

HOWARD COUNTY BOARD OF APPEALS

KINCADE, LLC

v.

HOWARD COUNTY PLANNING BOARD

BEFORE THE

HOWARD COUNTY

BOARD OF APPEALS

BA Case No: BA-800D

CONSOLIDATION ORDER

The parties of record in BA-800D and BA-802D stipulate that both cases present nearly identical issues of fact and many similar, if not identical, legal issues. The appellants also agree that the relief sought in both cases is substantially the same.

Consolidating these actions will increase efficiency, decrease the burdens and costs to parties, nonparties, witnesses, and the Board, and decrease the risk of inconsistent rulings. Based on these considerations, it is this 21st day of January 2025,

ORDERED, that consolidation of cases is the best method to ensure consistent adjudication of the issues that are common to the two appeal petitions; and it is further

ORDERED, that case BA-800D be consolidated with case number BA-802D to proceed as a single litigation; and it is further

ORDERED, that the Board Administrator shall transfer all documents from BA-802D to case BA-800D, and all future filings shall be filed in case number BA-800D and will be considered filed in each individual case; and it is further

ORDERED, that future filings shall not be separately docketed in the individual cases; and it is further

ORDERED, that the Board Administrator shall add all permissible parties of record, per Howard County Code Section 2.208, and their attorneys from case number BA-802D to case number BA-800D, to the extent they are not duplicative; and it is further

ORDERED, that the caption of case number BA-800D, Kincaid, LLC v. Howard County Planning Board, will remain unchanged; and it is further

ORDERED that case number BA-800D is re-designated as the multi-party litigation authorized by the Board of Appeals; and it is further

ORDERED, that all existing orders and deadlines remain in effect on the parties to whom they previously applied.

It is so ORDERED.

HOWARD COUNTY BOARD OF APPEALS

CHAIRPERSON

A handwritten signature in blue ink, appearing to read "Gene T. Ryan", is written over a horizontal line.

Gene T. Ryan