

Clerk of the
Circuit Court

Jacob Kogan Plaintiff,	2014 MAY -1 10:24 PR GEO CO MD #73	IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY MARYLAND
v.		
Nagaraj K. Neerchal Defendant.		Case No. CAL 14-02375

**Plaintiff's Response in Opposition to
Defendant's Request for Hearing on Defendant's Motion to Dismiss or,
in the Alternative, for Summary Judgment**

Comes now the Plaintiff Jacob Kogan and respectfully files this Response in Opposition to Defendant's Request for Hearing on Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment, and in support thereof, states as follows:

1. On February 3, 2014 Plaintiff brought a lawsuit under the Maryland Public Information Act (the "PIA").
2. On April 3, 2014 Defendant filed a Motion to Dismiss or, in the Alternative, for Summary Judgment.
3. On April 9, 2014 Plaintiff filed an Opposition to Defendant's April 3, 2014 Motion.
4. On April 18, Defendant filed a Request for Hearing on Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment.
5. As of April 30, 2014, more than 200 working days of the receipt of the original July 15, 2013 request,
 - Defendant failed to produce the public record¹ as provided by SG §10-614 (b)(2).
 - Defendant failed to notify Plaintiff that the record does not exist as provided by SG §10-614 (a)(4).
 - Defendant failed to notify Plaintiff of his determination to deny the application as provided by SG §10-614 (b)(3).

¹the Dean's and the UMBC Faculty Senate's approvals of the March 1999 Department of Mathematics and Statistics Statement of Performance Expectations document.

6. The evidence provided by Plaintiff shows that documents requested are in Defendant's possession (Exhibit 1, April 9, 2014 Plaintiff's Opposition).
7. Defendant deliberately violated SG §10-614 (b)(1) with intention to harm Plaintiff.

Wherefore, Plaintiff Jacob Kogan respectfully requests that this Honorable Court:

1. Deny Defendant's Request for Hearing on Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment.
2. That February 3, 2014 Plaintiff's complaint be set for hearing.
3. Afford such other and further relief as justice and the nature of Plaintiff's cause may require.

Certificate of Service

I, Jacob Kogan, 10114 Treetop Lane, Lanham, MD 20706, hereby certify that on the date below, I mailed a copy of the foregoing by first class mail, postage prepaid, to:
Erik James Delfosse, Esq., Assistant Attorney General, Office of the Attorney General, 200 St. Paul Place, 17th Floor, Baltimore, MD 21202-2021, 410-576-6412 Counsel for Defendant and that I will apply with the applicable rules of this Court.

Dated: April 30, 2014



Jacob Kogan