

HOST INTERNATIONAL, INC.

Plaintiff,

v.

MARYLAND TRANSPORTATION  
AUTHORITY, et al.,

Defendants.

\* \* \* \* \*

**ELECTRONIC SERVICE ORDER**

The Court having obtained the consent of all counsel for the respective parties, it is this 24<sup>th</sup> day of May 2012, by the Circuit Court for Baltimore City, Part 23, hereby

**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 shall be filed with the Clerk for the Circuit Court of Baltimore City pursuant to applicable Maryland Rules of Civil Procedure.
4. By agreement of counsel and this Court, the terms of the Stipulation and Order Protecting Confidentiality of Information approved by the Circuit Court of Montgomery County on March 2, 2012 shall remain in full force and effect.
5. Within five (5) business days of this Order, counsel for Plaintiff, Host International, Inc. 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 Amended Complaint as originally filed in this litigation by the Plaintiff and docketed by the Clerk for the Circuit Court for Montgomery County

on February 24, 2012; 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>.

6. When any counsel of record wishes to serve a document, 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.). 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.

7. LNFS shall establish and maintain an Internet website (the "Website") for this litigation. LNFS shall 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.

8. 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.

9. 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.

10. 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).

11. All documents posted on the System shall 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.

12. 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.

13. Access to the System shall be limited to registered users. Registered users shall consist of authorized Court personnel, counsel of record and their designated staff members. Upon registration, LNFS shall provide each registered user with a user ID and password to access the System and the documents served in the litigation.

14. 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) shall 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 shall 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 after logging onto the System at the following website address <http://lexisnexis.com/fileandserveextranet/QuickGuide.aspx>.

16. This Order supplements Case Management Order No. 1, issued on even date. All dates, deadlines, and provisions set forth therein and not modified herein shall remain in effect.

TRUE COPY  
TEST  
AUDREY J.S. CARRION  
Judge's signature appears on original document  
FRANK W. CONWAY, CLERK  
CIRCUIT COURT FOR BALTIMORE CITY  
1983

CC: John Anthony Wolf, Esquire  
Ober, Kaler, Grimes & Shriver, P.A.  
100 Light Street  
Baltimore, Maryland 21202  
Counsel for Plaintiff

Stanley Turk, Assistant Attorney General  
David Chaisson, Assistant Attorney General  
Melanie Mabanta, Assistant Attorney General  
Office of The Attorney General  
200 St. Paul Place, 19<sup>th</sup> Floor  
Baltimore, Maryland 21202  
Counsel for Defendants, Maryland Transportation Authority, Beverly K. Swaim-Staley,  
Harold M. Bartlett, Board of Public Works of Maryland, Governor Martin O'Malley, Nancy K.  
Kopp, and Peter Franchot

Timothy Maloney, Esquire  
Joseph, Greenwald and Laake, P.A.  
6404 Ivy Lane, Suite 400  
Greenbelt, Maryland 20770  
*Counsel for Defendant, Areas USA MDTP, LLC*

Phillip Andrews, Esquire  
Kramon & Graham, P.A.  
One South Street, Suite 2600  
Baltimore, Maryland 21202  
*Counsel for Defendant, Areas USA MDTP, LLC*

Christopher R. Ryon, Esquire  
Kahn, Smith & Collins, P.A.  
201 North Charles Street, 10<sup>th</sup> Floor  
Baltimore, Maryland 21201  
*Counsel for Defendant, Areas USA MDTP, LLC*

Maryland Energy Centers, LLC  
c/o HSC Agent Services, Inc., Resident Agent  
245 W. Chase Street  
Baltimore, Maryland 21201  
*Interested Party, No Counsel of Record*

Dean E. Merritt, Esquire  
Regional Project Manager  
LexisNexis  
2317 Killoran Road  
Timonium, Maryland 21093

*Case No: 24-C-12-001507*

Via U.S. Mail and Facsimile