

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

**WHEELABRATOR BALTIMORE,
L.P., ET AL.**

Plaintiffs,

V.

**MAYOR AND CITY COUNCIL
OF BALTIMORE,**

Defendant.

*
*
*
*
*
*
*
*
*
*
*

CIVIL NO. 1:19-cv-01264-GLR

**DEFENDANT MAYOR AND CITY COUNCIL
OF BALTIMORE’S MOTION TO DISMISS**

Defendant Mayor and City Council of Baltimore (the “City”), by undersigned counsel, respectfully moves under Federal Rule of Civil Procedure 12(b)(6) for this Honorable Court to dismiss the Complaint against the City with prejudice and without leave to amend for the reasons set forth in the accompanying Memorandum of Law.

WHEREFORE, the City requests that the Court dismiss the Complaint, with prejudice and without leave to amend.

Dated: July 22, 2019

Respectfully Submitted,

ANDRE M. DAVIS
City Solicitor

Respectfully submitted:

_____/s/_____
Matthew Nayden, Chief Solicitor
Federal Bar No. 04751
BALTIMORE CITY LAW DEPARTMENT
100 N. Holliday Street
City Hall Baltimore, MD 21202
Phone: 410-396-5370

Fax: 410-547-1025
matthew.nayden@baltimorecity.gov
*Attorney for Defendant Mayor and
City Council of Baltimore*

_____/s/_____
Thomas P.G. Webb, Asst. Solicitor
Federal Bar No. 18624
BALTIMORE CITY LAW DEPARTMENT
100 N. Holliday Street
City Hall Baltimore, MD 21202
Phone: 410-396-3298
Fax: 410-547-1025
tom.webb@baltimorecity.gov
*Attorney for Defendant Mayor and
City Council of Baltimore*

_____/s/_____
Doris N. Weil, Asst. Solicitor
Federal Bar No. 19679
BALTIMORE CITY LAW DEPARTMENT
100 N. Holliday Street
City Hall Baltimore, MD 21202
Phone: 410-396-3926
Fax: 410-547-1025
doris.weil2@baltimorecity.gov
*Attorney for Defendant Mayor and
City Council of Baltimore*

_____/s/_____
John F. Dougherty
Federal Bar No. 25369
KRAMON AND GRAHAM PA
One South St Ste 2600
Baltimore, MD 21202-3201
Phone: 410-347-7421
Fax: 410-361-8224
jdougherty@kg-law.com
*Attorney for Defendant Mayor and
City Council of Baltimore*

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that on this 22nd day of July, 2019, the foregoing Motion to Dismiss Plaintiffs' Complaint, Memorandum of Law in Support of the Mayor and City Council of Baltimore's Motion to Dismiss, and Proposed Order were filed in accordance with the Electronic Filing Requirements and Procedures, as established by the United States District Court for the District of Maryland.

_____/s/_____
Doris N. Weil, Asst. Solicitor