

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

BRET WADE,	)	
	)	
Plaintiffs.	)	
	)	Case No. 1:17-cv-01371-JMC
	)	
v.	)	
	)	MOTION TO REOPEN CASE
ERIN FOSTER.	)	
	)	
Defendant.	)	
_____	)	

Comes Now Plaintiff, Bret Wade, by and through undersigned counsel, and pursuant to Local Rule 111, requests that this Honorable Reopen the above-captioned case, and for cause states:

1. That the parties in the above action met for a settlement conference on October 24, 2017.
2. That this Court, after being notified of a settlement, entered a Settlement Order on October 25, 2017, pursuant to Local Rule 111.
3. That the parties successfully negotiated a settlement that consisted of a single sheet of paper with hand drawn lines reflecting the statements and language the parties agreed to.
4. That it was the understanding of Plaintiff that the hand written lines would be reduced to a writing consisting of the normal and standard settlement terms including non-disclosure, releases, acknowledgments, etc. that are normal and customary regarding such settlements.
5. That the Plaintiff indeed reduced the agreed hand written lines to a draft settlement agreement and forwarded said agreement to Defendant for review. See draft settlement agreement attached as Exhibit A.
6. That Defendant received the draft settlement agreement, however, has stated that she would not execute such an agreement, as she believes that the hand written lines constituted all that is needed for the settlement.
7. That it is Plaintiff's position that the settlement has not been fully consummated, pursuant to Local Rule 111, as the hand written lines agreed upon the parties have not been reduced to a standard writing, namely a Settlement Agreement.

WHEREFORE, Plaintiff Bret Wade, hereby requests that this Honorable Court reopen the above-captioned matter as the settlement has not been consummated.

Respectfully Submitted,

*ATTORNEYS FOR PLAINTIFF*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 22<sup>nd</sup> day of November, 2017 a copy of the foregoing Bret Wade's First Set of Interrogatories to Erin Foster were sent via electronic mail to Defendant Erin Foster, c/o Matthew Kaplan, Esq. at mbkaplan@thekaplanlawfirm.com.

/s/Marc A. Ominsky  
Marc A. Ominsky