

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY MARYLAND

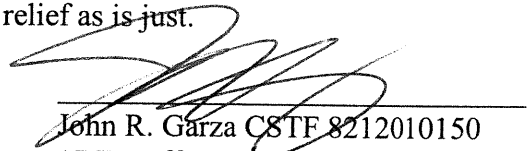
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| Quan En Yang, et al | * |
| Plaintiffs | * |
| vs. | * Case No. 403885 V |
| G & C Gulf, d/b/a G &G Towing et al. | * |
| Defendants, | * |

**DEFENDANTS' MOTION TO EXTEND TIME TO FILE AN
ANSWER AND COMPEL PLAINTIFF TO SERVE COPY OF PLEADINGS
AND OPPOSITON TO MOTION FOR ORDER OF DEFAULT**

Defendant John Garza t/a Olde Town Parking (hereafter OTP) moves to extend time to file an answer and compel Plaintiff to serve a copy of the complaint and related documents and opposes motion for order of default and for cause states as follows:

1. On or about April 16, 2015 Plaintiffs filed their initial complaint.
2. On about February 25, 2020, Plaintiffs filed an amended complaint against John Garza t/a Olde Town Parking (OTP) among others.
3. OTP has never been served with any papers, such as the complaint. Additional pleadings have been filed since service was attempted which have also not been served such as motion to dismissed and motion for summary judgment.
4. The Plaintiff waited 5 years to serve OTP and is not prejudiced by granting additional time for OTP to file an answer now. Furthermore, presumably Plaintiff has all the service of process pleadings and relevant papers that can be served via email to jgarza@garzanet.com.

5. OTP has requested the documents twice by email and Plaintiff's counsel has stated a willingness to serve the papers but has as yet not done so, claiming OTP should already have same. OTP has stated it does not.
6. This case has nearly 1000 docket entries and therefore OTP needs reasonable time to review its defenses including third party claims against the owners of the parking spaces who were not named by Plaintiff. Also, John Garza is in the "older" tow class. Garza paid for his wife's car when the car was towed by G & G Towing, which is how he found out about G & G Towing and therefore is a Plaintiff in the case as well or at least should be.
7. OTP needs the full 30 days to prepare defenses and an answer in the case. Wherefore Plaintiff requests that the Motion for Order of Default be denied, and OTP be granted 30 days to file an answer to the relevant complaint after it is sent to the undersigned via email and further relief as is just.



John R. Garza CSTF 8212010150
17 W Jefferson Street, Ste 100
Rockville, Md 20850
301 340 8200
jgarza@garzanet.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this October 22, 2020, a copy of foregoing was served via US postal service to the following:

Gardner M. Duvall
Patrick D. McKeivitt
Whiteford, Taylor & Preston, LLP
Seven Saint Paul Street, Suite 1500
Baltimore, Maryland 21202

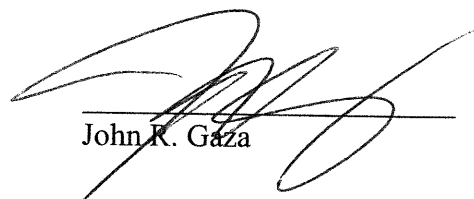
Thomas D. Murphy Murphy & Mood, P.C.
31 Wood Lane, Suite 2
Rockville, Maryland 20850

Michael Campbell Miller, Miller & Canby
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Rockville, Maryland 20850

Charles Thomas Brown, Esq. Erik B. Lawson, Esq.
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100 West Pennsylvania Ave., Ste. 100
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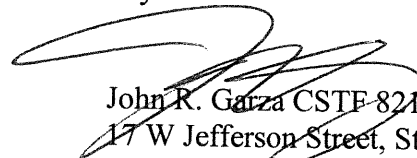
John R. Gaza

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Plaintiffs *
vs. * Case No. 403885 V
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Defendants, *

ENTRY OF APPEARANCE AND STRIKE APPEARANCE OF JOHN MOODY

Kindly enter the appearance of John R. Garza as counsel for John R. Garza t/a Olde Town Parking, (OTP) and strike the appearance of John Moody.


John R. Garza CSTE 8212010150
17 W Jefferson Street, Ste 100
Rockville, Md 20850
301 340 8200
jgarza@garzanet.com


John Moody, by JRG with authority

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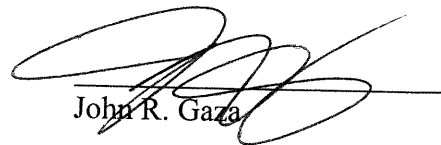
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**ORDER DENYING MOTION FOR ORDER OF DEFAULT
AND GRANTING OTP 30 DAYS TO FILE AN ANSWER**

Upon consideration of the Defendant’s Motion to Motion to Extend Time to File an Answer and Opposition to Motion for Order of Default and any opposition thereto it is this _____ day of _____ 2020, by the Circuit Court for Montgomery County, Maryland,

Ordered, Olde Town Parking shall have 30 days to file an answer in this case after Plaintiff serves all relevant service of process documents by email to jgarza@garzanet.com.

Judge Ronald Rubin, Circuit Court
Montgomery County, Maryland