

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY MARYLAND

U.S. RIGHT TO KNOW,  
*Plaintiff(s)*

v.

UNIVERSITY OF MARYLAND,  
*Defendant(s)*

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Case No.: CAL21-11730

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ORDER OF COURT

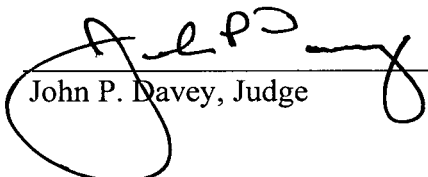
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This matter comes before the Court on Defendant's Motion for Partial Summary Judgment (Docket Entry No. 10) filed April 15, 2022, Plaintiff's Opposition thereto (Docket Entry No. 12) filed May 17, 2022, and Defendant's Reply thereto (Docket Entry No. 13) filed May 27, 2022.

A party may file a "motion for summary judgment on all or part of an action on the ground that there is no genuine dispute as to any material fact and that the party is entitled to judgment as a matter of law." Md. R. 2-501(a). A fact is "material" when its resolution will alter or affect the outcome of the case, depending on how the factfinder resolves the dispute. *Blackwell v. CSX Transp., Inc.*, 220 Md. App. 113, 120 (2014). In making this determination, the evidence and all inferences therefrom are viewed in the light most favorable to the nonmoving party. *Natural Design, Inc. v. Rouse Co.*, 302 Md. 47, 62 (1984). Summary judgment is not a substitute for trial because it does not provide the trial court a proper opportunity "to give credence to certain facts and refuse to credit others." *Hines v. French*, 157 Md. App. 536, 564 (2004). Summary judgment may not be used to dispose of disputed evidentiary matters, credibility issues, and material facts. *Boland v. Boland*, 423 Md. 296, 336 (2011). In this case, the parties strongly and genuinely dispute whether Dr. Rita Colwell's membership on the EcoHealth Alliance's Board of Directors relates to her work as a Distinguished University Professor and Professor Emerita at the University of Maryland such that her University-related records and communications fall within the ambit of the Maryland Public Information Act.

Upon consideration of the motion, opposition, reply, any attached affidavits and other evidence, and the overall record therein, this Court finds that there are genuine disputes of material facts, and the movant is *not* entitled to judgment as a matter of law. Accordingly, it is this 10<sup>th</sup> day of June, 2022, by the Circuit Court for Prince George's County, Maryland, hereby,

**ORDERED**, that Defendant's Motion for Partial Summary Judgment (Docket Entry No. 10) filed April 15, 2022, is **DENIED**.

  
John P. Davey, Judge

Copies sent by the Court to:  
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