

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

QUAN-EN YANG

Plaintiff

vs.

G&C GULF, INC., D/B/A G&G TOWING

Defendant

CIVIL ACTION NO.: 403885V
TRACK VI – Judge Rubin

LINE

To the Clerk of the Court:

Please file the enclosed Declaration of Bryan Sherman that was inadvertently omitted as an attachment to Defendant's Motion for Protective Order to Quash Subpoenas.

THE LAW OFFICES OF RONALD S. CANTER, LLC



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Attorney for Defendant

RECEIVED

JUL 20 2015

Clerk of the Circuit Court
Montgomery County, Md.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing was served upon the individual(s) listed below by First Class Mail, postage prepaid on this 20th day of July, 2015 to:

Wildwood Shopping Center
c/o Federal Realty Investment Trust
SERVE: CSC-Lawyers Inc. Service Co.
7 St. Paul Street, Suite 820
Baltimore, MD 21202

Peterson Management, LC
SERVE: The Corporation Trust Incorporated
351 West Camden Street
Baltimore, MD 21201

Montrose Shopping Center
c/o Federal Realty Investment Trust
SERVE: CSC-Lawyers Inc. Service Co.
7 St. Paul Street, Suite 820
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Mid Pike Square Shopping Center
c/o Federal Realty Investment Trust
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Gaithersburg Square Shopping Center
c/o Federal Realty Investment Trust
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Strathmore at Bel Pre HOA, Inc.
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Grosvenor Park Maintenance Trust
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Rockville, MD 20852

Greencastle Manor II
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12009 Nebel Street
Rockville, MD 20852

Castlegate Townhouse Association, Inc.
SERVE: Abaris Realty, Inc.
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The Brownstones at Wheaton Metro HOA, Inc.
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Montrose Park HOA, Inc.
c/o Chambers Management, Inc.
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The Bernstein Companies, Inc.
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Amberfield HOA, Inc.
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Fountain Hills Condominium Assoc.
c/o Vanguard Management Services, Inc.
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Scenery Point Condo
c/o Vanguard Management Services, Inc.
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Baltimore, MD 21209

Westmore Auto Park I
c/o Westmore Commercial Condo
Association, Inc.
SERVE: Jack Garson
7910 Woodmont Avenue, Suite 650
Bethesda, MD 20814

Gunners View HOA
c/o The Management Group Associates, Inc.
SERVE: Kathy Drury
20440 Century Blvd., Suite 100
Germantown, MD 20874

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HBW Group
SERVE: HBW Group
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Audbon Square HOA
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SERVE: Joselyn Wells
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Montgomery Meadows
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SERVE: Joselyn Wells
15742 Crabbs Branch Way
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Meadows at Northlake HOA
c/o Community Association, Inc.
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Columbia Towers Condo
c/o Iko Real Estate, Inc.
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3416 Olandwood Court, Suite 210
Olney, MD 20832

Partners Properties, LLC
SERVE: Steven M. Richardson
1600 Holly Tree Road
Baltimore, MD 21220

Harvey Property Management Co., Inc.
SERVE: Richard M. Heger
6931 Arlington Road, Suite 500
Bethesda, MD 20814

Burnt Mills Crossing, LLC
SERVE: Leon W. Andris
8030 Woodmont Avenue, Suite 300
Bethesda, MD 20814

Hyde Park Condo Association
c/o Comsource Management, Inc.
SERVE: Peter P. Mechak
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Ventura Condos
c/o Phase One Management Services, LLC
SERVE: Laurie P. O'Toole
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Leesborough HOA, Inc.
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DECLARATION OF BRYAN SHERMAN

The undersigned hereby declares and affirms under the penalties of perjury and upon personal knowledge that the contents of this Affidavit are true:

1. I have personal knowledge of the matters set forth herein and I am competent to testify thereto.

2. I am employed by G&C Gulf, Inc., d/b/a G&G Towing ("G&G") and appeared for a deposition in this matter in connection with my duties for G&G .

3. G&G provides towing and roadside assistance services in the Washington, D.C. metropolitan area.

4. As part of its towing services, G&G sells its services by marketing to commercial properties.

5. Once a contract is finalized, G&G will display towing signs on the property and work with the company to obtain authorization to tow when a car is illegal parked on the premises owned or operated by its customers..

6. The towing business of which G&G operates is highly regulated by the Montgomery County government. Any violation of applicable regulations by G&G could subject G&G to significant penalties.

7. With respect to Plaintiff's tow in the above-referenced case, G&G received authorization from Walgreens to tow away Plaintiff's vehicle after he parked his car at Walgreens and left the premises.

8. Plaintiff had the immediate and continuous opportunity to retake his vehicle from G&G's storage site after it was towed.

9. To my knowledge, Plaintiff has had no contact with any of the 33 companies who were sent subpoenas in this lawsuit.

10. These subpoenas will be injurious to G&G's business. At minimum, they will cause the customers who are served to expend time and money answering the subpoenas all on account of their relationship with G&G. Perhaps more importantly, I believe that commercial companies are sensitive to towing issues in light of the applicable government regulations and fear of being associated in any way with allegations of illegal towing. The receipt by these companies of subpoenas for demands of contracts, agreements, and tow documents in a class action lawsuit solely because they are customers of G&G will, in my view, tarnish G&G's reputation with these companies and the industry as a whole, and it will damage future business prospects with them.

DATED:

7/16/2015



Bryan Sherman