

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

PETITION OF  
QUANTUM MARYLAND, LLC,

and

JOAN AQUILINO,

FOR JUDICIAL REVIEW OF  
THE DECISION OF THE FREDERICK  
COUNTY BOARD OF ELECTIONS,

and

BARBARA WAGNER

IN THE MATTER OF THE PETITION OF  
THE FREDERICK COUNTY DATA  
CENTER REFERENDUM COMMITTEE  
FOR REFERENDUM OF FREDERICK  
COUNTY COUNCIL ORDINANCE  
26-01-001

Case No. C-10-CV-26-000309

\* \* \* \* \*

QUANTUM MARYLAND, LLC, et al.

Plaintiffs,

v.

FREDERICK COUNTY BOARD OF  
ELECTIONS, et al.

Defendants.

Case No. C-10-CV-26-000309

\* \* \* \* \*

**PETITIONERS' OPPOSITION TO DEFENDANT FREDERICK COUNTY DATA  
CENTER REFERENDUM COMMITTEE'S MOTION TO EXTEND TIME TO FILE AN  
ANSWER AND RESPONSE TO PETITIONERS' MOTION TO STAY  
AND REQUEST FOR HEARING**

1. Petitioners-Plaintiffs Quantum Maryland, LLC (“Quantum Maryland”) and Joan Aquilino (“Petitioners”), by and through their undersigned counsel, respectfully file this opposition to the Defendant Frederick County Data Center Referendum Committee’s (“Referendum Committee”) Motion to Extend Time Requirements to File an Answer and Response to Petitioners’ Motion to Stay. The motion should be denied, and Petitioners’ Motion to Stay and the Emergency Joint Motion to Consolidate should be granted. The Court also should proceed on an expedited schedule and set a hearing on the issue early next week, given the expedited timeline that faces further compression as early as next week.

## **I. INTRODUCTION**

2. Maryland Election Law § 6-209(a)(3)(i) calls for challenges to Referendum Petitions to be heard and decided “as expeditiously as the circumstances require.” The Referendum Committee’s motion seeks an open-ended extension that would push every deadline in this case past the point at which a merits decision can issue. The motion should be denied.

3. The circumstances here could not be more compelling. Petitioners recently learned that a new piece of legislation, SB 29, has passed both houses of the General Assembly and is expected to be signed by the Governor next week. *See* Affidavit of Adam Van Grack, May 7, 2026, attached hereto at Exhibit 1 ¶ 7-10. SB 29 advances the County Attorney’s ballot-certification deadline to July 1, 2026—weeks earlier than the historical August timeline. *See, e.g., Gray v. Howard Cnty. Bd. of Elections*, 218 Md. App. 654, 656 n.1 (2014).

4. Every additional day of delay leaves Petitioners in limbo and exposes them to significant harm. The unresolved referendum cloud has already complicated and delayed commercial discussions, slowed certain development across the CDI Overlay Zone, and further creates adverse—and potentially irreversible—effects on the very business activity that Ordinance 26-01-001 was enacted to enable.

5. Petitioners' pending Motion to Stay is particularly important, and SB-29 only heightens the need for that relief. Together with the Emergency Joint Motion to Consolidate and the Emergency Joint Rule 1-204 Motion to Shorten Schedule, the stay will enable the parties to litigate these serious legal challenges on an expedited basis without the risk that SB-29's accelerated ballot-certification deadline will disrupt the proceedings and require Petitioners to seek additional or different relief. Co-petitioners in all related cases agree. *See* Ex. 1 ¶ 6. The Board of Elections has also weighed in. It does not oppose the stay and agrees that prompt judicial guidance is required as it prepares for the primary and November ballots. *Resp. of Frederick Cnty. Bd. of Elections to Pet'rs' Rule 7-205 Mot. to Stay* ¶ 2 (May 4, 2026) ("BOE Response"). All involved would benefit from a speedy resolution on the expedited schedule proposed by Petitioners, which would allow the Board of Elections to focus on the upcoming primaries while securing a final merits decision well before the November general election.

6. The Referendum Committee's position is especially indefensible because it initiated this process. It placed the referendum before the Board of Elections with full knowledge of the legal memoranda rejecting its validity. The Committee further publicly acknowledged since January 2026 that legal challenges were certain and knew that § 6-209(a)(3)(i) required expedition. It now seeks to convert a late change of counsel—citing a purported conflict—into an open-ended delay. New counsel is a sophisticated firm that regularly handles complex litigation across the country and is no stranger to expedited proceedings. The Committee's own press materials confirm that it had "long been preparing for a legal challenge" and had consulted three different lawyers on the issue. *See* Ex. 1 ¶ 11 (Ex. 1-C) (Press Release, Frederick Cnty. Data Ctr. Referendum Comm. (Apr. 10, 2026)). Even with the change in counsel, the Committee has the

benefit of four months of preparation and a public record on the election calendar that long predates the representation.

7. The Referendum Committee has not shown good cause for an open-ended extension. Notably, it is not even a party to the Title 7 judicial-review action—the very proceeding in which the Motion to Stay is pending—nor has it sought to respond to the Petition.

## II. ARGUMENT

### A. The Committee’s Open-Ended Request Is The Opposite Of What The Statute Commands

8. Section 6-209(a)(3)(i) is mandatory. It directs that judicial review of a referendum determination “shall be heard and decided . . . as expeditiously as the circumstances require.” Md. Code, Elec. Law § 6-209(a)(3)(i). The General Assembly included this provision because referendum disputes carry electoral consequences that ordinary civil deadlines cannot accommodate. Maryland courts respect this directive as a matter of course. *See Gray*, 218 Md. App. at 656 n.1 (holding argument fourteen days before the ballot-certification deadline and deciding the case five days later); *Prince George’s Cnty. v. Thurston*, 479 Md. 575, 584-85 (2022) (resolving referendum dispute from circuit-court judgment through appeal in roughly five weeks).

9. The Referendum Committee’s motion is silent on § 6-209(a)(3)(i) and does not mention the election calendar. Even more problematic, the relief it seeks would create circular delay. The Referendum Committee asks the Court to extend both the answer deadline and its deadline to respond to the Motion to Stay until thirty days after the Court resolves the Joint Motion to Consolidate. Mot. ¶ 10. Yet the Referendum Committee acknowledges that under Rule 2-311(b) the response window for the consolidation motion runs fifteen days after service or “within the time allowed for a party’s original pleading pursuant to Rule 2-321(a), whichever is later.” Mot. ¶ 5. This produces a procedural loop: the answer would not be due until the consolidation

motion is decided, but the consolidation motion cannot be resolved until the response period expires—which, on the Referendum Committee’s own framing, would not occur until the answer is filed.

**B. SB 29 Compresses The Timeline And The Stalled Ordinance Inflicts Mounting Harm**

10. The election calendar faces further compression. SB 29, which has passed both houses of the Maryland General Assembly, advances the County Attorney’s ballot-certification deadline from August to July 1. *Compare* Md. Code, Elec. Law § 7-103(c)(3)(i), *with* S.B. 29, 2026 Leg., 447th Sess. (Md. 2026); *see* Ex. 1 ¶ 7 (Ex. 1-B). Petitioners recently learned that the Governor is expected to sign the bill within the next week. *See* Ex. 1 ¶ 8.

11. This accelerated deadline bears directly on the relief the Referendum Committee seeks. Even with consolidation and prompt briefing, a merits decision seems challenging before July 1 under the default timeline, let alone any appeal, which the Referendum Committee has publicly committed to pursue. *See* Ex. 1 ¶ 12 (Ex. 1-D) (Fundraising Letter, Frederick Cnty. Data Ctr. Referendum Comm. (Apr. 12, 2026)) (“We continue to believe that the ordinance is subject to a referendum and, if necessary, will take the issue to the highest court in Maryland.”). Granting the requested delay would place the Board of Elections in a difficult position: it would be required to decide whether to certify the referendum for the ballot while this challenge remains pending. This is precisely the type of uncertainty the Board seeks to avoid by not opposing the Motion to Stay. Petitioners would then be forced to pursue additional emergency relief or a separate action to address certification, creating unnecessary burden on the Court, the parties, and the electoral system.

**C. The Referendum Committee Has No Standing To Delay The Motion To Stay In The Title 7 Action**

12. The Motion to Stay is pending in the Title 7 judicial-review action brought solely against the Board of Elections and its Director. The Referendum Committee is not a party to that proceeding and has not sought to respond to the Petition. There is no procedural basis for a non-party to delay relief sought against a different party. The Board and its Director—the sole respondents in the Title 7 action—do not oppose the stay. It “takes no position” on the Stay Motion and asks for resolution “sooner than later” so it may focus on administering the June primaries. BOE Response, *supra*. Furthermore, all co-petitioners in the related actions support granting the Motion to Stay and oppose the Referendum Committee’s request for an unworkable and unwarranted extension. *See* Ex. 1 ¶ 6.

**D. The Referendum Committee’s Stated Justifications Do Not Establish Cause**

13. The Referendum Committee offers three reasons for an open-ended extension. None is persuasive.

14. *First*, it asserts that, absent an extension, it will have to file separate answers in each of the cases in which it is named. Mot. ¶¶ 8, 11. This concern dissolves upon consolidation, to which it can simply consent. The pending Joint Motion to Consolidate is unopposed by every other party, and a single answer would follow as a matter of course once the cases are joined.

15. *Second*, the Referendum Committee notes that its current counsel was only recently retained. Mot. ¶ 12. A change of counsel does not justify delaying this statutorily expedited proceeding. The Referendum Committee has been on notice of this litigation since at least January 2026, when the County Attorney concluded that Ordinance 26-01-001 is not subject to referendum. Its own press materials confirm it consulted three different lawyers and that it “is not surprised by the efforts to challenge the decision made by the Board of Elections” and “has long been preparing

for a legal challenge to [its] efforts.” See Ex. 1 ¶ 11 (Ex. 1-C) (Press Release, Frederick Cnty. Data Ctr. Referendum Comm. (Apr. 10, 2026)). New counsel—a sophisticated law firm—therefore inherits four months of preparation, along with the petitions, the pending motions, and the public record of the expedited election calendar and statutory requirements.

16. *Third*, the Referendum Committee asserts in conclusory fashion that “[t]here will be no prejudice to any party in this action, the motion is timely, and the interests of justice will be well served if the relief requested is granted.” Mot. ¶ 14. The record shows otherwise. By operation of Charter § 308(d), certification of the referendum suspends Ordinance 26-01-001, placing an industry-defining zoning measure in legal limbo and freezing certain development across the CDI Overlay Zone. This creates concrete and ongoing prejudice to Petitioners. Conversely, the Referendum Committee identifies no specific prejudice on its own—no witness unavailability, no document gap, no legal complexity beyond what every party in this litigation faces. Its claim is further belied by its own public statements about its readiness for an expedited challenge.

### **III. CONCLUSION**

17. The Court should deny the motion to extend, grant Petitioners’ Motion to Stay, grant the Emergency Joint Motion to Consolidate, and set a hearing, ideally early next week, to address the remaining pending motions, including an appropriate, expedited schedule that comports with Maryland Election Law § 6-209(a)(3)(i).

### **REQUEST FOR A HEARING**

Pursuant to Rule 2-311(f), Petitioners respectfully request that this Court hold a hearing/status conference to address these issues.

Date: May 7, 2026

Respectfully submitted,

**LONGMAN & VAN GRACK, LLC**

/s/ Adam L. Van Grack

Adam L. Van Grack, Esq. (CPF# 0212190262)

/s/ Theodore B. Kiviat

Theodore B. Kiviat, Esq. (CPF# 0101110004)

10411 Motor City Drive, Suite 750

Bethesda, Maryland 20817

Telephone: (301) 291-5027

Fax: (301) 291-5028

avangrack@lvglawfirm.com

tkiviat@lvglawfirm.com

**QUINN EMANUEL URQUHART &  
SULLIVAN, LLP**

Keith H. Forst

*(Motion for Special Admission Pending)*

Asher Griffin

*(Motion for Special Admission Pending)*

José R. Pereyó

*(Motion for Special Admission Pending)*

Paul D. Henderson

*(Motion for Special Admission Pending)*

555 13th Street NW, Suite 600

Washington, District of Columbia 20004

Telephone: (202) 538-8000

Fax: (202) 538-8100

keithforst@quinnemanuel.com

josepereyo@quinnemanuel.com

paulhenderson@quinnemanuel.com

*Counsel for Petitioners-Plaintiffs Quantum  
Maryland, LLC and Joan Aquilino*

**CERTIFICATE REGARDING RESTRICTED INFORMATION**

I, Adam L. Van Grack, HEREBY CERTIFY that this submission does not contain any restricted information.

/s/ Adam L. Van Grack  
Adam L. Van Grack, Esq. (CPF# 0212190262)

**CERTIFICATE OF SERVICE**

I, Adam L. Van Grack, HEREBY CERTIFY that on this 7th day of May, 2026, a copy of the foregoing *Petitioners’ Opposition to Defendant Frederick County Data Center Referendum Committee’s Motion to Extend Time to File an Answer and Response to Petitioners’ Motion to Stay and Request for Hearing* was filed electronically in the Maryland Electronic Court Filing Systems (MDEC) in the above-captioned matter and served on all parties registered for service in the MDEC System and/or via U.S. Mail, including the following:

<p><b>Defendant Frederick County Data Center Referendum Committee</b></p> <p>David Bernard Fischer, Esq. <i>via MDEC</i>  Victoria Tinker, Esq. <i>via U.S. Mail</i>  Galen David Rende, Esq. <i>via U.S. Mail</i>  Keller and Heckman LLP  1001 G Street NW  Suite 500 West  Washington, D.C. 20001</p>	<p><b>Defendant Frederick County Board of Elections</b></p> <p>Daniel Bernard Loftus, Esq. <i>via MDEC</i>  10 N. Jefferson, Suite 400  Frederick MD 21701</p>
<p><b>Defendant Barbara Wagner</b></p> <p>Daniel Bernard Loftus, Esq. <i>via MDEC</i>  10 N. Jefferson, Suite 400  Frederick MD 21701</p>	

Courtesy copies were also provided via e-mail as follows:

<p><b>Plaintiffs Windridge Properties L.C., and Theodore H. Butz</b></p> <p>Frederick County Circuit Court Case No. C-10-CV-26-000321; <i>In the Matter of Windridge Properties LC et al</i></p> <p><b>OFFIT KURMAN P.A.</b> 7021 Columbia Gateway Drive, Suite 200 Columbia, Maryland 21046</p> <p>William E. Erskine, Esq. werskine@offikurman.com</p>	<p><b>Plaintiffs Rowan Frederick LLC, Rowan Frederick II LLC, and Rowan Frederick III LLC</b></p> <p>Frederick County Circuit Court Case No. C-10-CV-26-000326; <i>In the Matter of Barbara Wagner</i></p> <p><b>BAKER, DONELSON, BEARMAN, CALDWELL &amp; BERKOWITZ, P.C.</b> 100 Light Street, 19th Floor Baltimore, MD 21202</p> <p>Charles R. Schaller: cschaller@bakerdonelson.com Christopher C. Dahl cdahl@bakerdonelson.com Michael A. Brown mbrown@bakerdonelson.com</p>
<p><b>Plaintiffs Frederick Data Owner, LLC and Justin Cassity</b></p> <p>Frederick County Circuit Court Case No. C-10-CV-26-000327; <i>In the Matter of Justin Cassity</i></p> <p><b>SELZER, GURVITCH, RABIN, WERTHEIMER &amp; POLOTT, PC</b> 4416 East West Highway, Suite 400 Bethesda, MD 20814</p> <p>Jesse D Stein, Esq. jstein@sgrwlaw.com C. Robert Dalrymple, Esq. bdalrymple@sgrwlaw.com Elizabeth J. McInturff, Esq. emcinturff@sgrwlaw.com</p>	<p><b>Plaintiff NDR Properties, LLC and David Pleasants</b></p> <p>Frederick County Circuit Court Case No. C-10-CV-26-000325; <i>In the Matter of David S. Pleasants</i></p> <p><b>MCNEES WALLACE &amp; NURICK LLC</b> 8490 Progress Drive Suite 225 Frederick, Maryland 21701</p> <p>Paul D. Rose, Jr. prose@mcneeslaw.com Derek P. Roussillon droussillon@mcneeslaw.com Matthew K. Graham mgraham@mcneeslaw.com</p>

/s/ Adam L. Van Grack  
Adam L. Van Grack, Esq. (CPF# 0212190262)

# EXHIBIT 1

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

PETITION OF  
QUANTUM MARYLAND, LLC,

and

JOAN AQUILINO,

FOR JUDICIAL REVIEW OF  
THE DECISION OF THE FREDERICK  
COUNTY BOARD OF ELECTIONS,

and

BARBARA WAGNER

IN THE MATTER OF THE PETITION OF  
THE FREDERICK COUNTY DATA  
CENTER REFERENDUM COMMITTEE  
FOR REFERENDUM OF FREDERICK  
COUNTY COUNCIL ORDINANCE  
26-01-001

Case No. C-10-CV-26-000309

\* \* \* \* \*

QUANTUM MARYLAND, LLC, et al.

Plaintiffs,

v.

FREDERICK COUNTY BOARD OF  
ELECTIONS, et al.

Defendants.

Case No. C-10-CV-26-000309

\* \* \* \* \*

**AFFIDAVIT OF ADAM L. VAN GRACK, ESQ.**

I, Adam L. Van Grack, am over the age of 18 and competent to testify to the matters stated herein.

1. I am an attorney with the law firm of Longman & Van Grack, LLC, and I am a member of that firm.
2. I am counsel for Petitioners-Plaintiffs, Quantum Maryland LLC and Joan Aquilino.
3. The matters set forth in this Affidavit are true to the best of my knowledge, information, and belief, about which I could and would testify competently before this Court if called upon to do so.
4. I have practiced law since December of 2002 and have been a member of Longman & Van Grack, LLC since 2018. Prior to my joining Longman & Van Grack, LLC, I practiced as litigator at Steptoe & Johnson, Caplin & Drysdale, and thereafter with the Maryland law firm Shulman, Rogers, Gandal, Pordy & Ecker, P.A. I have been licensed to practice law in the State of Maryland since 2002 and in the District of Columbia since 2003.
5. This Affidavit is being provided in support of Petitioners-Plaintiffs' Opposition to Defendant Frederick County Data Center Referendum Committee's Motion to Extend Time Requirements to File an Answer and Response to Petitioners' Motion to Stay ("**Opposition**") which is being filed together with this Affidavit.
6. Counsel for all of the petitioners-plaintiffs in the similar matters seeking Judicial Review of the Decision of the Frederick County Board of Elections (*Windridge Properties L.C. and Theodore H. Butz v. Frederick County Board of Elections, et al.*, Case No. C-10-CV-26-000321; *NDR Properties, LLC and David S. Pleasants v. Frederick County Board of Elections, et al.*, Case No. C-10-CV-26-000325; *Rowan Frederick LLC, Rowan Frederick II LLC, and Rowan Frederick III LLC v. Frederick County Board of Elections, et al.*, Case No. C-10-CV-26-000326; and *Frederick Data Owner, LLC and Justin Cassity v. Frederick County Board of Elections, et al.*, Case No. C-10-CV-26-000327) have each provided me with written

confirmation that they jointly consent to all the positions stated by Petitioners-Plaintiffs in the Opposition pursuant to the email communication at **Exhibit 1-A**.

7. Attached as **Exhibit 1-B** to this Affidavit is a true and correct copy of Maryland Senate Bill 29 titled “Election Law - Petitions and Ballot Questions - Contents, Plain Language Requirement, and Procedures” which, as of April 13, 2026, was passed by both the Maryland Senate and the Maryland House of Delegates (“**New Referendum Law**”).

8. I am aware that Maryland Governor Wes Moore is expected to sign the New Referendum Law into law on Tuesday, May 12, 2026.

9. The language of the New Referendum Law states that it “shall take effect on June 1, 2026.”


10. The language of the New Referendum Law states that regarding a County referendum petition, the New Referendum Law changes existing Maryland Law whereas with the New Referendum Law, the preparation and certification of a referendum question for inclusion on a county ballot is to occur “on or before July 1 immediately proceeding a general election.”

11. Attached as **Exhibit 1-C** to this Affidavit is a true and correct copy of a Letter from the Frederick County Data Center Referendum Committee which was published on the Facebook Social Media Page for the Committee.

12. Attached as **Exhibit 1-D** to this Affidavit is a true and correct copy of a Fundraising Announcement from the Frederick County Data Center Referendum Committee which was published on the Facebook Social Media Page for the Committee.

**I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS DOCUMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.**

Date: May 7, 2026

By:   
Adam L. Van Grack, Esquire

# **EXHIBIT 1-A**

**RE: Referendum Committee's Motion to Extend Time**

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**From** Schaller, Charles <cschaller@bakerdonelson.com>

**Date** Thu 5/7/2026 11:53 AM

**To** Jose Pereyo <josepereyo@quinnemanuel.com>; Dahl, Christopher <cdahl@bakerdonelson.com>; Roussillon, Derek <DRoussillon@mcneeslaw.com>; Brown, Mike <mbrown@bakerdonelson.com>; Graham, Matthew <MGraham@mcneeslaw.com>; Elizabeth McInturff <EMcInturff@sgrwlaw.com>; Manalo, Noel <Noel.Manalo@offitkurman.com>; C. Robert (Bob) Dalrymple <bdalrymple@sgrwlaw.com>; Wolf, Anne <Anne.Wolf@mcneeslaw.com>; Rose, Paul D JR <prose@mcneeslaw.com>; Erskine, William <werskine@offitkurman.com>; Jesse Stein <JStein@sgrwlaw.com>

**Cc** Quantum-FC <quantum-fc@quinnemanuel.com>; Keith Forst <keithforst@quinnemanuel.com>; Asher Griffin <ashergriffin@quinnemanuel.com>; Paul Henderson <paulhenderson@quinnemanuel.com>; 'Adam Van Grack' <avangrack@lvglawfirm.com>; 'Theodore B. Kiviat, Esq.' <tkiviat@lvglawfirm.com>

**[EXTERNAL EMAIL from [cschaller@bakerdonelson.com](mailto:cschaller@bakerdonelson.com)]**

---

Jose

The Rowan parties concur as to the Motion to Stay.

**Charles R. Schaller**  
Of Counsel

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
100 Light Street  
19<sup>th</sup> Floor  
Baltimore, MD 21202

Phone 410.862.1120  
**[cschaller@bakerdonelson.com](mailto:cschaller@bakerdonelson.com)**

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC represents clients across the U.S. and abroad from offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, South Carolina, Tennessee, Texas, Virginia and Washington, D.C.

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**From:** Jose Pereyo <josepereyo@quinnemanuel.com>  
**Sent:** Thursday, May 7, 2026 11:45 AM  
**To:** Schaller, Charles <cschaller@bakerdonelson.com>; Dahl, Christopher <cdahl@bakerdonelson.com>; Roussillon, Derek <DRoussillon@mcneeslaw.com>; Brown, Mike <mbrown@bakerdonelson.com>; Graham, Matthew <MGraham@mcneeslaw.com>; Elizabeth McInturff <EMcInturff@sgrwlaw.com>; Manalo, Noel <Noel.Manalo@offitkurman.com>; C. Robert (Bob) Dalrymple <bdalrymple@sgrwlaw.com>; Wolf, Anne <Anne.Wolf@mcneeslaw.com>; Rose, Paul D JR <prose@mcneeslaw.com>; Erskine, William <werskine@offitkurman.com>; Jesse Stein <JStein@sgrwlaw.com>  
**Cc:** Quantum-FC <quantum-fc@quinnemanuel.com>; Keith Forst <keithforst@quinnemanuel.com>; Asher Griffin <ashergriffin@quinnemanuel.com>; Paul Henderson <paulhenderson@quinnemanuel.com>; 'Adam Van Grack' <avangrack@lvglawfirm.com>; 'Theodore B. Kiviat, Esq.' <tkiviat@lvglawfirm.com>  
**Subject:** Referendum Committee's Motion to Extend Time

Dear all,

You will have seen that the Referendum Committee's new counsel filed motions in each of the pending actions asking for an extension of time to respond to Quantum Maryland's motion to stay, as well as the Referendum Committee's respective answers in each case until after 30 days after the Court rules on the motion to consolidate.

As you may remember, Quantum Maryland filed a motion to stay on April 10, 2026, that is still pending resolution. I understand that no other motions to stay have been filed in the other related cases, but that you also agree to the stay of the Board of Elections' Determination dated April 3, 2026. Until consolidation is granted, do you all agree with Quantum Maryland's motion to stay the Board of Elections' Determination dated April 3, 2026? We would like to convey to the Court that all petitioners agree.

Relatedly, we are preparing an opposition to the Referendum Committees' motion to extend the time to answer. Do you also agree to request the Court that it deny the Referendum Committee's motion? You are of course welcome to file your own oppositions, but again we want to convey that we are all in agreement here.

Please kindly respond to this email at your earliest convenience today. We will submit this email to the Court as part of our opposition.

Best regards,

José

NOTICE: This electronic mail transmission with any attachments may constitute an attorney-client communication, protected health information (PHI) or other confidential information that is in fact confidential, legally protected from disclosure and/or protected by the attorney-client privilege. If you are the intended recipient, please maintain confidentiality and be aware that forwarding this e-mail to others may result in a waiver of these protections and privileges and regardless electronic communications may be at times illegally accessed and viewed. If you are not the intended recipient, this e-mail is not intended for transmission to you, nor to be read, reviewed, used, distributed or even received by you or any other unauthorized persons. If you have received this electronic mail transmission in error, please double delete it from your system immediately without copying, reading or disseminating it, and notify the sender by reply e-mail, so that our address record can be corrected. Thank you very much.



Outlook

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**RE: Referendum Committee's Motion to Extend Time**

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**From** Rose, Paul D JR <prose@mcneeslaw.com>

**Date** Thu 5/7/2026 11:54 AM

**To** Jose Pereyo <josepereyo@quinnemanuel.com>

**Cc** Roussillon, Derek <DRoussillon@mcneeslaw.com>; Wolf, Anne <Anne.Wolf@mcneeslaw.com>

**[EXTERNAL EMAIL from [prose@mcneeslaw.com](mailto:prose@mcneeslaw.com)]**

---

Jose:

NDR agrees with Quantum's motion to stay the Board of Elections' Determination, dated April 3, 2026.

NDR also agrees that the Court should deny the Referendum Committee's motion to extend the time to answer.

Thanks,  
Paul

---

**From:** Jose Pereyo <josepereyo@quinnemanuel.com>

**Sent:** Thursday, May 7, 2026 11:45 AM

**To:** 'Schaller, Charles' <cschaller@bakerdonelson.com>; 'Dahl, Christopher' <cdahl@bakerdonelson.com>; Roussillon, Derek <DRoussillon@mcneeslaw.com>; 'Brown, Mike' <mbrown@bakerdonelson.com>; Graham, Matthew <MGraham@mcneeslaw.com>; Elizabeth McInturff <EMcInturff@sgrwlaw.com>; Manalo, Noel <Noel.Manalo@offitkurman.com>; C. Robert (Bob) Dalrymple <bdalrymple@sgrwlaw.com>; Wolf, Anne <Anne.Wolf@mcneeslaw.com>; Rose, Paul D JR <prose@mcneeslaw.com>; Erskine, William <werskine@offitkurman.com>; Jesse Stein <JStein@sgrwlaw.com>

**Cc:** Quantum-FC <quantum-fc@quinnemanuel.com>; Keith Forst <keithforst@quinnemanuel.com>; Asher Griffin <ashergriffin@quinnemanuel.com>; Paul Henderson <paulhenderson@quinnemanuel.com>; 'Adam Van Grack' <avangrack@lvglawfirm.com>; 'Theodore B. Kiviat, Esq.' <tkiviat@lvglawfirm.com>

**Subject:** Referendum Committee's Motion to Extend Time

[EXTERNAL]

Dear all,

You will have seen that the Referendum Committee's new counsel filed motions in each of the pending actions asking for an extension of time to respond to Quantum Maryland's motion to stay, as well as the Referendum Committee's respective answers in each case until after 30 days after the Court rules on the motion to consolidate.

As you may remember, Quantum Maryland filed a motion to stay on April 10, 2026, that is still pending resolution. I understand that no other motions to stay have been filed in the other related cases, but that you also agree to the stay of the Board of Elections' Determination dated April 3, 2026. Until consolidation is granted, do you all agree with Quantum Maryland's motion to stay the Board of Elections' Determination dated April 3, 2026? We would like to convey to the Court that all petitioners agree.

Relatedly, we are preparing an opposition to the Referendum Committees' motion to extend the time to answer. Do you also agree to request the Court that it deny the Referendum Committee's motion? You are of course welcome

to file your own oppositions, but again we want to convey that we are all in agreement here.

Please kindly respond to this email at your earliest convenience today. We will submit this email to the Court as part of our opposition.

Best regards,

José

**RE: Referendum Committee's Motion to Extend Time**

---

**From** Erskine, William <werskine@offitkurman.com>

**Date** Thu 5/7/2026 3:36 PM

**To** C. Robert (Bob) Dalrymple <bdalrymple@sgrwlaw.com>; Jose Pereyo <josepereyo@quinnemanuel.com>; 'Schaller, Charles' <cschaller@bakerdonelson.com>; 'Dahl, Christopher' <cdahl@bakerdonelson.com>; Roussillon, Derek <DRoussillon@mcneeslaw.com>; 'Brown, Mike' <mbrown@bakerdonelson.com>; Graham, Matthew <MGraham@mcneeslaw.com>; Elizabeth McInturff <EMcInturff@sgrwlaw.com>; Manalo, Noel <Noel.Manalo@offitkurman.com>; Wolf, Anne <Anne.Wolf@mcneeslaw.com>; Rose, Paul D JR <prose@mcneeslaw.com>; Jesse Stein <JStein@sgrwlaw.com>

**Cc** Quantum-FC <quantum-fc@quinnemanuel.com>; Keith Forst <keithforst@quinnemanuel.com>; Asher Griffin <ashergriffin@quinnemanuel.com>; Paul Henderson <paulhenderson@quinnemanuel.com>; 'Adam Van Grack' <avangrack@lvglawfirm.com>; 'Theodore B. Kiviat, Esq.' <tkiviat@lvglawfirm.com>

[EXTERNAL EMAIL from [werskine@offitkurman.com](mailto:werskine@offitkurman.com)]

---



**This message needs your attention**

- Some Recipients have never replied to this person.

Jose,  
Windridge is in agreement. The BOE determination should be stayed, and we oppose the Referendum Committee's motion to extend time to answer. Please convey our position to the court. Thank you.  
Sincerely,

*William E. Erskine*



**William Erskine**  
Principal  
D 301.575.0363  
M 443.864.8844  
werskine@offitkurman.com

7021 Columbia Gateway Drive  
Suite 200  
Columbia, MD 21046  
T 301.575.0300  
F 301.575.0335  
offitkurman.com

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CONNECT ON LINKEDIN

---

**From:** C. Robert (Bob) Dalrymple <bdalrymple@sgrwlaw.com>  
**Sent:** Thursday, May 7, 2026 3:28 PM  
**To:** Jose Pereyo <josepereyo@quinnemanuel.com>; 'Schaller, Charles' <cschaller@bakerdonelson.com>; 'Dahl, Christopher' <cdahl@bakerdonelson.com>; Roussillon, Derek <DRoussillon@mcneeslaw.com>; 'Brown, Mike' <mbrown@bakerdonelson.com>; Graham, Matthew <MGraham@mcneeslaw.com>; Elizabeth McInturff <EMcInturff@sgrwlaw.com>; Manalo, Noel <Noel.Manalo@offitkurman.com>; Wolf, Anne <Anne.Wolf@mcneeslaw.com>; Rose, Paul D JR <prose@mcneeslaw.com>; Erskine, William <werskine@offitkurman.com>; Jesse Stein <JStein@sgrwlaw.com>  
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**Subject:** RE: Referendum Committee's Motion to Extend Time

Frederick Data Centers will go along with the consolidated group's positions.  
Bob

--  
**Bob Dalrymple, Esq.**  
Attorney at Law

(301) 634-3148 Direct  
[bdalrymple@sgrwlaw.com](mailto:bdalrymple@sgrwlaw.com)  
Selzer Gurvitch Rabin Wertheimer & Polott, P.C.

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---

**From:** Jose Pereyo <[josepereyo@quinnemanuel.com](mailto:josepereyo@quinnemanuel.com)>  
**Sent:** Thursday, May 7, 2026 11:45 AM  
**To:** 'Schaller, Charles' <[cschaller@bakerdonelson.com](mailto:cschaller@bakerdonelson.com)>; 'Dahl, Christopher' <[cdahl@bakerdonelson.com](mailto:cdahl@bakerdonelson.com)>; Roussillon, Derek <[DRoussillon@mcneeslaw.com](mailto:DRoussillon@mcneeslaw.com)>; 'Brown, Mike' <[mbrown@bakerdonelson.com](mailto:mbrown@bakerdonelson.com)>; Graham, Matthew <[MGraham@mcneeslaw.com](mailto:MGraham@mcneeslaw.com)>; Elizabeth McInturff <[EMcInturff@sgrwlaw.com](mailto:EMcInturff@sgrwlaw.com)>; Manalo, Noel <[Noel.Manalo@offitkurman.com](mailto:Noel.Manalo@offitkurman.com)>; C. Robert (Bob) Dalrymple <[bdalrymple@sgrwlaw.com](mailto:bdalrymple@sgrwlaw.com)>; Wolf, Anne <[Anne.Wolf@mcneeslaw.com](mailto:Anne.Wolf@mcneeslaw.com)>; Rose, Paul D JR <[prose@mcneeslaw.com](mailto:prose@mcneeslaw.com)>; Erskine, William <[werskine@offitkurman.com](mailto:werskine@offitkurman.com)>; Jesse Stein <[JStein@sgrwlaw.com](mailto:JStein@sgrwlaw.com)>  
**Cc:** Quantum-FC <[quantum-fc@quinnemanuel.com](mailto:quantum-fc@quinnemanuel.com)>; Keith Forst <[keithforst@quinnemanuel.com](mailto:keithforst@quinnemanuel.com)>; Asher Griffin <[ashergriffin@quinnemanuel.com](mailto:ashergriffin@quinnemanuel.com)>; Paul Henderson <[paulhenderson@quinnemanuel.com](mailto:paulhenderson@quinnemanuel.com)>; 'Adam Van Grack' <[avangrack@lvglawfirm.com](mailto:avangrack@lvglawfirm.com)>; 'Theodore B. Kiviat, Esq.' <[tkiviat@lvglawfirm.com](mailto:tkiviat@lvglawfirm.com)>  
**Subject:** [EXT] Referendum Committee's Motion to Extend Time

Dear all,

You will have seen that the Referendum Committee's new counsel filed motions in each of the pending actions asking for an extension of time to respond to Quantum Maryland's motion to stay, as well as the Referendum Committee's respective answers in each case until after 30 days after the Court rules on the motion to consolidate.

As you may remember, Quantum Maryland filed a motion to stay on April 10, 2026, that is still pending resolution. I understand that no other motions to stay have been filed in the other related cases, but that you also agree to the stay of the Board of Elections' Determination dated April 3, 2026. Until consolidation is granted, do you all agree with Quantum Maryland's motion to stay the Board of Elections' Determination dated April 3, 2026? We would like to convey to the Court that all petitioners agree.

Relatedly, we are preparing an opposition to the Referendum Committees' motion to extend the time to answer. Do you also agree to request the Court that it deny the Referendum Committee's motion? You are of course welcome to file your own oppositions, but again we want to convey that we are all in agreement here.

Please kindly respond to this email at your earliest convenience today. We will submit this email to the Court as part of our opposition.

Best regards,

José

---

**PRIVILEGED COMMUNICATION/PRIVACY NOTICE**

Information contained in this transmission is attorney-client privileged and confidential. It is solely intended for use by the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and delete this communication.

**RE: Referendum Committee's Motion to Extend Time**

---

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**Date** Thu 5/7/2026 3:28 PM

**To** Jose Pereyo <josepereyo@quinnemanuel.com>; 'Schaller, Charles' <cschaller@bakerdonelson.com>; 'Dahl, Christopher' <cdahl@bakerdonelson.com>; Roussillon, Derek <DRoussillon@mcneeslaw.com>; 'Brown, Mike' <mbrown@bakerdonelson.com>; Graham, Matthew <MGraham@mcneeslaw.com>; Elizabeth McInturff <EMcInturff@sgrwlaw.com>; Manalo, Noel <Noel.Manalo@offitkurman.com>; Wolf, Anne <Anne.Wolf@mcneeslaw.com>; Rose, Paul D JR <prose@mcneeslaw.com>; Erskine, William <werskine@offitkurman.com>; Jesse Stein <JStein@sgrwlaw.com>

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Please kindly respond to this email at your earliest convenience today. We will submit this email to the Court as part of our opposition.

Best regards,

José

# **EXHIBIT 1-B**

# SENATE BILL 29

G1  
SB 615/25 – EEE

(PRE-FILED)

6lr0708  
CF HB 44

---

By: **Senator Kagan**

Requested: August 20, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

---

Committee Report: Favorable

Senate action: Adopted

Read second time: February 3, 2026

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Election Law – Petitions and Ballot Questions – Contents, Plain Language**  
3 **Requirement, and Procedures**

4 FOR the purpose of altering the information that is required to be included on the signature  
5 page of a petition seeking to place a question on the ballot and with a question on  
6 the ballot; requiring that a certain summary included on the signature page of a  
7 petition seeking to place a question on the ballot and a certain statement about a  
8 question on the ballot be written in plain language; altering the deadline by which  
9 ballot questions must be prepared and certified; requiring the State Board of  
10 Elections to make certain information regarding a ballot question available for a  
11 public comment period; requiring the State Board and each applicable local board of  
12 elections to post certain information relating to certain ballot questions for at least  
13 a certain period of time before the general election; and generally relating to petitions  
14 and ballot questions.

15 BY repealing and reenacting, with amendments,  
16 Article – Election Law  
17 Section 6–103(b), 6–201(c) and (d), 7–103(b) and (c), 7–105, and 9–207  
18 Annotated Code of Maryland  
19 (2022 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, without amendments,  
21 Article – Election Law  
22 Section 6–201(a)

---

### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2022 Replacement Volume and 2025 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
4 That the Laws of Maryland read as follows:

5 **Article – Election Law**

6 6–103.

7 (b) (1) The State Board shall:

8 (i) prepare guidelines and instructions relating to the petition  
9 process; and

10 (ii) design and arrange to have sample forms available to the public  
11 conforming to this title for each purpose for which a petition is authorized by law.

12 (2) **WHEN PREPARING GUIDELINES AND INSTRUCTIONS FOR**  
13 **COMPLIANCE WITH THE PLAIN LANGUAGE REQUIREMENT OF § 6–201(C)(2)(II) OF**  
14 **THIS TITLE, THE STATE BOARD SHALL:**

15 (I) **CONSIDER ANY GENERALLY ACCEPTED GUIDELINES**  
16 **REGARDING COMPLIANCE WITH THE FEDERAL PLAIN WRITING ACT OF 2010; AND**

17 (II) **PROHIBIT THE USE OF THE PASSIVE VOICE, LEGAL JARGON,**  
18 **AND DOUBLE NEGATIVES.**

19 (3) The guidelines, instructions, and forms shall be provided to the public,  
20 on request, without charge.

21 6–201.

22 (a) A petition shall contain:

23 (1) an information page; and

24 (2) signature pages containing not less than the total number of signatures  
25 required by law to be filed.

26 (c) Each signature page shall contain:

27 (1) a description of the subject and purpose of the petition, conforming to  
28 the requirements of regulations;

29 (2) if the petition seeks to place a question on the ballot[, either]:

1 (i) A BRIEF TITLE THAT DESCRIBES THE TOPIC, GOAL, OR  
2 OUTCOME OF THE BALLOT QUESTION;

3 (II) 1. a fair and accurate summary of the substantive provisions  
4 of the proposal WRITTEN IN PLAIN, CLEAR LANGUAGE THAT:

5 A. A VOTER CAN EASILY UNDERSTAND;

6 B. DOES NOT EXPLAIN THE LEGAL MECHANISM  
7 PROVIDING FOR THE POLICY CHANGE; AND

8 C. DOES NOT CONTAIN LEGAL JARGON OR USE DOUBLE  
9 NEGATIVES OR THE PASSIVE VOICE; or

10 [(ii)] 2. the full text of the proposal; AND

11 (III) A BRIEF STATEMENT EXPLAINING WHAT THE PRACTICAL  
12 OUTCOME OF EACH VOTING CHOICE WOULD BE;

13 (3) a statement, to which each signer subscribes, that:

14 (i) the signer supports the purpose of that petition process; and

15 (ii) based on the signer's information and belief, the signer is a  
16 registered voter in the county specified on the page and is eligible to have his or her  
17 signature counted;

18 (4) spaces for signatures and the required information relating to the  
19 signers;

20 (5) a space for the name of the county in which each of the signers of that  
21 page is a registered voter;

22 (6) a space for the required affidavit made and executed by the circulator;  
23 and

24 (7) any other information required by regulation.

25 (d) If the petition seeks to place a question on the ballot and the sponsor elects to  
26 print a summary of the proposal on each signature page as provided in subsection [(c)(2)(i)]  
27 (C)(2)(II)1 of this section:

28 (1) the circulator shall have the full text of the proposal present at the time  
29 and place that each signature is affixed to the page; and

1 (2) the signature page shall state that the full text is available from the  
2 circulator.

3 7–103.

4 (b) Each question shall appear on the ballot containing the following information:

5 (1) a question number or letter as determined under subsection (d) of this  
6 section;

7 (2) a brief designation of the type or source of the question;

8 (3) a brief [descriptive] title in boldface type **THAT DESCRIBES THE**  
9 **TOPIC, GOAL, OR OUTCOME OF THE BALLOT QUESTION;**

10 (4) a condensed statement [of the purpose of the question] **DESCRIBING**  
11 **THE CHANGE IN POLICY TO BE ADOPTED IN PLAIN AND CLEAR LANGUAGE THAT:**

12 (I) **A VOTER CAN EASILY UNDERSTAND;**

13 (II) **DOES NOT EXPLAIN THE LEGAL MECHANISM PROVIDING**  
14 **FOR THE POLICY CHANGE; AND**

15 (III) **DOES NOT CONTAIN LEGAL JARGON OR USE DOUBLE**  
16 **NEGATIVES OR THE PASSIVE VOICE; [and]**

17 (5) the voting choices that the voter has; **AND**

18 (6) **A BRIEF STATEMENT EXPLAINING WHAT THE PRACTICAL**  
19 **OUTCOME OF EACH VOTING CHOICE WOULD BE.**

20 (c) (1) **[The] ON OR BEFORE JULY 1 IMMEDIATELY PRECEDING A**  
21 **GENERAL ELECTION, THE** Secretary of State shall prepare and certify to the State Board[,  
22 not later than the 95th day before the general election,] the information required under  
23 subsection (b) of this section, for all statewide ballot questions and all questions relating to  
24 an enactment of the General Assembly which is petitioned to referendum.

25 (2) **[The] ON OR BEFORE JULY 1 IMMEDIATELY PRECEDING A**  
26 **GENERAL ELECTION, THE** State Board shall prepare and certify to the appropriate local  
27 board[, not later than the 105th day before the general election,] the information required  
28 under subsection (b) of this section for all questions that have been referred to the voters of  
29 one county or part of one county pursuant to an enactment of the General Assembly.

30 (3) (i) **[The] ON OR BEFORE JULY 1 IMMEDIATELY PRECEDING A**  
31 **GENERAL ELECTION, THE** county attorney of the appropriate county shall prepare and

1 certify to the State Board[, not later than the 95th day before the general election,] the  
2 information required under subsection (b) of this section for each question to be voted on in  
3 a single county or part of a county, except a question covered by paragraph (1) or paragraph  
4 (2) of this subsection.

5 (ii) If the information required under subsection (b) of this section  
6 has not been timely certified under subparagraph (i) of this paragraph, the clerk of the  
7 circuit court for the jurisdiction shall prepare and certify that information to the State  
8 Board not later than the first Friday in August.

9 (4) (i) **[The] ON OR BEFORE JULY 1 IMMEDIATELY PRECEDING A**  
10 **GENERAL ELECTION, THE** municipal attorney of the appropriate municipal corporation  
11 shall prepare and certify to the State Board[, not later than the 95th day before the general  
12 election,] the information required under subsection (b) of this section for each question to  
13 be voted on in the municipal corporation, except a question covered by paragraphs (1)  
14 through (3) of this subsection.

15 (ii) If the information required under subsection (b) of this section  
16 has not been timely certified under subparagraph (i) of this paragraph, the clerk of the  
17 circuit court for the county in which the municipal corporation is located shall prepare and  
18 certify that information to the State Board not later than the first Friday in August.

19 (5) (I) **THE STATE BOARD SHALL MAKE THE INFORMATION**  
20 **SUBMITTED IN ACCORDANCE WITH THIS SUBSECTION AVAILABLE TO THE PUBLIC**  
21 **FOR A 15-DAY COMMENT PERIOD.**

22 (II) **ON OR BEFORE THE FOURTH DAY IMMEDIATELY**  
23 **FOLLOWING THE END OF THE COMMENT PERIOD REQUIRED UNDER SUBPARAGRAPH**  
24 **(I) OF THIS PARAGRAPH, THE PERSON REQUIRED TO PREPARE A QUESTION UNDER**  
25 **PARAGRAPH (1), (2), (3), OR (4) OF THIS SUBSECTION SHALL:**

26 1. **REVIEW THE COMMENTS RECEIVED DURING THE**  
27 **COMMENT PERIOD AND MAKE ANY NECESSARY CHANGES TO THE QUESTION; AND**

28 2. **SUBMIT THE CERTIFIED PLAIN TEXT OF THE**  
29 **QUESTION TO THE STATE BOARD FOR PUBLICATION ON ITS WEBSITE UNDER § 9-207**  
30 **OF THIS ARTICLE.**

31 (6) The information required under subsection (b) of this section for a  
32 question that is being placed on the ballot by petition may be prepared before the petition  
33 is certified under § 6-208 of this article.

34 7-105.

1 (a) A local board shall provide notice of each question to be submitted statewide  
2 and each question to be submitted to the voters of the county, by:

3 (1) specimen ballot mailed at least 1 week before any early voting period  
4 before the general election; or

5 (2) publication or dissemination by mass communication during the 3  
6 weeks immediately preceding the general election at which a question will appear on the  
7 ballot.

8 (b) (1) For any question submitted under Article XIV or Article XVI of the  
9 Maryland Constitution, the notice required by subsection (a) of this section shall contain  
10 the information specified in § 7–103(b) of this title and a brief statement, prepared in clear  
11 and concise language, devoid of technical and legal terms to the extent practicable,  
12 summarizing the question.

13 (2) The statement required under paragraph (1) of this subsection shall be:

14 (i) prepared by the Department of Legislative Services;

15 (ii) approved by the Attorney General; and

16 (iii) submitted to the State Board by the first Monday in August.

17 (3) The statement required under paragraph (1) of this subsection is  
18 sufficient if it is:

19 (i) contained in an enactment by the General Assembly, and the  
20 enactment clearly specifies that the statement is to be used on the ballot; or

21 (ii) consistent with some other process mandated by the Maryland  
22 Constitution.

23 (c) The State Board shall adopt regulations governing notice of questions to  
24 appear on the ballot, including the use and content of specimen ballots and the publication  
25 or dissemination of notice by mass communication.

26 (d) (1) The complete text of a question shall be posted or available for public  
27 inspection in the office of the State Board and each applicable local board for 65 days prior  
28 to the general election.

29 (2) Copies of the complete text of all statewide questions shall be furnished  
30 by the State Board to the local boards in quantities as determined by the State Board,  
31 including quantities sufficient to provide one copy of each for posting in each polling place  
32 and in each local board office.

1           (3)     An individual may receive without charge a copy of the complete text of  
2 all constitutional amendments and questions from a local board, either in person, by mail,  
3 or electronically.

4           **(E)     THE STATE BOARD AND EACH APPLICABLE LOCAL BOARD SHALL POST**  
5 **IN A MANNER WIDELY ACCESSIBLE TO THE PUBLIC FOR AT LEAST 90 DAYS BEFORE**  
6 **THE GENERAL ELECTION:**

7           **(1)     THE COMPLETE TEXT OF:**

8                   **(I)     FOR A QUESTION RELATING TO THE CREATION OR**  
9 **ADOPTION OF A NEW CONSTITUTION, THE PROPOSED CONSTITUTION;**

10                   **(II)    FOR AN AMENDMENT UNDER ARTICLE XIV OF THE**  
11 **MARYLAND CONSTITUTION, THE PROPOSED AMENDMENT TO THE MARYLAND**  
12 **CONSTITUTION;**

13                   **(III)   FOR AN ENACTMENT OF THE GENERAL ASSEMBLY**  
14 **REFERRED IN ACCORDANCE WITH ARTICLE XVI OF THE MARYLAND**  
15 **CONSTITUTION, THE ENACTMENT;**

16                   **(IV)   FOR A PROPOSED COUNTY CHARTER OR AMENDMENT TO A**  
17 **COUNTY CHARTER UNDER ARTICLE XI-A OF THE MARYLAND CONSTITUTION:**

18                           **1.     THE PROPOSED CHARTER; OR**

19                           **2.     THE PROPOSED AMENDMENT TO A COUNTY CHARTER;**

20                   **(V)     FOR AN ENACTMENT OF THE GENERAL ASSEMBLY**  
21 **REFERRING A QUESTION TO THE VOTERS, THE ENACTMENT; AND**

22                   **(VI)   FOR A CHARTER COUNTY ENACTMENT IN ACCORDANCE**  
23 **WITH § 9-205 OF THE LOCAL GOVERNMENT ARTICLE OR A CODE COUNTY**  
24 **ENACTMENT IN ACCORDANCE WITH §§ 9-310 THROUGH 9-313 OF THE LOCAL**  
25 **GOVERNMENT ARTICLE, THE PROPOSED ENACTMENT; AND**

26                   **(2)     FOR EACH QUESTION POSTED UNDER ITEM (1)(II), (III), (IV), (V),**  
27 **OR (VI) OF THIS SUBSECTION, A LINK TO THE GENERAL ASSEMBLY OR COUNTY**  
28 **WEBPAGE FOR THE APPLICABLE LEGISLATION.**

29 9-207.

30           (a)     The State Board shall certify and publicly display the content and  
31 arrangement of each ballot:

- 1 (1) for a primary election, at least 64 days before the election;
- 2 (2) for a general election, at least 64 days before the election;
- 3 (3) for a special primary election, at least 55 days before the election; and
- 4 (4) for a special general election, not later than a date specified in the  
5 Governor's proclamation.

6 (b) The Supreme Court of Maryland, on petition of the State Board, may establish  
7 a later date in extraordinary circumstances.

8 (c) The State Board shall publicly display the content and arrangement of each  
9 certified ballot on its website.

10 (d) Except pursuant to a court order under § 9–209 of this subtitle, or as provided  
11 in § 9–208 of this subtitle, the content and arrangement of the ballot may not be modified  
12 after the second day of the public display.

13 (e) Unless a delay is required by court order, the State Board may begin to print  
14 the ballots after certification and 3 days of public display and correct any noted errors.

15 **(F) THE CERTIFICATION OF A BALLOT UNDER THIS SECTION THAT**  
16 **INCLUDES A QUESTION MAY NOT BE CONSTRUED TO BE A CERTIFICATION OF THE**  
17 **BALLOT LANGUAGE REQUIRED TO BE INCLUDED ON THE BALLOT UNDER § 7–103 OF**  
18 **THIS ARTICLE, INCLUDING THE PLAIN LANGUAGE CONDENSED STATEMENT**  
19 **REQUIRED UNDER § 7–103(B)(4) OF THIS ARTICLE.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
21 1, 2026.

Approved:

---

Governor.

---

President of the Senate.

---

Speaker of the House of Delegates.

# **EXHIBIT 1-C**



April 10, 2026

Today, Quantum Maryland LLC, a project of California based TPG Real Estate Partners, together with one individual, filed a Petition for Judicial Review in Frederick County Circuit Court challenging the Frederick County Board of Elections' certification of the referendum petition on Ordinance 26-01-001.

On April 3, 2026, The Board of Elections validated 21,029 signatures, which exceeded the minimum threshold of 15,611 and found the petition sufficient for purposes of a Referendum under the Frederick County Charter.

The Frederick County Data Center Referendum Committee ("Committee") is not surprised by the efforts to challenge the decision made by the Board of Elections. The Committee has long been preparing for a legal challenge to our efforts to demand a public vote on the question of data center expansion. The Committee has retained legal counsel, and we intend to pursue this matter to the fullest extent. We remain confident we will prevail on the merits.

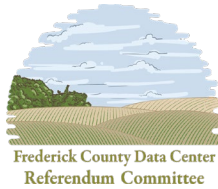
We look forward to continuing our efforts to let the people decide on this important referendum issue. We will keep our supporters fully informed as the case moves forward.

Thank you to every neighbor who signed, shared, and now stands together.

Our voices matter.

Frederick County Data Center Referendum Committee  
PO Box 41  
Buckeystown, MD 21717

# **EXHIBIT 1-D**



## **Frederick County Residents Should Have a Voice to Decide About Data Center Expansion in Frederick County**

When we took on this effort, we knew we had three hurdles to overcome.

1. Educate the public on the issues when voting on the overlay expansion enacted by the County Council on January 20, 2026,
2. Collect the necessary number of signatures, and
3. Win the legal battle.

The Board of Elections (BOE) has validated the signatures confirming we gathered enough signatures to exceed the threshold. On April 3, the Board of Elections verified 21,029 signatures far exceeding the necessary number of 15,611. In the same letter, the BOE found our petition to be legally sufficient for moving forward to place the issue on the ballot. These are tremendous wins. However, the decision of the Board can be appealed to the Circuit Court.

Yesterday, April 10, we learned the decision has been appealed by a private developer and the Frederick County Data Center Referendum Committee (Committee) has been named as a Defendant. Weeks before the Committee turned in the signed petitions to the BOE, we retained legal counsel to represent us before the BOE and in Court, if necessary. It has always been the County's position that the ordinance is not subject to a referendum. We continue to believe that the ordinance is subject to a referendum and, if necessary, will take the issue to the highest court in Maryland. During the entire process, we have sought to educate the public for the vote as well as all the issues about data centers.

Through it all, we have had the pleasure of collaborating with incredible volunteers who have devoted their time, energy, and passion to this especially important effort. Unfortunately, there are costs that are only fulfilled in dollars and cents. This is why we are asking for donations toward the legal expenses and the expenses for advocating for the vote. Please give what you can and share this effort with all.

At this time, donations can be made by mailing a check made payable to FCDC Referendum Committee. And donations are not tax-deductible. The check can be hand delivered to a committee member or mailed to FCDC Referendum Committee, PO Box 41, Buckeystown, MD 21717. Until further notice, please donate only via check, but we are in the process of creating additional ways to donate directly to the committee.

Your contribution will ensure that residents, farmers, and stewards of the land have a voice in deciding the future of Frederick County when it comes to data center development.

Thank you.

Frederick County Data Center Referendum Committee

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

PETITION OF  
QUANTUM MARYLAND, LLC,

and

JOAN AQUILINO,

FOR JUDICIAL REVIEW OF  
THE DECISION OF THE FREDERICK  
COUNTY BOARD OF ELECTIONS,

and

BARBARA WAGNER

IN THE MATTER OF THE PETITION OF  
THE FREDERICK COUNTY DATA  
CENTER REFERENDUM COMMITTEE  
FOR REFERENDUM OF FREDERICK  
COUNTY COUNCIL ORDINANCE  
26-01-001

Case No. C-10-CV-26-000309

\* \* \* \* \*

QUANTUM MARYLAND, LLC, et al.

Plaintiffs,

v.

FREDERICK COUNTY BOARD OF  
ELECTIONS, et al.

Defendants.

Case No. C-10-CV-26-000309

\* \* \* \* \*

**[PROPOSED] ORDER**

Upon consideration of Defendant Frederick County Data Center Referendum Committee’s Motion to Extend Time to File an Answer and Response to Petitioners’ Motion to Stay (“**Motion to Extend Time**”), it is this \_\_\_\_\_ day of May 2026, and Petitioner’s

Opposition thereto, it is

ORDERED, that the Motion to Extend Time is Denied; and it is further

ORDRED, that a status hearing in this matter is set for \_\_\_\_\_ at \_\_\_\_\_  
at \_\_\_\_\_.

**IT IS SO ORDERED**

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable \_\_\_\_\_  
Circuit Court for Frederick County, Maryland

Civil Clerk to provide copies to all parties via MDEC