

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

COLUMBIA GAS TRANSMISSION, LLC, \*

*Plaintiff,* \*

v. \*

0.12 ACRES OF LAND, MORE OR LESS,  
IN WASHINGTON COUNTY,  
MARYLAND; STATE OF MARYLAND,  
DEPARTMENT OF NATURAL  
RESOURCES, \*

*Defendants.* \*

No. 1:19-cv-01444-GLR

\* \* \* \* \*

**MOTION TO DISMISS**

Defendants, the State of Maryland, Department of Natural Resources (“MDNR” or “the State”), pursuant to Fed. R. Civ. P. 71.1(e)(2)(C) and 12(b)(1), move to dismiss the Complaint in Condemnation because it is barred by sovereign immunity. Because the State has not waived its sovereign immunity, and there has been no valid Congressional abrogation of its sovereign immunity, this Court lacks the power to adjudicate this action. In addition, the plaintiff has not sufficiently alleged satisfaction of the jurisdictional preconditions for this Court’s exercise of jurisdiction under 15 U.S.C. § 717f(h).

A supporting memorandum and proposed order are filed herewith.

Respectfully submitted,

BRIAN E. FROSH  
Attorney General of Maryland

/s/ Adam D. Snyder

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ADAM D. SNYDER, Bar No. 25723  
JOHN B. HOWARD, JR., Bar No. 08980  
ANN M. SHERIDAN, Bar No. 11137  
Assistant Attorneys General  
Office of the Attorney General  
200 Saint Paul Place, 20th Floor  
Baltimore, Maryland 21202  
asnyder@oag.state.md.us  
jbhoward@oag.state.md.us  
asheridan@oag.state.md.us  
(410) 576-6398  
(410) 576-6955 (facsimile)

June 17, 2019

Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I certify that, on this 17th day of June, 2019, the foregoing was served by CM/ECF on all registered CMF users.

/s/ Adam D. Snyder

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Adam D. Snyder