

QUAN-EN YANG

On His Own Behalf and on Behalf
of All Others Similarly Situated,

Plaintiffs,

v.

G & C GULF, INC. d/b/a
G&G TOWING, *et al.*

Defendants.

* IN THE
* CIRCUIT COURT
* FOR
* MONTGOMERY COUNTY, MD.
*
* Case No. 403885V
*
* TRACK VI
* Hon. Ronald Rubin,
* Specially Assigned
*

* * * * *

**MOTION FOR ENTRY OF ADMINISTRATIVE ORDER NO. 1
REGARDING THE SENDING OF POSTCARD NOTICE**

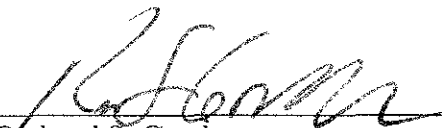
Named Plaintiff, Quan-en Yang, by and through the undersigned counsel, hereby move for approval and entry of Administrative Order No. 1. At the Final Approval hearing on May 3, 2016, the Court granted Plaintiffs' oral motion, pursuant to Md. Rule 2-231(e), to send discretionary notice via postcards to the members of the putative Defendant Class. Dkt. no. 140. Administrative Order No. 1, which is attached hereto as **Exhibit 1**, provides the Court with the form and content of the postcard notice (**Exhibit 1-A**) and sets out the protocols and deadlines for its mailing.

Respectfully submitted,

Dated: May 9, 2016

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Baltimore, Maryland 21204
(410) 825-2300
(410) 825-0066 (facsimile)

Attorneys for Named Plaintiff and the Class

By: 
Richard S. Gordon

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 2016, a copy of the foregoing Motion to Approve Entry of Administrative Order No. 1 Regarding the Sending of Postcard Notice (“Motion”) was served by electronic and first-class mail, postage prepaid, on:

Ronald S. Canter
The Law Offices of Ronald S. Canter, LLC
200A Monroe Street, Suite 104
Rockville, Maryland 20850

Frederic J. Einhorn
27 West Jefferson Street
Rockville, Maryland 20850

The Motion was also served by first-class mail, postage prepaid, on:

Bruce Patner t/a Patner Properties
4720 Montgomery Lane
Bethesda, Maryland 20814



Richard S. Gordon

Exhibit 1

QUAN-EN YANG	*	IN THE
On His Own Behalf and on Behalf	*	CIRCUIT COURT
of All Others Similarly Situated,	*	FOR
Plaintiffs,	*	MONTGOMERY COUNTY, MD.
v.	*	Case No. 403885V
G & C GULF, INC. d/b/a	*	
G&G TOWING, <i>et al.</i>	*	TRACK VI
Defendants.	*	Hon. Ronald Rubin,
	*	Specially Assigned
	*	

* * * * *

ADMINISTRATIVE ORDER NUMBER 1

1. Paragraph 101 of the Second Amended Complaint (Dkt. no. 127) provides that that Defendant Class consists of:

All Parking Lot owners, managers and agents who entered into a written contract with G&G for the provision of trespass towing services which resulted in one or more vehicles being towed from the Parking Lot between April 16, 2012 and January 7, 2016.

On May 3, 2016, this Court granted Plaintiffs’ oral motion, pursuant to Md. Rule 2-231(e), to send discretionary notice via postcards to the members of the putative Defendant Class. Dkt. no. 140.

2. Md. Rules 2-231(f)(2) provides that the Court may enter Orders “requiring, for the protection of the members of the class or otherwise for the fair conduct of the action, that notice be given in the manner the court directs to some or all of the members of any step in the action, or of the proposed extent of the judgment, or of the opportunity of members to signify

whether they consider the representation fair and adequate, to intervene and present claims or defenses, or otherwise to come into the action.” These objectives will be satisfied by mailing of postcards (“Postcard Notice”) directing members of the putative Defendant Class to a website – www.TowingClassAction.com – which includes, *inter alia*, further information and documents about this lawsuit, including but not limited to a copy of the Court’s docket, as well as links to pdf copies of selected pleadings, documents, papers and orders from the docket.

3. The Postcard Notice shall be mailed using either: (a) the address on file with the Maryland State Department of Assessments and Taxation; or (b) the last known address, to the approximately 589 members of the putative Defendant Class whose identities were provided to Plaintiffs’ Class Counsel during the course of discovery in this lawsuit.

4. Plaintiffs’ Class Counsel has submitted a proposed form for the Postcard Notice which is attached hereto as **Exhibit A**. The Court hereby approves the Postcard Notice and finds that said form complies with the requirements of Rule 2-231 of the Maryland Rules of Civil Procedure and due process.

5. The Postcard Notice attached hereto as **Exhibit A** shall be sent under the direction of Plaintiffs’ Class Counsel to all the members of the putative Defendant Class within Thirty (30) days of the entry of this Administrative Order No. 1. The Postcard Notice shall be sent by first class U.S. mail, postage prepaid.

6. Within Ten (10) days of the mailing of the Postcard Notice, Plaintiffs’ counsel shall cause to be filed with the Clerk of the Court, and served upon opposing counsel, affidavits or declarations of the person or persons under whose general direction the mailing of the Notice shall have been made, showing that such mailing has been made in accordance with this Order.

7. Pursuant to Rule 2-231 of the Maryland Rules of Civil Procedure, the Court hereby finds and concludes that the mailing pursuant to this Order constitutes individual notice to those members of the putative Defendant Class who have been or who can be identified through reasonable effort; that such notice provides due and sufficient notice of the matters set forth in the lawsuit to all persons entitled to such notice; and that said program of notice satisfies requirements of Md. Rule 2-231 and the requirements of due process.

Date: _____

Honorable Ronald B. Rubin
Circuit Court for Montgomery County, Maryland

Exhibit A

**THIS IS NOT JUNK
MAIL.
THIS POSTCARD
PROVIDES IMPORTANT
INFORMATION ABOUT
YOUR LEGAL RIGHTS
AS A POTENTIAL
MEMBER OF A
DEFENDANT CLASS
ACTION.**

G&G Towing Class Action
c/o Gordon, Wolf & Carney, Chtd.
102 West Pennsylvania Ave.
Suite 402
Towson, Maryland 21204

PRE-SORTED
First Class Mail
US Postage Paid
Towson, MD
Permit No. XXX

Class Member
Street Address
City, MD Zipcode

The Circuit Court for Montgomery County, Maryland authorized this notice

This is not a solicitation from a lawyer

Why am I receiving this notice? You are receiving this notice as a result of a class action complaint in *Yang v. G&C Gulf, Inc., t/a G&G Towing, et al.*, Case No. 403885V, filed in the Circuit Court for Montgomery County, Maryland, commenced by Plaintiff Quan-en Yang (the “Plaintiff Class Representative”) on his own behalf and on behalf of all others similarly situated against: (1) G&C Gulf, Inc., t/a G&G Towing, and (2) a Defendant Class represented by Bruce Patner t/a Patner Properties as the Defendant Class Representative (on his own behalf and on behalf of all others similarly situated). On May 3, 2016, the Court ordered that this notice be sent to all members of the putative Defendant Class. You have been identified as a member of the putative Defendant Class. **YOUR LEGAL RIGHTS MAY BE AFFECTED BY THIS LAWSUIT.**

What Is The Lawsuit About? The Plaintiff Class Representative claims that Defendant G&G Towing – acting under the authority of contracts with parking lot owners, managers and/or agents throughout Montgomery County (i.e., the Defendant Class) – engaged in predatory towing of vehicles that violated duties set forth in Maryland’s Towing or Removal of Vehicles from Parking Lots Law, (Md. Code Ann., Transp. §21-10A-01 *et seq.*), Montgomery County’s Tow Ordinances (Montgomery County Code, § 30C-1, *et seq.*) and the common law of Maryland. The Plaintiff Class claims that the members of the Defendant Class are derivatively liable, including jointly and severally liable, for G&G Towing’s violations of the law. On May 3, 2016, the Circuit Court for Montgomery County entered Judgment for \$22 million on all Counts in the Second Amended Complaint in favor of the certified Plaintiff Class against Defendant G&G Towing. The Named Defendant Class Representative is Bruce Patner t/a Patner Properties, 4720 Montgomery Lane, Bethesda, Maryland 20814.

Why Was This Notice Sent To You? Defendant G&G Towing’s records show that you are a member of the putative Defendant Class because you entered into a written contract with G&G Towing for the provision of trespass towing services which resulted in one or more vehicles being towed from your parking lot(s) between April 16, 2012 and January 7, 2016.

Who Represents the Plaintiff Class in this Lawsuit? The Plaintiff Class in this case is represented by Richard S. Gordon and Benjamin H. Carney of Gordon, Wolf & Carney, Chtd., 102 West Pennsylvania Avenue, Suite 402, Towson, Maryland 21204.

Where can I get more information? The website **www.TowingClassAction.com** includes additional information about this lawsuit including documents from the Court docket.