

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
George L. Russell, III
United States District Judge

101 West Lombard Street
Baltimore, Maryland 21201
410-962-4055

March 6, 2017

MEMORANDUM TO PARTIES RE: The Harry and Jeanette Weinberg Foundation,
Inc. v. St. Marks Avenue, LLC, et al.
Civil Action No. GLR-15-3525

Dear Parties:

Pending before the Court is Defendants St. Marks Avenue, LLC (“St. Marks”) and William Spivey’s Motion for Protective Order (ECF No. 76). The Motion is ripe for disposition and no hearing is necessary. See Local Rule 105.6 (D.Md. 2016). Upon consideration of the Motion and the opposition thereto, the Court will deny the Motion for four reasons. First, neither St. Marks nor Spivey is the party subject to the subpoena. Second, the Harry and Jeanette Weinberg Foundation (the “Foundation”) served the subpoena within the discovery period. Third, the lack of notice to the Defendants was inadvertent. Fourth, the Defendants will not suffer any prejudice by Exit Spivey Professional Realty (“Exit Spivey”) complying with the subpoena.

For the foregoing reasons, the Motion (ECF No. 76) is DENIED. Exit Spivey SHALL COMPLY with the subpoena within fifteen days of the date of this Order. The Foundation is directed to SERVE a copy of this Order on Exit Spivey. Despite the informal nature of this Memorandum, it shall constitute an Order of the Court, and the Clerk is directed to docket it accordingly and mail a copy to Smith at her address on record.

Very truly yours,

/s/
George L. Russell, III
United States District Judge