

RECEIVED
CIRCUIT COURT FOR
BALTIMORE CITY

2014 JUL 25 PM 3:24

CIVIL DIVISION

NORFOLK SOUTHERN
RAILWAY COMPANY
Three Commercial Place
Norfolk, VA 23510

Plaintiff,

v.

MARYLAND DEPARTMENT
OF THE ENVIRONMENT
1800 Washington Boulevard
Baltimore, MD 21230

Defendant.

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY

*
* Case No.: _____

* * * * *

**MARYLAND DEPARTMENT OF THE ENVIRONMENT'S RESPONSE
TO PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER**

The Maryland Department of the Environment ("MDE" or the "Department") responds to the Motion for Temporary Restraining Order filed by Plaintiff Norfolk Southern Railroad Company and states:

Plaintiff seeks to prevent MDE from releasing, under the Maryland Public Information Act ("PIA"), certain information provided to MDE by the Plaintiff that the Plaintiff considers to be confidential and non-disclosable under the PIA.

MDE believes its decision to release this information in response to PIA requests from Associated Press and McClatchy Newspapers is lawful under the PIA, but agrees not to release this information pending a decision by this court. Consequently, there is no

need for a restraining order. However, given the public's strong interest in disclosure of the Plaintiff's information, MDE respectfully requests that a hearing on the merits be expedited.

Respectfully Submitted,

DOUGLAS F. GANSLER
Attorney General of Maryland




Steven R. Johnson
Ellen W. Cohill
Assistant Attorneys General
Office of the Attorney General
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230
(410) 537-3050
*Attorneys for the Maryland Department of
the Environment*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July 2014, a copy of MDE's Response to Plaintiff's Motion for Temporary Restraining Order was sent via first-class mail to:

James A. Constable
Marc A. Campsen
Wright, Constable & Skeen, LLP
One Charles Center, 16th Floor
Baltimore, MD 21201
Attorneys for Plaintiff



Ellen W. Cohill
Assistant Attorney General