

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,

*

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

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

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QUANTUM MARYLAND, LLC, et al.

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Plaintiffs,

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v.

*

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

FREDERICK COUNTY BOARD OF
ELECTIONS, et al.

*

*

Defendants.

**MOTION TO EXTEND TIME REQUIREMENTS TO FILE AN ANSWER AND
RESPONSE TO PETITIONERS' MOTION TO STAY**

Pursuant to Maryland Rule 1-204(a), Respondent, Frederick County Data Center

Referendum Committee ("Respondent"), hereby moves to extend the time to file an Answer in

response to Petitioners, Quantum Maryland LLC and Joan Aquilino's ("Petitioners") Complaint/Petition and to extend the time to file a response to Petitioners' Motion to Stay.

1. The Petition/Complaint was filed on April 10, 2026.

2. Respondent was served with the Complaint/Petition on April 18, 2026.

3. Pursuant to Maryland Rule 2-321(a), the deadline for filing an Answer is thirty (30) days after being served. Therefore, Respondent's deadline to file an Answer or a Motion to Dismiss is currently May 18, 2026.

4. Petitioners also filed a Motion to Stay on April 10, 2026, concurrently with its Complaint/Petition.

5. Pursuant to Maryland Rule 2-311(b), the time for filing a response to a motion is fifteen (15) days after being served with the motion, "or within the time allowed for a party's original pleading pursuant to Rule 2-321(a), whichever is later."

6. Because the present Motion seeks to extend the time for filing Respondent's Answer, it follows that this extension should also be applied to Respondent's time for filing a response to Petitioners' Motion to Stay.

7. Currently pending in this matter is an Emergency Joint Motion to Consolidate this case with four (4) nearly identical cases, Case Nos. C-10-CV-26-000321, C-10-CV-26-000325, C-10-CV-26-000326, and C-10-CV-26-000327 ("companion cases"), which was filed by Petitioners in this case on April 24, 2026.¹

¹ Motions to Consolidate were also filed in Case Nos. C-10-CV-26-000321, C-10-CV-26-000325, C-10-CV-26-000326, and C-10-CV-26-000327, requesting the same.

8. Respondent is named as a party in two of the companion cases, Case Nos. C-10-CV-26-000321 and C-10-CV-26-000325.

9. Maryland Rule 1-204(a) provides that “for cause shown” the Court may “extend the period if the motion is filed before the expiration of the period originally prescribed or extended by a previous order....”

10. Respondent respectfully requests that this Court extend the deadline to file its Answer and response to Petitioners’ Motion to Stay to thirty (30) days after the Court has resolved the Emergency Joint Motion to Consolidate.

11. The requested extension will allow Respondent to prepare a single, consolidated Answer addressing all of its responses and defenses to the Complaint/Petition in the consolidated matter instead of filing Answers in three separate matters.

12. Additionally, undersigned counsel was just retained in this matter and the additional time will allow adequate time to prepare Respondent’s Answer and a response to Petitioners’ Motion to Stay.

13. Respondent will be prejudiced if the deadline is not extended as it will be unable to fully or adequately prepare its Answer and will have to file three separate Answers in all companion cases before the Court rules on the Emergency Joint Motion to Consolidate.

14. There 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.

For the foregoing reasons, the Court should extend the deadline for Respondent’s Answer and response to Petitioners’ Motion to Stay to thirty (30) days after this Court has resolved the Emergency Joint Motion to Consolidate.

WHEREFORE, the Respondent, Frederick County Data Center Referendum Committee, respectfully request that this Honorable Court:

1. Grant the Motion to Extend Time Requirements to File an Answer and response to Petitioners' Motion to Stay; and,
2. Extend the deadlines as set forth in the Proposed Order; and,
3. For such other and further relief as the Court deems, just and proper.

Date: May 6, 2026

Respectfully submitted,




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*Attorney for Respondent, Frederick
County Data Center Referendum
Committee*

CERTIFICATE REGARDING RESTRICTED INFORMATION

I, David Fischer, HEREBY CERTIFY that this submission does not contain any restricted information.

May 6, 2026 _____
Date




David B. Fischer (CPF# 9112170217)

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of May, 2026, the foregoing Motion was filed electronically in the Maryland Electronic Courts (MDEC) system in the above-captioned matter and served on all counsel of record and/or will be served upon all parties and/or their counsel as indicated in the Service List below.

May 6, 2026
Date


David B. Fischer

SERVICE LIST

SERVICE BY EMAIL:

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