

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

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QUANTUM MARYLAND, LLC et al.

Plaintiffs,

v.

FREDERICK COUNTY BOARD OF
ELECTIONS, et al.

Defendants.

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

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PETITION OF WINDRIDGE
PROPERTIES, L.C. et al.,

Petitioners,

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-26-000321

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WINDRIDGE PROPERTIES, L.C. et al.

Plaintiffs,

v.

FREDERICK COUNTY BOARD OF
ELECTIONS, et al.

Defendants.

Case No. C-10-CV-26-000321

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PETITION OF NDR PROPERTIES, LLC et al.,

Petitioners,

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-26-000325

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NDR PROPERTIES, LLC et al.

Plaintiffs,

v.

FREDERICK COUNTY BOARD OF ELECTIONS, et al.

Defendants.

Case No. C-10-CV-26-000325

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PETITION OF FREDERICK DATA
CENTER OWNER, LLC, et al.,

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Petitioners,

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

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and

Case No. C-10-CV-26-000327

BARBARA WAGNER

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

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FREDERICK DATA CENTER OWNER,
LLC et al.

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Plaintiffs,

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Case No. C-10-CV-26-000327

v.

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FREDERICK COUNTY BOARD OF
ELECTIONS, et al.

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Defendants.

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**PLAINTIFF JOAN AQUILINO'S FIRST SET OF INTERROGATORIES DIRECTED
TO DEFENDANT FREDERICK COUNTY DATA CENTER REFERENDUM
COMMITTEE**

TO: Defendant Frederick County Data Center Referendum Committee
c/o Anne E. Black
2313 New Design Road
Adamstown, MD 21710

FROM: Plaintiff Joan Aquilino
c/o Longman & Van Grack, LLC
Adam L. Van Grack, Esq.
Theodore B. Kiviat, Esq.
10411 Motor City Drive, Suite 750
Bethesda, Maryland 20817

Pursuant to Rule 2-421, and the Court's ruling at the May 29, 2026 Hearing in this action, Joan Aquilino ("Plaintiff"), by and through her counsel, request that Defendant Frederick County Data Center Referendum Committee ("Defendant") respond to the following interrogatories in accordance with the following definitions and instructions, on or before 4:30 pm on June 4, 2026.

INSTRUCTIONS

1. The Interrogatories seek responsive information to the fullest extent permitted by the Maryland Rules.

2. All information requested is for the period stated up to the present unless otherwise specifically indicated. In addition, each Interrogatory shall be deemed continuing in order to require supplemental responses in accordance with Rule 2-401(e) if You obtain further information between the time of answering the Interrogatory and the time of trial.

3. You shall construe each of the Interrogatories independently, and none of the Interrogatories limits the scope of any of the other Interrogatories.

4. If You claim that any of the Interrogatories contained herein are objectionable, then You shall: (a) identify the portion of such Interrogatory that is claimed to be objectionable; (b) state the basis for the objection(s) with sufficient particularity and in sufficient detail to permit the Court to adjudicate the validity of the objection; and (c) answer so much of each such Interrogatory as is not claimed to be objectionable.

5. If You claim any privilege with respect to any response to these Interrogatories, You shall state the basis on which privilege is claimed in a manner sufficient to allow it to be described to the Court for ruling on the privilege.

6. Each of these definitions and instructions is fully applicable to all of the Interrogatories, notwithstanding that a definition or instruction above may, in whole or in part, be reiterated in certain Interrogatories or that certain Interrogatories may incorporate supplemental instructions or definitions.

7. In responding to the following Interrogatories, You are required to provide all information that is in Your actual or constructive possession, custody or control.

8. The use of defined terms in any Interrogatory applies whether or not they are capitalized.

9. If You cannot answer any Interrogatory fully and completely after exercising due diligence to inquire about and secure the information necessary to do so, please so state and answer each such Interrogatory to the fullest extent possible, specify the portion of such Interrogatory that You claim You are unable to answer fully and completely, state the facts upon which You rely to support Your contention that You are unable to answer that Interrogatory fully and completely, and state any knowledge, information, or belief that You have concerning the unanswered portion of each such Interrogatory.

10. If You claim any ambiguity in interpreting a request or any applicable definition or instruction, such claim shall not be used as a basis for refusing to respond. You shall set forth in Your response the language You deem ambiguous and the interpretation You have used in responding, and shall respond based on that interpretation to the fullest extent possible.

11. If any Interrogatory requests the identification of a document, electronically stored information, or oral communication, or if any matter referred to in answer to any Interrogatory is evidenced by, represented by, reflected by, recorded in or otherwise referred to in any document or oral communication, in your answer to such Interrogatory identify each such document and oral communication.

12. If a Document is provided in response to an Interrogatory, identify the Document by providing the Document's Bates number.

DEFINITIONS

1. “**Circulator**” means a Person who collected or attempted to collect Petition signatures in support of or to otherwise advance the Referendum.

2. “**Communication**” shall have the broadest meaning permitted under applicable rules and means any act or instance of transferring, transmitting, passing, delivering, giving, or recording information by oral, written, or electronic means, including but not limited to statements, admissions, denials, inquiries, discussions, conversations, negotiations, agreements, contracts, notes (handwritten, typed, or otherwise), summaries, memoranda, reports, presentations, submissions or filings to any government agency or entity, understandings, meetings, letters, telegrams, facsimiles, electronic mail, voicemail, text message, instant message, iMessage, WhatsApp, Signal, Viber, Slack, or any other ephemeral or electronic messaging service, or any other direct or indirect disclosure in any form, including but not limited to audio, video, digital, electronic, or paper form, and any draft Communication in such form, whether or not the Communication was ever disclosed, sent, or transmitted.

3. “**Document**” has the broadest possible meaning pursuant to Maryland Standard General Definition (a) and includes electronically stored information and any writing, drawing, graph, chart, photograph, sound recording, image, and other data or data compilation stored in any medium from which information can be obtained, translated, if necessary, through detection devices into reasonably usable form. Any copy of a Document that differs in any respect from the original of a Document constitutes a separate Document. Unless otherwise indicated herein, the term Document or Documents refers to and includes Hard-Copy Documents.

4. “**Person**” has the broadest possible meaning pursuant to Maryland Standard General Definition (c) and includes an individual, general or limited partnership, joint stock company, unincorporated association or society, municipal or other corporation, incorporated association, limited liability partnership, limited liability company, the State, an agency or political subdivision of the State, a court, and any other governmental entity.

5. “**Petition Campaign**” means any and all efforts to promote, or collect signatures from, educate, or inform any Person about, the Referendum.

6. “**Petition Signature**” or “**Petition Signatures**” means signatures to the petition, including on the completed petition signature page, in support of the Referendum.

7. **“Promoter”** means a Person who distributed information (including verbally) in connection with the Petition Campaign, regardless of whether he or she collected or attempted to collect Petition Signatures.

8. **“Referendum”** means the initiative to submit Ordinance 26-01-001 to popular vote by the electorate of Frederick County.

9. **“You”** and **“Your”** refers to the Defendant responding to these requests for production, including any department, division, unit, and agency over which You exercise control and all of Your respective agents, accountants, attorneys, and advisors.

10. **“Campaign Materials”** means any flyer, pamphlet, poster, handout, script, talking points, social media post or advertisement, video, audio recording, website content, or other written, electronic, or printed material created, distributed, displayed, or published in connection with the Petition Campaign, including any draft thereof.

11. The term **“including”** means including but not limited to.

12. The terms **“relating to,” “related to,” “reflecting,”** and **“in connection with”** are synonymous and mean analyzing, concerning, containing, dealing with, constituting, defining, describing, embodying, interpreting, evidencing, comprising, commenting on, recording, reflecting, relating to, regarding, responding to, explaining, identifying, discussing, mentioning, referring to, setting forth, showing, having any relationship or connection to, stating, summarizing, supporting, or in any way pertaining to the subject matter of the request, explicitly or implicitly. These terms shall be construed to bring within the scope of each request any information and Document that was reviewed in conjunction with, or was generated as a result of, the subject matter of the request. The use of more than one of these terms in any particular request shall not alter this definition in any way.

INTERROGATORIES

INTERROGATORY NO. 1:

Describe in detail the Committee's understanding of, position on, and representations about the effect of Ordinance 26-01-001, including, but not limited to: (1) the acreage, geographic scope, or territorial extent of Ordinance 26-01-001; (2) whether Ordinance 26-01-001 had an effect on the acreage included in the Rural Legacy Area; (3) whether Ordinance 26-01-001 had an effect on the acreage included in the Priority Preservation Area; or (4) whether Ordinance 26-01-001 had an effect on the agricultural land use designation of parcels subject to Ordinance 26-01-001, including but not limited to whether voiding or staying Ordinance 26-01-001 would affect, restore, or alter any such designations, and the source of the information that forms the basis for that understanding, position(s), and representation(s).

INTERROGATORY NO. 2:

Describe in detail the Committee's development and dissemination of Campaign Materials as well as any internal talking points, scripts, instructions, training materials, or notes to Circulators regarding the Referendum; who created the foregoing materials; and the Committee's approval process, if any, for the distribution of those materials.

INTERROGATORY NO. 3:

State whether it is your contention that Ordinance 26-01-001 is properly and lawfully subject to referendum pursuant to all applicable and pertinent laws, statutes, ordinances, rules, and/or other authority, and describe each and every basis for your contention, including Documents.

INTERROGATORY NO. 4:

Describe in detail any and all efforts of which You are aware (including those efforts by You, or any other Person or entity) to publish, share, distribute, or display any Campaign Materials to any Person for the purpose of inducing Petition Signatures.

Date: June 1, 2026

Respectfully submitted,

LONGMAN & VAN GRACK, LLC

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

By: /s/ Theodore B. Kiviat
Theodore B. Kiviat, Esq. (CPF# 0101110004)

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Counsel for Petitioner-Plaintiff Joan Aquilino

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of June 2026, a copy of the foregoing has been served on all parties registered to be served in the above-captioned matter in the MDEC System, including all counsel for Defendant Frederick County Data Center Referendum Committee.

By: /s/ Theodore B. Kiviat
Theodore B. Kiviat, Esq. (CPF# 0101110004)