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CIRCUIT COURT
FOR BALTIMORE CITY

IN THE CIRCUIT COURT FOR BALTIMORE CITY

ROBERT F. CHERRY, JR., *et al.*)
)
 Plaintiffs,)
)
 v.)
)
 MAYOR AND CITY COUNCIL)
 OF BALTIMORE CITY)
)
 Defendant.)
)

Civil No. 24-C-16-004670

JOINT MOTION FOR ENTRY OF CONSENT ORDER REGARDING THE TOTAL AMOUNT DUE, INCLUDING POST-JUDGMENT INTEREST

Plaintiffs Robert F. Cherry, Jr., Thomas S. Lake, Robert J. Sledgeski, Christopher Houser, Charles Williams (“Class Plaintiffs” or “Class Representatives”), Baltimore City Fraternal Order of Police, Lodge 3, Inc., Baltimore City Firefighters’ IAFF, Local 734, and Baltimore Fire Officers, Local 964, International Association of Firefighters (collectively, “Plaintiffs”); and Defendant, Mayor and City Council of Baltimore City (“Defendant”) (together with Plaintiffs, the “Parties”), by and through their undersigned counsel, hereby move for the Court to enter a Consent Order confirming the calculation of the total amount due, including post-judgment interest and, in support thereof, state as follows:

1. On June 11, 2020, the Court entered a Corrected Final Judgment *nunc pro tunc* March 30, 2020 (No. 187/3; docketed June 11, 2020; “March 30 Judgment”), awarding monetary damages to the plaintiff class, including Class Representative Houser, in the aggregate amount of \$30,778,110.55, plus post-judgment interest at the statutory rate (the “Class Award”), representing

the damages suffered by 1,456 Retired Sub-Class¹ and Retirement-Eligible Sub-Class members (“Individual Class Members”) of the certified class.

2. On August 16, 2021, the Court of Appeals of Maryland issued a written opinion, affirming the March 30 Judgment in all respects.

3. The Court of Appeals issued its mandate on September 15, 2021, directing the entry and approval of the March 30 Judgment.

4. Counsel for the Defendant has advised Plaintiffs’ Class Counsel of the Defendant’s desire to make full and prompt payment of the Class Award, inclusive of post-judgment interest as of the date of the issuance of the Court of Appeals mandate.

5. The Parties have calculated the sum of the post-judgment interest and the amount of the final Class Award effective upon the issuance of the mandate by the Court of Appeals on September 15, 2021.

6. The total post-judgment interest at the statutorily required 10% per annum rate from March 30, 2020 to and including September 15, 2021 is \$4,502,879.74.

7. Accordingly, the March 30 Judgment, \$30,778,110.55, plus the total post-judgment interest of \$4,502,879.74, results in a total amount of \$35,280,990.29 due from Defendant in full satisfaction of its obligation under the March 30 Judgment.

WHEREFORE, the Parties respectfully request that the Court enter the proposed Consent Order, confirming the Parties’ calculations of the amount necessary to satisfy the March 30, 2020 Judgment.

Dated: September 24, 2021

¹ Unless otherwise stated, the capitalized words in this Joint Motion refer to those terms defined in the March 30 Judgment.

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[PROPOSED] CONSENT ORDER

This Court having considered the Parties' Joint Motion for Entry of Consent Order Regarding the Total Amount Due, Including Post-Judgment Interest, it is this ____ day of September, 2021, by the Circuit Court for Baltimore City, **ORDERED** that:

1. The amount of post-judgment interest and the amount of the final award shall be calculated effective upon the issuance of the mandate by the Court of Appeals on September 15, 2021.
2. The total post-judgment interest at the statutorily required 10% per annum rate from March 30, 2020 to and including September 15, 2021 is **\$4,502,879.74**.
3. The total award due from Defendant in full satisfaction of the March 30, 2020 Judgment, plus post-judgment interest, is **\$35,280,990.29**.

SO ORDERED:

 Judge Julie R. Rubin
 Circuit Court for Baltimore City