

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLANDCHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE101 WEST LOMBARD STREET
BALTIMORE, MARYLAND 21201
(410) 962-0782
(410) 962-2698 FAX

January 24, 2013

MEMO TO COUNSEL RE: Neil Letren v. Cohn, Goldberg & Deutsch
Civil No. JFM-12-1982

Dear Counsel:

I have reviewed plaintiff's motion to amend the complaint and the memoranda submitted therewith. The motion is granted in part and denied in part.

The motion is granted as to the claim that plaintiff seeks to pursue against defendant Amanda Martin. Plaintiff's allegations against Martin are insufficient to state a claim upon which relief can be granted.

The motion is otherwise granted. Even if all of the claims asserted in the amended complaint were asserted in the original complaint, the amended complaint (which was drafted by counsel, not by plaintiff himself in a *pro se* capacity) states plaintiff's claims more clearly. (I need not decide at this time whether plaintiff's counsel should be compensated for drafting what may be, in effect, a redundant pleading). As to plaintiff's claim under the Maryland Consumer Collection Act, I am satisfied that the allegations made are sufficient to state a claim upon which relief can be granted. Of course, after discovery it may well be that the facts on the summary judgment record will not support such a claim.

A conference call will be held on January 31, 2013 at 5:00 p.m. to discuss the appropriate schedule in this case. I ask counsel for plaintiff to initiate the call.

Enclosed is a tentative scheduling order with approximate dates for your information. Please consult with one another before the call and be prepared to discuss whether you would like to participate in a settlement conference either before or after the completion of discovery, any changes to the dates in the form scheduling order, and whether there is unanimous consent to proceed before a U.S. Magistrate Judge for all proceedings.

Also enclosed is a letter regarding a call-in hour program for the resolution of discovery disagreements.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz
United States District Judge