

M. BARRY STRUDWICK, et al.

*

IN THE

Plaintiffs.

*

CIRCUIT COURT

v.

*

FOR

RUSSELL A. WHITNEY, et al.

*

BALTIMORE CITY

Defendants.

Case No. 24-C-08-000767

* * * * *

ELECTRONIC SERVICE ORDER

The Court having conferred with all counsel and no party having objected, it is this 24th day of August, 2009, by the Circuit Court for Baltimore City, Part 28,

ORDERED as follows:

1. The parties to this litigation shall effectuate service of documents by the procedure set forth in this Order subject to the exceptions outlined herein.

2. The parties shall utilize the services of LexisNexis File & Serve ("LNFS") and its litigation system (the "System") for providing electronic service, storage and delivery of court-filed and discovery-related documents through a secure website.

3. The System shall apply only to the service of documents, and not to their filing. Original documents must still be filed with the Court Clerk pursuant to the applicable Maryland Rules of Civil Procedure.

4. Within five (5) business days of this Order, counsel for Plaintiff M. Barry Strudwick shall commence utilization of the System for this action by submitting to a LNFS representative through the System website the following: (i) a copy of the Complaint as originally filed in this

litigation by the Plaintiff and docketed by the Court Clerk on January 25, 2008; and (ii) a complete and current service list of counsel of record for this litigation. Within five (5) business days of this Order, or within five (5) business days of the entry of appearance of a new attorney of record, each attorney of record shall register for electronic service in this litigation by registering with LNFS and obtaining an ID and Password from LNFS through the completion of an application located at the following website: <http://www.lexisnexis.com/fileandserve>.

5. When any counsel of record wishes to serve a document, that counsel shall serve the document according to all the requirements and procedures of this Order. All references to "document" in this Order shall be interpreted to include any exhibits or attachments to the document and shall include both pleadings and discovery-related documents (such as interrogatories, requests for production, deposition notices/transcripts, etc.); provided, however, that each attorney shall determine individually whether to utilize the System to serve correspondence and/or the actual production of discovery documents in response to another party's request for production.

6. LNFS shall establish and maintain an Internet website (the "Website") for this litigation. LNFS will post all documents served by the parties to the Website as provided in this Order and shall serve each document on the parties included on the service list provided to LNFS in accordance with the procedures herein.

7. Each attorney shall serve each document via electronic transfer of the document file to LNFS at the appropriate LNFS Website via the Internet (either as a word-processing file or a scanned image of the document). Each attorney shall title each document to identify the type and purpose of each document and the party who is submitting such document in accordance with the practices and procedures of LNFS. Each document electronically served pursuant to this Order shall be deemed to have been served under the Maryland Rules of Civil

Procedure.

8. After LNFS receives a document, LNFS shall convert such document into Adobe Portable Document Format ("PDF") and post it to the Website within one (1) hour of receipt.
9. Within one (1) hour of the time a document is posted to the Website, LNFS shall send an email to all registered users notifying them that the document has been posted to the Website (unless such registered user has declined to receive such email notifications). The email shall contain hypertext link(s) to the document location(s) on the System (or, if so designated by the recipient, the email shall have the served document attached thereto).
10. All documents posted on the System will be identified by: (a) the name of the serving law firm; (b) the caption(s) of the case(s) to which the document belongs; (c) the title of the document set forth on its caption; and (d) the identity of the party on whose behalf the document is being served.
11. The System shall contain an index of all served documents for the litigation that will be searchable and sortable according to methods that provide useful 24/7, 365 days' access to the documents.
12. Access to the System will be limited to registered users. Registered users will consist of authorized Court personnel, counsel of record and their designated staff members. Upon registration, LNFS will provide each registered user with a user ID and password to access the System and the documents served in the litigation.
13. Every pleading, document and instrument served electronically shall bear a facsimile or typographical signature of at least one of the attorneys of record, along with the typed name, address, and telephone number of such attorney. Typographical signatures shall be

treated exactly as personal signatures for purposes of electronically served documents under the Maryland Rules of Civil Procedure. The serving party of any document requiring multiple signatures (e.g., stipulations, joint status reports) must list thereon all the names of other signatories by means of an "s/ _____" block for each. By submitting such a document, the serving party certifies that each of the other signatories has expressly agreed to the form and substance of the document and that the serving party has the actual authority to submit the document electronically. The serving party must maintain any records evidencing this concurrence for subsequent production to the Court if so ordered or for inspection upon request by a party.

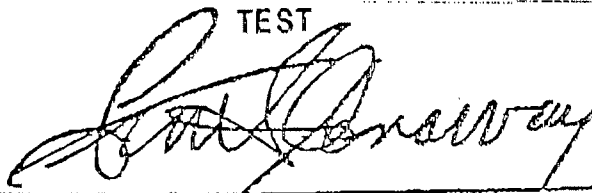
14. Any document transmitted to the System shall certify in the Certificate of Service that a true and correct copy was electronically served on counsel of record by transmission to LNFS.

15. LNFS shall have available to counsel of record and the Court a 24-hour, 365 days help desk hotline at (888) 529-7587 and website - <http://www.lexisnexis.com/fileandserve/support.asp>. In addition, each attorney is instructed to review LexisNexis File & Serve Quick Guides available at the following website address - http://support.lexis.com/fileandserve/record.asp?ArticleID=fsa_product_help&Print=1

cc: All Counsel

TRUE COPY

TEST



FRANK M. CONAWAY, CLERK

EVELYN OMEGA CANNON
 JUDGE
 THE JUDGE'S SIGNATURE
 APPEARS ON THE ORIGINAL
 DOCUMENT ONLY

