

BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC

100 LIGHT STREET
BALTIMORE, MD 21202
PHONE: 410.685.1120
FAX: 410.547.0699

www.bakerdonelson.com

TY KELLY, SHAREHOLDER
Direct Dial: 410.862.1049
E-Mail Address: tykelly@bakerdonelson.com

September 28, 2022

VIA ECF

The Honorable Stephanie A. Gallagher
United States District Judge
United States District Courthouse
101 W. Lombard Street
Baltimore, Maryland 21202

**Re: *Anne Arundel County v. BP P.L.C., et al.*;
Case No. SAG-21-01323**

Dear Judge Gallagher:

We write on behalf of all Defendants and in response to the Court's Paperless Order entered on September 27, 2022 (ECF No. 147).

Defendants understand that Your Honor intends to issue an Order remanding this action to the Circuit Court for Anne Arundel County later this week. As explained in Defendants' pending Motion to Stay (ECF No. 128), Defendants believe it would be most efficient and prudent for this Court to continue to stay proceedings in this case until the Supreme Court has the opportunity to consider the removal issues and questions of federal jurisdiction presented in *Mayor and City Council of Baltimore v. BP p.l.c.* Your Honor previously indicated that the Court would reserve ruling on Defendants' Motion to Stay until briefing on Plaintiff's Motion to Remand was completed. *See* ECF No. 137. Defendants respectfully submit that the Court should grant the Motion to Stay and await guidance from the Supreme Court before ruling on Plaintiff's Motion to Remand.

To the extent Your Honor intends to deny Defendants' Motion to Stay (or intends to grant Plaintiff's Motion to Remand without ruling on the pending Motion to Stay), Defendants request an accommodation similar to that entered in *Baltimore*. Specifically, Defendants request that the Court defer execution of the remand order for a period of 30 days, to allow Defendants time to evaluate the remand order and determine next steps, if any, for appellate review, including whether remand should be stayed during any such appellate review. Accordingly, Defendants request that the Court enter an Order directing the Clerk of the Court to refrain from mailing to the Clerk of the Circuit Court for Anne Arundel County the remand order until further Order of this Court.

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Should Your Honor have any questions or wish to discuss this matter, counsel can be available at Your Honor's convenience.

Respectfully,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

/s/ Ty Kelly

Ty Kelly

cc: All counsel (via CM/ECF)