or operation of an unpermitted system of refuse disposal on his or her property. Env't § 9-204(d); COMAR 26.04.07.03B(1).

30. Open Dump. An open dump is any land disposal site that is not designed or operated in accordance with the requirements for a sanitary landfill in COMAR 26.04.07. COMAR 26.04.07.02B(19).

31. Prohibition Against Disposal of Solid Waste in an Open Dump. Solid waste may not be disposed of in an open dump and a person may not cause, suffer, allow or permit open dumping on his or her property. COMAR 26.04.07.03B(4).

32. Creating a Nuisance. COMAR 26.04.07.03A prohibits a person from engaging in solid waste handling in a manner which will likely create a nuisance, cause a discharge of pollutants to waters of this State unless otherwise permitted under Environment Article §§ 7-232 or 9-323, impair the quality of the environment, or create other hazards to the public health, safety, or comfort.

33. Enforcement Procedure. The provisions of Title 9, subtitle 2, and the implementing regulations are enforced using the remedies set forth in §§ 9-334 through 9-344 of the Environment Article. Env't § 9-268. Upon showing that a person is violating

or about to violate a provision or any regulation under the subtitle, the court shall grant an injunction without requiring a showing of a lack of an adequate remedy at law. For emergencies arising from imminent danger to public health, public welfare, or to the environment, the Department is entitled to sue for an immediate injunction in order to stop the pollution or other activity causing the danger.

34. Injunctive Relief. Section 9-339 of the Environment Article authorizes the Department to bring an action for injunction against any person who violates a provision of Title 7, subtitle 2 or any associated regulation.

35. Civil Penalties. Section 9-342 of the Environment Article allows the Department to request up to \$10,000 in civil penalties for violations of the provisions of the subtitle or related regulations. Each day a violation occurs is a separate violation.

Title 7, subtitle 2 – Hazardous Materials and Hazardous Substances

A. Hazardous Waste Determination

36. “Solid Waste” under Title 7, subtitle 2 of the Environment Article is defined as (1) any abandoned material or substance which is disposed of, burned, or incinerated or accumulated, stored, or treated before or in lieu of being disposed of, burned, or incinerated; (2) Material or substance which is recycled or accumulated, stored, or treated before recycling; or (3) Material or substance which is considered inherently waste-like. Env’t § 7-201(u).

37. COMAR 26.13.02.02A also defines solid waste as a discarded material, which is any material that is (1) abandoned, (2) recycled, (3) considered inherently waste like, or (d) a military munition identified as solid waste in accordance with COMAR.

38. COMAR 26.13.03.02 requires that a person who generates a solid waste as defined in COMAR 26.13.02.02 shall determine whether that waste is a hazardous waste.

39. Injunctive Relief. Section 7-263 of the Environment Article authorizes the Department to bring an action for injunction against any person who violates a provision of Title 7, subtitle 2 or any associated regulation.

40. Civil Penalties. Violators are subject to a civil penalty for violations of Title 7, subtitle 2 and the corresponding regulations of up to \$ 25,000 per violation. Env't § 7-266(a).

41. Each day a violation continues is a separate violation under the subtitle. Env't § 7-266(a).

B. Cost Recovery Under Hazardous Substance Control Fund

42. Under § 7-220 of the Environment Article, the Department is authorized to use the State Hazardous Substance Control Fund for activities expended in relation to “identifying, monitoring, and controlling the proper disposal, storage, transportation, or treatment of hazardous substances . . . ” Env't § 9-268(a).

43. Under § 7-221 of the Environment Article, expenditures made by the Department from the State Hazardous Substance Control Fund in response to a release or

a threatened release of a hazardous substance at a particular site shall be reimbursed to the Department for the State Hazardous Substance Control Fund by the responsible person for the release or the threatened release.

44. The definition of a “responsible person” includes any person who is the owner or operator of a site containing a hazardous substance. Env’t § 7-201(t)(1).

45. “Hazardous substance” means any substance: (1) defined as a hazardous substance under § 101(14) of the Federal Act³, or (2) identified as a controlled hazardous substance by the Department in COMAR. Env’t § 7-201(l).

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

Television Tower Inc. and the Television Hill Tower

46. TTI is the owner of the Tower, located at 3723 Malden Avenue in Baltimore City, otherwise known as Television Hill.

47. TTI is a Maryland Corporation comprised of and formed by television and broadcast companies for the Baltimore City Metropolitan area. These companies include WJZ-TV, WBAL-TV, and WMAR-TV.

48. The Tower exists for the sole purpose of outputting signals from the broadcast companies’ stations.

49. The principal office of TTI is at Television Hill, Baltimore, 21211, which is

³ “Federal Act” means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended through January 1, 2003. Lead and lead acetate are noted hazardous substances under the Federal Act.

the location of the Tower.

50. TTI officers and agents are comprised of employees and executives in the broadcast stations referenced in Paragraph 47 above.

51. At least two of the broadcast stations, and the offices of some officers and/or agents for TTI, are physically located directly adjacent to the Tower, with a clear and unobstructed view of the activities referenced in this Complaint.

52. The Tower is a commercial structure for commercial activities.

53. The Tower is approximately 1,000 feet tall.

54. There are three main columns comprising the Tower: A, B and C.

55. Most of the Tower (730 feet in length) was built in 1958. The remaining portion of the structure (270 feet in length) was an addition built in 1964.

56. The Tower is a commercial steel structure covered and protected by paint.

57. The color of paint on the Tower is bright red.

Skyline Tower Painting, Inc.

58. Skyline is a company offering painting services for towers, including communication towers such as the Tower that is currently the subject of this Complaint.

59. Skyline is physically based in Nebraska and is an Oregon-incorporated company.

60. Skyline offers tower painting services throughout the United States.

61. Skyline was not accredited as a contractor in Maryland to provide lead paint

abatement services during the dates of violation attributed to Skyline.

62. None of Skyline's workers or employees was accredited to perform lead paint abatement services during the dates of violation attributed to Skyline.

**History and Uncontained Tower Work Resulting in
Lead-Based Chips Released and Disposed into Surrounding Communities**

63. In 2012, TTI ordered lead paint testing and discovered that the Tower contained lead-containing substances, specifically lead-based paint.

64. Lead and lead acetate are hazardous substances as defined under § 7-201(1) of the Environment Article.

65. In 2019, a report from a required periodic maintenance inspection of the Tower identified peeling paint throughout the Tower and stated that the areas of deteriorated paint would need to be scraped and repainted.

66. In 2022, TTI contracted with and hired Skyline to conduct removal and remediation of lead-containing paint, and therefore lead abatement, of the Tower.

67. The contract and proposal of work called for Skyline to paint the entire Tower, including three ice bridges, and included paint prepping such as scraping, sanding, and wire brushing flaking paint, in addition to other preparation deemed as necessary and approved by TTI. The proposal of work also contained language referencing the application of a "lead neutralizer" to flaking paint and then vacuum scraping those treated areas.

68. Skyline was not accredited to perform lead abatement services in Maryland

at the time of the violations alleged in this Complaint. Therefore, Skyline violated § 6-1002(a) of the Environment Article and COMAR 26.16.01.04A(1).

69. TTI failed to comply with COMAR 26.16.01.04B by hiring a contractor that was not accredited to perform lead abatement services.

70. On or about May 28, 2022, Skyline, acting as the agent and contractor of TTI, began a project involving abatement of the Tower by removing paint from the Tower through scraping flaking paint and/or conducting uncontained hydroblasting with equipment exerting 4,000 pounds of pressure per square inch (“psi”). The work on the Tower continued until on or about June 20, 2022. Specifically, lead paint abatement occurred on the following 18 dates:

May 28, 2022, through June 1, 2022;
June 3, 2022, through June 7, 2022;
June 9, 2022, through June 10, 2022;
June 13, 2022, through June 15, 2022;
June 17, 2022; and
June 19, 2022, through June 20, 2022.

71. Little-to-no containment methods were utilized during the project, and the Tower paint removal resulted in paint dust particulates being released and paint chips being discarded to the ground and into the surrounding community.

72. Skyline failed to notify the Department of its activities on the Tower prior to commencement of work, in violation of COMAR 26.16.01.13C(1).

73. Defendants failed to make a hazardous waste determination prior to the generation of solid waste in the form of paint chips that were disposed of and removed

from the Tower, in violation of COMAR 26.13.03.02.

74. Hydroblasting was observed by a member of the community as early as June 5, 2022.

75. On June 9, 2022, a WBAL-TV employee posted to public social media that that someone was “power blasting” paint off the Tower.

76. On June 21, 2022, the Department received a complaint regarding paint fragments from the Tower that had fallen into the nearby and surrounding neighborhoods. Upon inspection, the Department noted that a large concentration of red paint chips was scattered and located in the immediate and surrounding vicinity of the Tower. Areas that paint scrapings were found include a child daycare center, a local playground and park, a college athletic field, and various residences as far as one-half mile away.

77. Red paint chips were also observed in abundance in the parking lots of the television broadcast stations, in and around employee vehicles.

78. At the time of the Department’s initial investigation, Skyline employees identified to the Department the following details and dates of work that involved the removal of paint by either scraping or hydroblasting of the Tower and attached structures:

<u>Date</u>	<u>Work performed</u>
5/28/2022	started to scrape flaking paint from Tower
5/29/2022	continued to scrape from bottom 450 feet
5/30/2022	scraped and began to paint ice bridges
5/31/2022	started scraping around the 300-foot mark on the Tower
6/1/2022	scraped an additional 60 feet
6/3/2022	continued to scrape Tower
6/4/2022	continued to scrape Tower

6/5/2022 scraped under one of the platforms
6/6/2022 some employees scraped under platform and others pressure washed
6/7/2022 pressure washed Tower and ice bridges
6/9/2022 pressure washed near top of Tower
6/10/2022 pressure washed upper part of Tower and continued to scrape washed areas
6/13/2022 pressured washed Tower
6/14/2022 continued to pressure wash Tower and scrape ice bridges
6/15/2022 continued to pressure wash Tower and scrape ice bridges
6/17/2022 continued to pressure wash rest of Tower except top 5% and candelabra
6/19/2022 pressured washed ice bridges
6/20/2022 prepped ice bridges and scraped Tower.

79. In addition to the initial complaint made to the Department, multiple additional residents further reported red paint chips on their property. To date, at least eighty-four (84) residences have reported the presence of paint chips from the Tower on their properties.

80. The paint chips disposed of and deposited onto the ground from the Tower were solid waste in accordance with §§ 9-101(j)(1) and 7-201(u) of the Environment Article.

81. The disposal of paint chips into the surrounding grounds and communities resulted in the creation of a land disposal site which was not operated in accordance with the requirements for a sanitary landfill, constituting an open dump, as defined by COMAR 26.04.07.02B(19).

82. Defendants, individually and/or through the actions of their agents, illegally disposed of paint chips in an open dump on the Tower grounds and surrounding properties, in violation of COMAR 26.04.07.03B(4).

83. TTI also caused, suffered and allowed the disposal of paint chips in an open dump on its property, in further violation of COMAR 26.04.07.03B(4).

84. Also, on or about June 21, 2022, the City of Baltimore issued a stop work order to TTI requiring TTI and its contractor and agent to halt commercial pressure washing on the Tower without proper permits. The City also noted the presence of paint chips falling into surrounding grounds, including a playground.

85. On June 22, 2022, the Department conducted paint chip sampling at the bases of columns A, B, and C and determined that the paint chips sampled on all columns were positive as a lead-containing substance.

86. Also on June 22, 2022, the Department instructed Defendants to make a hazardous waste determination of the paint chips debris that had been disposed from the Tower.

87. Upon information and belief, the force of water used in the hydroblasting activities on the Tower reached up to 4,000 psi and, coupled with strong winds from exceptionally high elevation, forced leaded paint chips to be disposed onto a large area containing hundreds of residences.

88. In June 2022, TTI began the process of cleaning up scattered paint scrapings disposed of from the Tower onto the surrounding areas. Clean-up efforts of the paint chip waste remain ongoing.

89. On August 17, 2022, in response to the Department's directive, TTI arranged

for testing of collected waste drums for the purpose of making a hazardous waste determination. The drums contained not only paint chip waste from the Tower but also included various types of comingled waste such as other trash and debris. The testing on the contents of the drums themselves showed that the materials in the drums did not meet the hazardous waste definition.

90. Due to winds and dynamic weather conditions, some previously-cleared areas have experienced the additional disposal of new paint chip waste. The appearance and depositing of new chips are occurring regularly to this day, both on the Tower grounds and surrounding properties.

91. In January 2023, the Department began undertaking and conducting soil sampling around the Tower to assess community lead contamination in the soil due to the disposal of leaded paint into the community. The complete report of the sampling results is pending at this time.

92. As of this date, the Tower remains in an unstabilized and uncontained condition, with bare areas and deteriorating paint that is delaminating.

93. Lead-containing paint is a known and recognized threat to public health. It is the most common source of lead exposure in children, either through ingestion or inhalation of lead paint dust. Additionally, repeated low-level exposure to lead can bring cumulative and aggregated effects. Due to their developmental stages, children six years of age and younger are particularly at risk of impact from lead exposure, the effects of

which are irreversible.

94. In addition to the public health impacts of lead paint, other negative impacts exist to the environment and other organisms. Organisms in soil or water may ingest lead-containing paint and dust, resulting in negative effects on their vital functions and, due to bioaccumulation, can impact organisms or animals throughout the ecosystem and food chain.

95. Defendants' failure to ensure the Tower abatement was performed by a properly accredited contractor and/or to ensure proper work practices were employed during the abatement of the Tower resulting in the deposition of leaded paint chips throughout the community, as well as the continued delay in the containment and stabilization of the Tower, creates and continues to create an imminent danger to the surrounding communities, especially to children and pregnant women residing in the nearby houses or frequenting parks, businesses, or public areas.

COUNT I
(TTI - Failure to Hire an Accredited
Lead Abatement Service Provider)

96. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

97. COMAR 26.16.01.04B prohibits a person from hiring, contracting, or retaining a person who is not properly accredited by the Department to perform lead abatement services.

98. TTI hired an unaccredited contractor to perform lead abatement services on at least the following 18 days:

May 28, 2022, through June 1, 2022;
June 3, 2022, through June 7, 2022;
June 9, 2022, through June 10, 2022;
June 13, 2022, through June 15, 2022;
June 17, 2022; and
June 19, 2022, through June 20, 2022.

99. Injunctive relief is warranted to require TTI to remediate the resulting harm to human health and the environment from failing to hire an accredited contractor and to stop the ongoing release of lead paint chips into the environment.

100. Sections 6-1005 and 6-422 and of the Environment Article further vest this Court with the authority to issue a civil penalty in the amount of up to \$25,000 per day for violation of Title 6, subtitle 10 and associated regulations.

COUNT II
(TTI – Causing, Suffering, Allowing,
or Permitting Open Dumping)

101. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

102. Under COMAR 26.04.07.03B(4), solid waste may not be disposed of in an open dump and a person may not cause, suffer, allow or permit open dumping on his or her property. An open dump is any land disposal site that is not designed or operated in accordance with the requirements for a sanitary landfill.

103. From June 5, 2022, through June 21, 2022, and continuing until paint chips

from the Tower are no longer being deposited on TTI's property, TTI caused, suffered, allowed, or permitted an open dump on its property due to uncontained hydroblasting activities and the continued release of unstabilized paint.

104. TTI continues as of this date to cause, suffer, allow, or permit open dumping on its property in the form of discarded paint chips.

105. Injunctive relief is warranted to require TTI to stop the ongoing open dumping of solid waste, and to conduct cleanup of the areas in which an open dump exists.

106. Sections 9-339 and 9-342 of the Environment Article vest this Court with the authority to issue an injunction and to assess civil penalties of up to \$10,000 per day for any of the violations alleged in this Count.

COUNT III
(Skyline – Providing Lead Paint Abatement
Services Without Accreditation)

107. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

108. COMAR 26.16.01.04A(1) provides that unless a person is accredited by the Department under this chapter, the person may not provide lead paint abatement services as a contractor, inspector, lead paint risk assessor or supervisor.

109. Skyline performed lead abatement services without accreditation on at least the following 18 days:

May 28, 2022, through June 1, 2022;
June 3, 2022, through June 7, 2022;

June 9, 2022, through June 10, 2022;
June 13, 2022, through June 15, 2022;
June 17, 2022; and
June 19, 2022, through June 20, 2022

110. Injunctive relief is warranted to require Skyline to remediate the resulting harm to human health and the environment from performing lead abatement services without proper accreditation.

111. Sections 6-1005 and 6-422 of the Environment Article further vest this Court with the authority to issue a civil penalty in the amount of up to \$25,000 per day for violation of Title 6, subtitle 10 and associated regulations.

COUNT IV
(Skyline – Failure to Notify the Department Prior to
Conducting Lead Abatement)

112. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

113. COMAR 26.16.01.13C(1) requires contractors performing lead abatement services on structural steel to, at least 24 hours prior to beginning a lead paint abatement involving structural steel, notify the Department of the location and start and completion dates for the project.

114. Skyline did not notify the Department prior to commencing its project on the Tower involving lead abatement that began on May 28, 2022.

115. Sections 6-1005 and 6-422 and of the Environment Article further vest this Court with the authority to issue a civil penalty in the amount of up to \$25,000 per day for

violation of Title 6, subtitle 10 and associated regulations.

COUNT V
(Skyline – Failure to Contain Particulate Matter
in accordance with COMAR)

116. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

117. COMAR 26.16.01.13C(2)(a) requires contractors performing lead abatement services on structural steel to prevent airborne dispersal of lead-contaminated particulate matter, in accordance with COMAR 26.11.06.03.

118. COMAR 26.11.06.03C(1) prohibits a person from “causing or permitting emissions from an unconfined source without taking reasonable precautions to prevent particulate matter from becoming airborne.”

119. Skyline conducted uncontained and uncontrolled work, including hydroblasting, of lead-contaminated paint from the Tower and caused an uncontrolled release of lead-based paint dust and particulate matter on at least the following dates:

June 5, 2022;
June 6, 2022, through June 7, 2022;
June 9, 2022, through June 10, 2022;
June 13, 2022, through June 15, 2022;
June 17, 2022; and
June 19, 2022, through June 20, 2022.

120. Injunctive relief is warranted to require Skyline to remediate the resulting harm to human health and the environment from failing to properly contain the airborne dispersal of lead-contaminated particulate matter.

121. Sections 6-1005 and 6-422 and of the Environment Article further vest this Court with the authority to issue a civil penalty in the amount of up to \$25,000 per day for violation of Title 6, subtitle 10 and associated regulations.

COUNT VI
(Skyline – Failure to Properly Contain Waste)

122. The Department realleges and incorporates by reference the allegations of all prior paragraphs of this Complaint.

123. COMAR 26.16.01.13C(2)(b) requires contractors performing lead abatement services on structural steel to contain all wastes within the work site or a secure storage area and dispose of wastes in accordance with COMAR 26.13.03.⁴

124. Due to uncontained and uncontrolled work, including hydroblasting of lead-based paint from the Tower, Skyline failed to contain all wastes within the work site or a secure storage area on at least the following dates:

June 5, 2022;
June 6, 2022, through June 7, 2022;
June 9, 2022, through June 10, 2022;
June 13, 2022, through June 15, 2022;
June 17, 2022; and
June 19, 2022, through June 20, 2022.

125. Waste from the activities continues to remain in an uncontained and unsecured manner as of the filing of this Complaint.

⁴ The relevant portion of COMAR 26.13.03 requires the generator of solid waste to determine whether a solid waste generated is a hazardous waste.

126. Injunctive relief is warranted to require Skyline to remediate the resulting harm to human health and the environment from failing properly to contain the airborne dispersal of lead-contaminated particulate matter.

127. Sections 6-1005 and 6-422 and of the Environment Article further vest this Court with the authority to issue a civil penalty in the amount of up to \$25,000 per day for violation of Title 6, subtitle 10 and associated regulations.

COUNT VII
(TTI and Skyline - Disposing of Solid Waste in an Open Dump)

128. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

129. Under COMAR 26.04.07.03B(4), solid waste may not be disposed of in an open dump and a person may not cause, suffer, allow or permit open dumping on his or her property. An open dump is any land disposal site that is not designed or operated in accordance with the requirements for a sanitary landfill.

130. Skyline and TTI, either directly or through the actions of its agents, disposed of solid waste in the form of paint chips discarded into an open dump on at least the following 11 days:

June 5, 2022;
June 6, 2022, through June 7, 2022;
June 9, 2022, through June 10, 2022;
June 13, 2022, through June 15, 2022;
June 17, 2022; and
June 19, 2022, through June 20, 2022.

131. Injunctive relief is warranted to require Defendants to conduct cleanup and remediation of the areas in which paint chips were disposed in an open dump.

132. Sections 9-339 and § 9-342 of the Environment Article vest this Court with the authority to issue an injunction and to assess civil penalties of up to \$10,000 per day, jointly and severally, for any of the violations alleged in this Count.

COUNT VIII
(TTI and Skyline - Handling Solid Waste
in a Manner Creating a Nuisance)

133. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

134. COMAR 26.04.07.03A prohibits a person from engaging in solid waste handling in a manner which will likely create a nuisance, impair the quality of the environment, or create other hazards to the public health, safety, or comfort.

135. By causing the removal and discarding of of solid waste in the form of lead-based paint chips from the Tower without containment, Defendants, individually or through the actions of their agents, engaged in solid waste handling in a manner that likely created a nuisance, impaired the quality of the environment, and created hazards to public health, safety, or comfort on at least the following 11 days:

June 5, 2022;
June 6, 2022, through June 7, 2022;
June 9, 2022, through June 10, 2022;
June 13, 2022, through June 15, 2022;
June 17, 2022; and
June 19, 2022, through June 20, 2022.

136. The prior and ongoing release of unstabilized lead-based paint from the Tower as a result of the improper solid waste handling has resulted in a nuisance, impaired quality of the environment, and hazards to public health, safety, or comfort that continue as of this date.

137. Injunctive relief is warranted to require Defendants to stop the ongoing release of solid waste in a way that presents a nuisance and threat to public health, safety, and comfort, and to remediate the resulting harm.

138. Sections 9-339 and 9-342 of the Environment Article vest this Court with the authority to issue an injunction and to assess civil penalties of up to \$10,000 per day, jointly and severally, for any of the violations alleged in this Count.

COUNT IX
(TTI and Skyline - Failure to Make a Hazardous Waste Determination)

139. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

140. COMAR 26.13.03.02 requires that a person who generates solid waste shall determine whether that waste is a hazardous waste.

141. From May 28, 2022, through August 17, 2022, Defendants failed to make a hazardous waste determination for solid waste in the form of discarded paint chips.

142. Section 7-266(a) of the Environment Article vests this Court with the authority to issue a civil penalty of up to \$25,000 for any of the violations alleged in this

Count.

COUNT X
(TTI and Skyline - Cost Recovery)

143. The Department realleges and incorporates by reference the allegations in all prior paragraphs of this Complaint.

144. Lead and lead acetate are hazardous substances as defined under § 7-201(1) of the Environment Article.

145. Starting on February 1, 2023, and continuing, Department personnel began conducting soil sampling and testing activities at the Tower site, public areas, and various residences surrounding the Tower in order to identify and assess potential risks to the soil in response to a release or threatened release of a hazardous substance from the Tower.

146. Under § 7-220(b) of the Environment Article, the Department may recover all costs associated with its response to the release or threatened release of a hazardous substance including (1) costs of removal, restoration, or remedial action, including the restoration of natural resources where feasible, and site maintenance and monitoring in response to a release or threatened release of any hazardous substance; (2) all costs incurred by the Department in monitoring and assessing the effect on public health and natural resources of any site at which a hazardous substance is or may be present, including the costs of any subsurface borings and any analysis of samples taken, the costs of investigations conducted for the purpose of defining remedial action, and the costs of litigation expenses incurred in obtaining reimbursement for expenditures; (3) the State

share mandated under § 104(c)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); (4) all costs incurred in providing public information concerning a site that does or may contain a hazardous substance; and (5) costs resulting from releases or threatened releases of hazardous substances.

147. Under § 7-221 of the Environment Article, expenditures made by the Department from the State Hazardous Substance Control Fund in response to a release or a threatened release of a hazardous substance at a particular site shall be reimbursed to the Department for the State Hazardous Substance Control Fund by the responsible person for the release or the threatened release.

148. As the owner of the Tower site on which there was a release or threatened release of a hazardous substance, TTI is a responsible party as defined under § 201(t)(1) of the Environment Article.

149. As the operator conducting the activities on the Tower site that resulted in the release or threatened release of a hazardous substance, Skyline is also a responsible party as defined under § 201(t)(1) of the Environment Article.

150. Section 7-221(b) of the Environment Article provides that, in addition to any other legal action authorized by Title 7, subtitle 2, the Attorney General may bring an action to recover costs and interest from any person who fails to make a reimbursement as required under § 7-221(a).

151. Defendants are liable to the Department, jointly and severally, for all of the past and future response costs incurred by the Department, including without limitation, investigation and remediation expenses, oversight costs and interest, and the costs of litigation expenses incurred in obtaining reimbursement.

REQUEST FOR RELIEF

WHEREFORE, the Department respectfully requests that this Court grant the following relief against Defendants:

A. Enter an injunction, pursuant to Environment Article §§ 7-263, 9-268, and 9-339, and common law principles, directing Defendants to hire Department-accredited contractors authorized to conduct lead abatement on structural steel, and immediately stabilize all deteriorated paint on the Tower in order to prevent the further disposal and loss of paint chips within thirty (30) days, in accordance with a plan submitted within five days to the Department for approval;

B. Enter an injunction, pursuant to Environment Article §§ 7-263, 9-268, and 9-339, and common law principles, directing Defendants to, prior to any disturbance or stabilization of lead paint on the Tower, install a containment system that will appropriately contain any lead paint chips and dust from release and follow applicable regulations set forth in COMAR 26.02.07, 26.16.01.13C, 26.11.06.03, and 26.13.03;

C. Enter an injunction, pursuant to Environment Article §§ 7-263, 9-268, and 9-339, and common law principles, directing Defendants, when conducting work disturbing

paint on the Tower, to arrange for daily monitoring of work to ensure that lead paint or debris has not left the work site, and immediately remedy any incidental releases;

D. Enter an injunction, pursuant to Environment Article §§ 7-263, 9-268, and 9-339, and common law principles, directing Defendants to implement mass outreach to all residences within a one-half mile radius of the Tower, informing residents of the hazards of lead paint, as well as providing a local hotline number for the reporting of chips and obtaining information about options for remediation or inspection;

E. Enter an injunction, pursuant to Environment Article §§ 7-263, 9-268, and 9-339, and common law principles, directing Defendants to submit a plan within five days for Department approval specifying a systematic and trackable method of paint chip removal and perform inspection and remove all visible paint chips from all areas and residences within a one-half mile radius of the Tower within thirty (30) days;

F. Enter an injunction, pursuant to Environment Article §§ 7-263, 9-268, and 9-339, and common law principles, directing Defendants to revisit and clean any areas in which new paint chips from the Tower have been reported, until such time that the Tower has been stabilized;

G. Enter an injunction, pursuant to Environment Article §§ 7-263, 9-268, and 9-339, and common law principles, directing Defendants, if necessary, to arrange for interior inspections and cleaning of residences in which visible paint chips from the Tower were present, and arrange for any additional testing and/or remediation deemed necessary as a

result of the current soil sampling efforts (including closure and validation testing);

H. Assess civil penalties against TTI of up to \$25,000 per day of violation, pursuant to §§ 6-1005 and 6-422 of the Environment Article, as set forth in Count I;

I. Assess civil penalties against TTI of up to \$10,000 per day, per violation, pursuant to § 9-342 of the Environment Article, as set forth in Count II;

J. Assess civil penalties against Skyline of up to \$25,000 per day of violation, pursuant to §§ 6-1005 and 6-422 of the Environment Article, as set forth in Counts III through VI;

K. Assess civil penalties against Defendants, jointly and severally, of up to \$10,000 per day, per violation, pursuant to § 9-342 of the Environment Article, as set forth in Counts VII and VIII;

L. Assess civil penalties against Defendants, jointly and severally, of up to \$25,000 per violation, pursuant to § 7-266(a) of the Environment Article, as set forth in Count IX;

M. Enter a judgment, pursuant to Environment Article §§ 7-220 and 7-221, requiring Defendants reimburse the Department for all costs incurred from the State Hazardous Substance Control Fund in response to a release or a threatened release of a hazardous substance from the Tower, including the collection, sampling, canvassing, and testing costs associated with soil sampling of the Tower grounds and surrounding communities; and

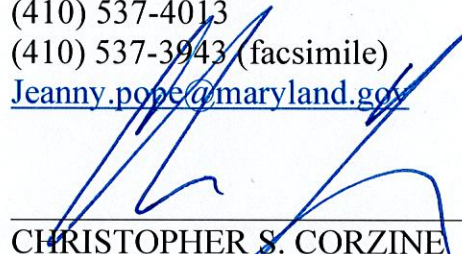
N. Grant such other relief as this Court deems just and equitable.

Respectfully submitted,

ANTHONY G. BROWN
Attorney General of Maryland



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Attorneys for Plaintiff



(City/County)
CIVIL – NON-DOMESTIC CASE INFORMATION SHEET

DIRECTIONS

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Justice of the Supreme Court of Maryland pursuant to Rule 2-111(a).

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: PLAINTIFF DEFENDANT **CASE NUMBER** _____
CASE NAME: Maryland Department of the Environment vs. Televison Tower, Inc., et al. (Clerk to insert)
PARTY'S NAME: ^{Plaintiff} Maryland Department of the Environment ^{Defendant} **PHONE:** 410-537-3033
PARTY'S ADDRESS: 1800 Washington Boulevard, Suite 6048, Baltimore, Maryland 21230
PARTY'S E-MAIL: chris.corzine@maryland.gov

If represented by an attorney:
PARTY'S ATTORNEY'S NAME: Christopher S. Corzine **PHONE:** 410-537-3033
PARTY'S ATTORNEY'S ADDRESS: 1800 Washington Boulevard, Suite 630, Baltimore, Maryland 21230
PARTY'S ATTORNEY'S E-MAIL: chris.corzine@maryland.gov

JURY DEMAND? Yes No
RELATED CASE PENDING? Yes No If yes, Case #(s), if known: _____
ANTICIPATED LENGTH OF TRIAL?: _____ hours 5 days

PLEADING TYPE

New Case: Original Administrative Appeal Appeal
Existing Case: Post-Judgment Amendment
If filing in an existing case, skip Case Category/ Subcategory section – go to Relief section.

IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)

TORTS

- Asbestos
- Assault and Battery
- Business and Commercial
- Conspiracy
- Conversion
- Defamation
- False Arrest/Imprisonment
- Fraud
- Lead Paint – DOB of Youngest Plt: _____
- Loss of Consortium
- Malicious Prosecution
- Malpractice-Medical
- Malpractice-Professional
- Misrepresentation
- Motor Tort
- Negligence
- Nuisance
- Premises Liability
- Product Liability
- Specific Performance
- Toxic Tort
- Trespass
- Wrongful Death

CONTRACT

- Asbestos
- Breach
- Business and Commercial
- Confessed Judgment (Cont'd)
- Construction
- Debt
- Fraud

- Government
- Insurance
- Product Liability
- PROPERTY**
- Adverse Possession
- Breach of Lease
- Detinue
- Distress/Distrain
- Ejectment
- Forcible Entry/Detainer
- Foreclosure
- Commercial
- Residential
- Currency or Vehicle
- Deed of Trust
- Land Installments
- Lien
- Mortgage
- Right of Redemption
- Statement Condo
- Forfeiture of Property / Personal Item
- Fraudulent Conveyance
- Landlord-Tenant
- Lis Pendens
- Mechanic's Lien
- Ownership
- Partition/Sale in Lieu
- Quiet Title
- Rent Escrow
- Return of Seized Property
- Right of Redemption
- Tenant Holding Over

PUBLIC LAW

- Attorney Grievance
- Bond Forfeiture Remission
- Civil Rights
- County/Mncpl Code/Ord
- Election Law
- Eminent Domain/Condemn.
- Environment
- Error Coram Nobis
- Habeas Corpus
- Mandamus
- Prisoner Rights
- Public Info. Act Records
- Quarantine/Isolation
- Writ of Certiorari

EMPLOYMENT

- ADA
- Conspiracy
- EEO/HR
- FLSA
- FMLA
- Worker's Compensation
- Wrongful Termination

INDEPENDENT PROCEEDINGS

- Assumption of Jurisdiction
- Authorized Sale
- Attorney Appointment
- Body Attachment Issuance
- Commission Issuance

- Constructive Trust
- Contempt
- Deposition Notice
- Dist Ct Mtn Appeal
- Financial
- Grand Jury/Petit Jury
- Miscellaneous
- Perpetuate
- Testimony/Evidence
- Prod. of Documents Req.
- Receivership
- Sentence Transfer
- Set Aside Deed
- Special Adm. – Atty
- Subpoena Issue/Quash
- Trust Established
- Trustee Substitution/Removal
- Witness Appearance-Compel

PEACE ORDER

- Peace Order

EQUITY

- Declaratory Judgment
- Equitable Relief
- Injunctive Relief
- Mandamus

OTHER

- Accounting
- Friendly Suit
- Grantor in Possession
- Maryland Insurance Administration
- Miscellaneous
- Specific Transaction
- Structured Settlements

IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Abatement | <input type="checkbox"/> Earnings Withholding | <input type="checkbox"/> Judgment-Default | <input type="checkbox"/> Reinstatement of Employment |
| <input type="checkbox"/> Administrative Action | <input type="checkbox"/> Enrollment | <input type="checkbox"/> Judgment-Interest | <input type="checkbox"/> Return of Property |
| <input type="checkbox"/> Appointment of Receiver | <input type="checkbox"/> Expungement | <input type="checkbox"/> Judgment-Summary | <input type="checkbox"/> Sale of Property |
| <input type="checkbox"/> Arbitration | <input type="checkbox"/> Financial Exploitation | <input type="checkbox"/> Liability | <input type="checkbox"/> Specific Performance |
| <input type="checkbox"/> Asset Determination | <input type="checkbox"/> Findings of Fact | <input type="checkbox"/> Oral Examination | <input type="checkbox"/> Writ-Error Coram Nobis |
| <input type="checkbox"/> Attachment b/f Judgment | <input type="checkbox"/> Foreclosure | <input type="checkbox"/> Order | <input type="checkbox"/> Writ-Execution |
| <input type="checkbox"/> Cease & Desist Order | <input checked="" type="checkbox"/> Injunction | <input type="checkbox"/> Ownership of Property | <input type="checkbox"/> Writ-Garnish Property |
| <input type="checkbox"/> Condemn Bldg | <input type="checkbox"/> Judgment-Affidavit | <input type="checkbox"/> Partition of Property | <input type="checkbox"/> Writ-Garnish Wages |
| <input type="checkbox"/> Contempt | <input type="checkbox"/> Judgment-Attorney Fees | <input type="checkbox"/> Peace Order | <input type="checkbox"/> Writ-Habeas Corpus |
| <input type="checkbox"/> Court Costs/Fees | <input type="checkbox"/> Judgment-Confessed | <input type="checkbox"/> Possession | <input type="checkbox"/> Writ-Mandamus |
| <input type="checkbox"/> Damages-Compensatory | <input type="checkbox"/> Judgment-Consent | <input type="checkbox"/> Production of Records | <input type="checkbox"/> Writ-Possession |
| <input type="checkbox"/> Damages-Punitive | <input type="checkbox"/> Judgment-Declaratory | <input type="checkbox"/> Quarantine/Isolation Order | |

If you indicated *Liability* above, mark one of the following. This information is not an admission and may not be used for any purpose other than Track Assignment.

- Liability is conceded. Liability is not conceded, but is not seriously in dispute. Liability is seriously in dispute.

MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)

- Under \$10,000 \$10,000 - \$30,000 \$30,000 - \$100,000 Over \$100,000

- Medical Bills \$ _____ Wage Loss \$ _____ Property Damages \$ _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

- | | | | |
|----------------|---|--------------------------|---|
| A. Mediation | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | C. Settlement Conference | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| B. Arbitration | <input type="checkbox"/> Yes <input type="checkbox"/> No | D. Neutral Evaluation | <input type="checkbox"/> Yes <input type="checkbox"/> No |

SPECIAL REQUIREMENTS

- If a Spoken Language Interpreter is needed, **check here and attach form CC-DC-041**
- If you require an accommodation for a disability under the Americans with Disabilities Act, **check here and attach form CC-DC-049**

ESTIMATED LENGTH OF TRIAL

*With the exception of Baltimore County and Baltimore City, please fill in the estimated **LENGTH OF TRIAL**.*

(Case will be tracked accordingly)

- | | |
|---|---|
| <input type="checkbox"/> 1/2 day of trial or less | <input type="checkbox"/> 3 days of trial time |
| <input type="checkbox"/> 1 day of trial time | <input type="checkbox"/> More than 3 days of trial time |
| <input type="checkbox"/> 2 days of trial time | |

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.

- | | |
|---|---|
| <input type="checkbox"/> Expedited - Trial within 7 months of Defendant's response | <input type="checkbox"/> Standard - Trial within 18 months of Defendant's response |
|---|---|

EMERGENCY RELIEF REQUESTED

**COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

*FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under
Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.*

- Expedited** - Trial within 7 months of Defendant's response **Standard** - Trial within 18 months of Defendant's response

IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY OR BALTIMORE COUNTY, PLEASE FILL OUT THE APPROPRIATE BOX BELOW.

CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

- Expedited Trial 60 to 120 days from notice. Non-jury matters.
- Civil-Short Trial 210 days from first answer.
- Civil-Standard Trial 360 days from first answer.
- Custom Scheduling order entered by individual judge.
- Asbestos Special scheduling order.
- Lead Paint Fill in: Birth Date of youngest plaintiff _____.
- Tax Sale Foreclosures Special scheduling order.
- Mortgage Foreclosures No scheduling order.

CIRCUIT COURT FOR BALTIMORE COUNTY

- Expedited (Trial Date-90 days) Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.
- Standard (Trial Date-240 days) Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.
- Extended Standard (Trial Date-345 days) Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency.
- Complex (Trial Date-450 days) Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

_____ Date
May 5, 2023

_____ Address
1800 Washington Boulevard, Suite 6048

_____ City _____ State _____ Zip Code
Baltimore MD 21230

_____ Signature of Attorney / Party
Christopher S. Corradi

_____ Attorney Number
0212170178

_____ Printed Name
Christopher S. Corradi