

*E
OMB*

IN THE CIRCUIT COURT
FOR HOWARD COUNTY, MARYLAND

ENTERED
JUL 2 2008

JASON W. ROYAL)
)
and all others similarly situated)
)
Plaintiffs,)
)
v.)
)
EASTERN HOMES, INC., et. al.)
)
Defendants.)

CLERK, CIRCUIT COURT
HOWARD COUNTY

Civil No: 13-C-04-059581 OC

HAVE COPY TEST

"MAPLE PARK" ORDER

Margaret D. [unclear]
CLERK

AND NOW, upon consideration of Plaintiffs' Motion for Class Settlement with Defendant Maple Park (the "Motion") and Memorandum of Law in support thereof, and defendants' response thereto,

IT IS, this 26th day of June, 2008, HEREBY ORDERED that the Motion is GRANTED. This action shall be maintained as a class action for settlement purposes in accordance with Maryland Rule of Civil Procedure 2-231 (a) and (b) pursuant to the following findings of fact:

1. The "Class" is defined as: All persons who are current tenants in the Maple Park Mobile Home Park and who became a Maple Park Mobile Home Park tenant no earlier than January 1, 1984 whose mobile home does not have footings or load carrying portions of the ground anchors that extend below the frost line;
2. There are questions of law and/or fact common to the Class;
3. The claims of Plaintiff ROYAL are typical of the claims of the Class;
4. Plaintiffs will fairly and adequately protect the interests of the Class;

271000

5. The prosecution of separate actions by individual members of the Class would create a risk of inconsistent or varying adjudications with respect to individual members which would establish incompatible standards of conduct for the parties opposing the Class, as well as a risk of adjudications with respect to individual members which would as a practical matter be dispositive of the interests of other members not parties to the adjudications or substantially impair or impede their ability to protect their interests;

6. The questions of law and/or fact common to the members of the Class predominate over any questions affecting only individual members;

7. A class action is superior to other available methods for the fair and efficient adjudication of this controversy;

8. Jon D. Pels, Esq., Lawrence J. Anderson, Esq, and Pels Anderson, LLC shall serve as Lead Class Counsel, with responsibility for implementing the plan of Settlement;

9. The Plan of Settlement Administration entitled "NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT WITH DEFENDANT MAPLE PARK", including the proposed budget, is fair, reasonable, and in the best interest of Class Members and is preliminarily approved by the Court subject to a final hearing on this matter.

FOR GOOD CAUSE SHOWN, IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED THAT:

A. The Notice of Class Action and Proposed Settlement with Defendant Maple Park, attached to this Order (Exhibit AA); the Long Form Class Notice (Exhibit BB) and the Claim Form (Exhibit CC) are hereby approved.

B. Class Counsel shall implement the Notice of Class Action and Proposed Settlement with Defendant Maple Park which specifically is as follows: Defendant Maple Park at its expense shall cause notice of the preliminary approval of this Settlement to be delivered by an independent process server to the potential members of the Settlement Class by regular mail and

certified mail (return receipt requested) and hand delivery to the Maple Park addresses of the potential members of the Settlement Class and who shall certify that such delivery occurred. Upon and after delivery of the Class Notice, Class Counsel shall be entitled to meet or otherwise communicate with potential members of the Settlement Class in order to explain the substance of the Class Notice to them and to respond to any questions potential members of the Settlement Class may have about it. Maple Park agrees that it will not impede with Class Counsel's ability to communicate with the potential class members. Also, plaintiff's firm web page will have the relevant documents and claim forms available at www.pallaw.com.

C. A hearing on Final Approval of this Settlement shall occur on October 2, 2008; Objections or Opt-Outs pursuant to the Notice of Class Action and Proposed Settlement with Defendant Maple Park, shall be submitted by September 15, 2008.

D. The Court retains jurisdiction over this matter for such other and further orders as might be necessary and subject to any final hearing on this matter.

This the 26th day of June, 2008.

IT IS SO ORDERED.



Honorable Lenore Gelfman
Circuit Court for Howard County, Maryland

Copies to:

Jon D. Pels, Esq.
Lawrence J. Anderson, Esq.
4833 Rugby Avenue
Fourth Floor
Bethesda, MD 20814
(301) 986-5570
Counsel for the Plaintiffs

Raymond Daniel Burke, Esq.
Ober, Kaler, Grimes & Shriver
120 East Baltimore Street
Baltimore, Maryland 21202
Co-Counsel for Plaintiffs

Frank Daily, Esq.
11350 McCormick Road
Suite 704
Hunt Valley, MD 21031
Attorney for Penn National Insurance Company

Thomas McCarron, Esq.
250 W. Pratt St.
Baltimore, MD 21201
Attorney for American Modern Insurance Co.

Ami C. Dwyer, Esq.
FRANKLIN & PROKOPIK
Two North Charles Street, Suite 600
Baltimore, MD 21201
Attorney for Eastern Homes, Inc.

Patrick C. Smith, Esq.
Michael A. Stodghill, Esq.
502 Washington Avenue, Suite 200
Towson, MD 21204
Attorney for Defendants Gilbert A. Mobley, Sr. et al.

James K. Archibald, Esq.
VENABLE LLP
Two Hopkins Plaza, Suite 1800
Baltimore, MD 21201-2978
Attorney for Proposed Settled Party Maple Park