

**D.A., et al.,**

**Plaintiffs,**

**v.**

**LARRY HOGAN, in his official  
capacity as GOVERNOR of the  
State of Maryland, et al.,**

**Defendants.**

**IN THE**

**CIRCUIT COURT**

**FOR BALTIMORE CITY**

**Case No. 24-C-21-002988**

**LEONARD HARP, et al.,**

**Plaintiffs,**

**v.**

**GOVERNOR LARRY HOGAN, et al.,**

**Defendants.**

**Case No. 24-C-21-002999**

**PRELIMINARY INJUNCTION**

These two actions are not consolidated. The Court heard them together and issues this Order jointly in both actions because of the similar issues raised and relief sought in both actions.

In Case No. 24-C-21-2988, Plaintiffs D.A., *et al.* filed a Motion for Temporary Restraining Order and Preliminary Injunction (Paper No. 3). Plaintiffs also filed a First Amended Complaint (Paper No. 10).

In Case No. 24-C-21-2999, Plaintiffs Harp, *et al.* filed a Verified Class Action Complaint (Paper No. 1) including prayers for preliminary injunctive relief.

The parties have filed numerous memoranda supporting their positions, as listed in the Memorandum Opinion issued today.

Following a hearing, the Court issued a Temporary Restraining Order at 10:00 a.m. on July 3, 2021. By its terms, the Temporary Restraining Order expires at 10:00 a.m. on July 13,

2021. The Court conducted a joint evidentiary hearing in both actions on July 12, 2021 by remote electronic means using Zoom for Government pursuant to Maryland Rule 2-803. All parties appeared by counsel and presented testimony and exhibits in evidence.

For the reasons stated in the accompanying Memorandum Opinion, it is this 13th day of July, 2021, at 9:45 a.m., by the Circuit Court for Baltimore City, Part 26, hereby **FOUND** that Plaintiffs in both actions have shown a likelihood that they will succeed on their claims that are pertinent to the relief granted in this Preliminary Injunction.

It is further **FOUND** that Plaintiffs in both actions have shown that the balance of harms to them as compared to the harms to Defendants if this Preliminary Injunction were or were not granted favors the issuance of this Preliminary Injunction.

It is further **FOUND** that Plaintiffs in both actions have shown that they will suffer irreparable harm if this Preliminary Injunction is not issued.

It is further **FOUND** that Plaintiffs have shown that issuance of this Preliminary Injunction is in the public interest.

It is therefore **FOUND** that Plaintiffs in both actions, following a full adversary hearing, have satisfied the four requirements for entry of this Preliminary Injunction on some of the relief sought.

It is further **FOUND** that a waiver of the bond requirement pursuant to Maryland Rule 15-503(c) is appropriate because the amounts involved would make the provision of a bond prohibitive and Plaintiffs would be unable to provide surety or other security for the bond, substantial injustice would result if a preliminary injunction did not issue, and this action is one of extraordinary hardship.

It is therefore **ORDERED** that the Motion for Temporary Restraining Order and Preliminary Injunction filed by Plaintiffs D.A., *et al.* in Case No. 24-C-21-2988 (Paper No. 3) is

**GRANTED IN PART** and **DENIED IN PART** to the extent of Plaintiffs’ motion for a preliminary injunction.

It is further **ORDERED** that the prayer for preliminary injunctive relief included by Plaintiffs Harp, *et al.* in their Verified Class Action Complaint in Case No. 24-C-21-2999 is **GRANTED IN PART** and **DENIED IN PART**.

It is further **ORDERED** that Defendants, Governor Larry Hogan and Secretary of Labor Tiffany P. Robinson, are enjoined from taking any action that will prevent the State of Maryland from receiving any and all expanded and/or supplemental unemployment benefits available to Maryland residents under the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act, the American Rescue Plan Act of 2021 (“ARPA”), or any other existing federal source of unemployment benefits to the fullest extent allowed under Title 8 of the Labor and Employment Article of the Maryland Code.

It is further **ORDERED** that Defendants, Governor Larry Hogan and Secretary of Labor Tiffany P. Robinson, shall immediately take all actions necessary to ensure that Maryland residents continue to receive any and all expanded and/or supplemental unemployment benefits available to Maryland residents under the CARES Act, the ARPA, or any other existing federal source of unemployment benefits to the fullest extent allowed under Title 8 of the Labor and Employment Article of the Maryland Code.

It is further **ORDERED** that Defendants, Governor Larry Hogan and Secretary of Labor Tiffany P. Robinson, shall take all necessary steps to ensure that the officers, employees, and agents of the State of Maryland within their direction and control take or refrain from taking action as necessary for Defendants to comply with their obligations under this Preliminary Injunction.

It is further **ORDERED** that nothing in this Preliminary Injunction creates or establishes eligibility in any individual person for expanded and/or supplemental unemployment benefits available to Maryland residents under the CARES Act, the ARPA, or any other existing federal source of unemployment benefits if the individual person would not otherwise be eligible for the specific benefits under application of the eligibility criteria for the particular benefits.

It is further **ORDERED** that nothing in this Preliminary Injunction prevents the Secretary of Labor or the Maryland Department of Labor from ceasing or terminating the benefits of any individual person under the CARES Act, the ARPA, or any other existing federal source of unemployment benefits if the individual person is no longer eligible for the specific benefits under application of the eligibility criteria for the particular benefits.

It is further **ORDERED** that the bond requirement of Maryland Rule 15-503(c) is waived in the particular circumstances of this Preliminary Injunction.

It is further **ORDERED** that this Preliminary Injunction shall be binding on each Defendant immediately upon receipt by him or her of actual notice of this Preliminary Injunction by any means.

It is further **NOTED** that the Court is transmitting this Preliminary Injunction promptly by electronic mail to counsel of record for the parties.

***Judge Fletcher-Hill's signature appears on  
the original document in the court file.***

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Judge Lawrence P. Fletcher-Hill  
Circuit Court for Baltimore City