

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**  
(Northern Division)

MAYOR AND CITY COUNCIL OF  
BALTIMORE

Plaintiff,

vs.

BP P.L.C.; *et al.*,

Defendants.

Case Number: 1:18-cv-2357

**UNOPPOSED MOTION TO LIFT STAY OF EXECUTION OF REMAND ORDER**

Plaintiff Mayor and City Council of Baltimore hereby moves this Honorable Court, pursuant to Local Rule 105, for an order lifting the stay of the Court's Remand Order (Dkt. 173, June 11, 2019) currently in effect. In support of its motion, Plaintiff relies upon the memorandum filed contemporaneously herewith.

Plaintiff has met and conferred with counsel for Defendants, who has stated that Defendants do not oppose the relief requested herein.

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**MEMORANDUM IN SUPPORT OF UNOPPOSED MOTION TO LIFT STAY OF  
EXECUTION OF REMAND ORDER**

Plaintiff Mayor and City Council of Baltimore (“Plaintiff”) requests that the Court lift the stay currently in effect over the Court’s order remanding this case to Maryland state court, and direct the Clerk of Court to transmit a certified copy of that order to the state court pursuant to 28 U.S.C. § 1447(c). Plaintiff has met and conferred with counsel for Defendants, and Defendants do not oppose the requested relief or oppose entry of the Proposed Order submitted herewith.

On June 10, 2019, this Court granted the Plaintiff’s Motion to Remand, and ordered that this case be remanded to the Circuit Court for Baltimore City for all further proceedings, but stayed execution of that order for 30 days. Dkt. 173 (“Remand Order”). On June 24, the Court entered a stipulated order further staying execution of the Remand Order through resolution of the Defendants’ motion to stay the Remand Order pending appeal, and, in the event that motion was denied, through the Fourth Circuit’s consideration of a motion to stay pending appeal. Dkt. 185. This Court denied the Defendants’ motion to stay on July 31, and the Fourth Circuit denied a motion to stay filed in that court on October 1, 2019. Dkt. 193 & 196.

Also on October 1, Defendants filed an application for a stay pending appeal before the Chief Justice of the United States Supreme Court, in his capacity as Circuit Justice for the Fourth Circuit. Dkt. 197 & 197-1. The same day, this Court entered a further temporary stay of the Remand Order through resolution of the Defendants' application to the Chief Justice, and directed the Clerk of Court to "REFRAIN from mailing to the Clerk of the Circuit Court for Baltimore City the Remand Order until further Order of this Court." Dkt. 198. Defendants application, referred by the Chief Justice to the full Court, was denied On October 22. Dkt. 202.

Because the Supreme Court has denied Defendants' Application, lifting the stay of execution of the Remand Order is appropriate. For these reasons, Plaintiff respectfully requests that the Court lift the stay and direct the Clerk of Court to transmit a certified copy of the Remand Order to the Circuit Court for Baltimore City, where the case originated.

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Dated: November 8, 2019

/s/ Matthew K. Edling

Victor M. Sher (*pro hac vice*)  
vic@sheredling.com  
Matthew K. Edling (*pro hac vice*)  
matt@sheredling.com  
Sher Edling LLP  
100 Montgomery Street, Suite 1410  
San Francisco, CA 94014  
Tel.: (628) 231-2500  
Fax: (628) 231-2929

Andre M. Davis  
andre.davis@baltimorecity.gov  
Suzanne Sangree  
suzanne.sangree2@baltimorecity.gov  
Elizabeth Ryan Martinez  
liz.martinez@baltimorecity.gov  
Baltimore City Law Department  
100 N. Holliday Street, Suite 109  
Baltimore, MD 21202  
Tel.: (443) 388-2190  
Fax: (410) 576-7203

*Attorneys for Plaintiff the Mayor and City  
Council of Baltimore*

**CERTIFICATE OF SERVICE**

I hereby certify that, on the 8th day of November 2019, the foregoing document was filed through the ECF system and will be sent electronically to the registered participants identified on the Notice of Electronic Filing.

/s/ Matthew K. Edling

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**  
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MAYOR AND CITY COUNCIL OF  
BALTIMORE

Plaintiff,

vs.

BP P.L.C.; *et al.*,

Defendants.

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**[PROPOSED] ORDER LIFTING STAY OF EXECUTION OF REMAND ORDER**

On June 10, 2019, the Court granted the Plaintiff Mayor and City Council of Baltimore's Motion to Remand, and ordered that this case be remanded to the Circuit Court for Baltimore City for all further proceedings, but stayed execution of that order for 30 days. Dkt. 173 ("Remand Order"). On June 24, the Court entered a stipulated order further staying execution of the Remand Order through resolution of the Defendants' motion to stay the Remand Order pending appeal, and, in the event that motion was denied, through the Fourth Circuit's consideration of a motion to stay pending appeal. Dkt. 185. This Court denied the Defendants' motion to stay on July 31, and the Fourth Circuit denied a motion to stay filed in that court on October 1, 2019. Dkt. 193 & 196.

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the Remand Order until further Order of this Court.” Dkt. 198. Defendants application, referred by the Chief Justice to the full Court, was denied On October 22. Dkt. 202.

In light of the forgoing and pursuant to 28 U.S.C. § 1447(c), the Clerk of Court is hereby directed to mail a certified copy of the Remand Order to the Clerk of the Circuit Court for Baltimore City.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Ellen L. Hollander  
United States District Judge

Dated: November 8, 2019

/s/ Matthew K. Edling

Victor M. Sher (*pro hac vice*)

vic@sheredling.com

Matthew K. Edling (*pro hac vice*)

matt@sheredling.com

**Sher Edling LLP**

100 Montgomery Street, Suite 1410

San Francisco, CA 94014

Tel.: (628) 231-2500

Fax: (628) 231-2929

Andre M. Davis

andre.davis@baltimorecity.gov

Suzanne Sangree

suzanne.sangree2@baltimorecity.gov

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