

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
STEPHANIE A. GALLAGHER
UNITED STATES DISTRICT JUDGE

101 WEST LOMBARD STREET
BALTIMORE, MARYLAND 21201
(410) 962-7780
Fax (410) 962-1812

April 27, 2022

LETTER ORDER

RE: *Anne Arundel County v. B.P. P.L.C., et al.*,
Civil No. SAG-21-01323

Dear Counsel:

On June 1, 2021, this Court entered an Order staying proceedings (“Stay Order”) pending the Fourth Circuit’s decision on remand from the Supreme Court in *BP P.L.C. v. Mayor & City Council of Baltimore*, 2021 WL 1951777 (U.S. May 17, 2021). ECF 19. Pending that decision, the case was administratively closed for docket management purposes (“Closure Order”). ECF 89. The Fourth Circuit has since issued its awaited decision, *Mayor & City Council of Baltimore v. BP P.L.C.*, No. 19-1644, 2022 WL 1039685 (4th Cir. Apr. 7, 2022) (“*Baltimore*”), in which it affirmed the district court’s remand order. Accordingly, the parties have now filed a Joint Submission to this Court detailing their conflicting positions regarding proposed next steps in this case, ECF 106.¹ After review of that submission, this Court dispenses with the requirement that Plaintiff seeks to reopen the case and **ORDERS IT REOPENED**.

To ensure the just and efficient determination of this action, the parties should take the following steps. First, the Stay Order—which was entered pending the Fourth Circuit’s ruling in the related *Baltimore* case—will expire and the **STAY IS LIFTED**. See ECF 19. Accordingly, to the extent that Defendants seek to stay any further proceedings in this action, they must file a formal Motion to do so. Second, and relatedly, the parties should confer on a motions briefing schedule, and should jointly propose it to this Court. The briefing schedule should include any motion to stay sought by Defendants and any further briefing of the County’s Motion to Remand, see ECF 81.

¹ Specifically, Anne Arundel County (“the County”) requests that the Court proceed with briefing on its Motion to Remand, ECF 81, without further delay. ECF 106 at 2. By contrast, Defendants posit that “[p]roceedings . . . should continue to be stayed pending the resolution of Defendants’ forthcoming petition for rehearing *en banc* in the Fourth Circuit and, if necessary, proceedings before the U.S. Supreme Court in *Baltimore*.” *Id.* at 4.

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The parties are directed to submit their joint briefing schedule **by Wednesday, May 11, 2022 at 5:00 p.m.** If this letter raises issues or ambiguities that the parties feel should be addressed by a conference with the Court, the parties should request such a conference in their submission.

Despite the informal nature of this letter, it shall be flagged as an Opinion and docketed as an Order.

Sincerely yours,

/s/

Stephanie A. Gallagher
United States District Judge