



Ryan Dillon-Capps <ryan@mxt3.com>

Re: New Web Form Submission - Ryan Dillon-Capps

1 message

Ryan Dillon-Capps <ryan@mxt3.com>
To: "Spiker, James" <jspiker@oag.state.md.us>

Fri, May 2, 2025 at 2:43 AM

USDM-20241226-2037-READY.zip

Dear Mr. James Spiker,

I am following up on my email dated April 29, 2025 which remains unanswered. While your March 4, 2025, response acknowledged my request for a waiver of service on behalf of the State of Maryland, it provided no statutory or factual basis for denying that waiver under **Federal Rule of Civil Procedure 4(d)**.

Attached again for convenience are:

- **AO 399 – Waiver of Service of Summons**, and
- the original **December 27, 2024 complaint** (zipped format).

Under **FRCP 4(d)(2)**, refusal to waive service without good cause authorizes the Court to impose the full cost of service upon the defendant. Your office has had constructive and actual notice of the claims and requested relief for several months, and neither the State of Maryland nor its authorized agents have disavowed, rebutted, or defended the conduct at issue. To the contrary, the State has invoked federal jurisdiction a second time, and the Office of Bar Counsel has officially acknowledged that, following investigation, the allegations remain meritorious.

Absent return of the executed waiver and engagement to resolve this matter in good faith, I will proceed as if service was effectuated on **February 27, 2025, at 7:31 AM**, pursuant to prior notice and applicable procedural authority. Take notice that I will be pursuing my previously stated intent to seek injunctive relief, evidentiary hearings, and judgment as a matter of law on all claims, with all forms of relief available under law, and with no remaining recognized immunity for the State or its agents. Furthermore, this email shall serve as formal notice of my intent to pursue default judgment. Nothing herein shall be construed as a waiver or abandonment of any claim, nor of any right to discovery, depositions, or further procedural steps necessary to ensure a complete and accurate adjudication of all claims, parties, and requested relief.

This communication shall be deemed a final opportunity to resolve the matter voluntarily before binding court orders are issued and judgments are rendered.

Sincerely,
Ryan Dillon-Capps
1334 Maple Avenue
Essex Maryland 21221

On Tue, Apr 29, 2025 at 6:51 PM Ryan Dillon-Capps <ryan@mxt3.com> wrote:

Dear Mr. Spiker,

I hope this message finds you well.

I am writing to provide an update regarding the ongoing appellate proceedings in *Dillon-Capps v. Ohana Growth Partners, LLC*, Fourth Circuit Appeal No. 25-1162. As you are aware, prior motions were denied; however, the underlying impediment has since been addressed.

Throughout this process, I have made repeated good-faith efforts to provide the State of Maryland and its associated parties with notice and opportunities to resolve the matters at issue. This message constitutes an additional formal notice and opportunity to confer.

I remind you that I am the prevailing party from the underlying state action, and I am now positioned to exit the appeal in a stronger posture than when the case was first filed on December 27, 2024, with additional claims and defendants.

I am renewing my motions, including for injunctive relief and for judgment as a matter of law on several claims. Should the sovereign elect to continue disregarding these notices and opportunities, it will further strengthen the record that defenses have been knowingly forfeited.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,
Ryan Dillon-Capps
ryan@mxt3.com
703-303-1113

1334 Maple Avenue
Essex Maryland 21221

On Tue, Mar 4, 2025 at 7:46 PM Spiker, James <jspiker@oag.state.md.us> wrote:

Mr. Dillon-Capps:

Good evening.

Your below email was forwarded to me for handling. Because the State of Maryland defendants were never served with summonses in the underlying District Court case, they are not parties to the appeal. Consequently, you need not serve us with copies of your Fourth Circuit filings.

I hope that this fully addresses your inquiry.

Thank you.

-James



The information contained in this communication (including any attachments) may be confidential and legally privileged. This email may not serve as a contractual agreement unless explicit written agreement for this purpose has been made. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication or any of its contents is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender indicating that it was received in error and delete the original message and any copy of it from your computer system.

From: Ryan Dillon-Capps <ryan@mxt3.com>
Sent: Thursday, February 27, 2025 9:38 AM
To: OAG <OAG@oag.state.md.us>
Subject: Re: New Web Form Submission - Ryan Dillon-Capps

Dear OAG Response Coordinator,

It appears there has been a gross misunderstanding regarding my request. I am not seeking legal advice from the Maryland Office of the Attorney General. Rather, I am engaging the Attorney General's Office as opposing counsel because the State of Maryland is an appellee-defendant in Dillon-Capps v. Ohana Growth Partners, LLC, et al., Appeal No. 25-1162, which is currently before the United States Court of Appeals for the Fourth Circuit.

As you are aware, the Maryland Attorney General is responsible for representing the State of Maryland and its agencies in litigation. As such, this Office is the appropriate point of contact regarding the pending appeal. My request was sent in that capacity, and I am requesting consent for electronic service of filings in accordance with Federal Rule of Appellate Procedure 25(c) and Fourth Circuit Local Rule 25(a)(1).

To clarify, my communication was directed to the Attorney General's Office not as a request for legal assistance, but as a formal request for procedural cooperation as required by appellate court rules. Given my status as a Pro Se litigant proceeding In Forma Pauperis (IFP), I am experiencing financial hardship that prevents me from effectuating service by first-class mail. I am therefore requesting that the State of Maryland, as an appellee-defendant, consent to electronic service of filings in this appeal.

If the Attorney General's Office, as counsel for the State of Maryland, consents to electronic service, please confirm by replying to this email. If I do not receive a response, I may seek alternative relief from the Fourth Circuit, including a motion requesting the court to facilitate service or a court order mandating compliance with procedural obligations.

Please confirm receipt of this email and provide a substantive response regarding consent to electronic service. I appreciate your prompt attention to this matter. I can be reached at ryan@mxt3.com should you require any further clarification.

Sincerely,
Ryan Dillon-Capps
703-303-1113
ryan@mxt3.com
1334 Maple Avenue
Essex Maryland 21221

On Thu, Feb 27, 2025 at 8:40 AM OAG <OAG@oag.state.md.us> wrote:

Thank you for contacting the Maryland Office of the Attorney General with your questions regarding legal counsel.

The Attorney General is the legal counsel for the State of Maryland and its agencies. As such, this Office provides legal advice to state agencies, boards and commissions and investigates and prosecutes crimes against the State. The Office further represents the State in all cases pending in the Appellate Courts of the State, and in the U.S. Supreme Court and lower Federal Courts. To learn more about the Office of the Attorney General, follow this link: <http://www.marylandattorneygeneral.gov/>

The Attorney General's office cannot provide individuals with legal advice.

You may want to contact a private attorney regarding your questions. If you wish to consult with private counsel, you can contact the Maryland State Bar Association for referrals. You can find the relevant contact information by following this link: <https://www.msba.org/for-members/resources/local-specialty-bars/> If you cannot afford an attorney, you may wish to contact Maryland Legal Aid by following this link: <http://www.mdlab.org/>

You may also wish to refer to the People's Law Library of Maryland for information. You can follow their link here: <https://www.peoples-law.org/>

Thank you again for contacting the Maryland Office of the Attorney General.

Sincerely,
OAG Response Coordinator
Office of the Attorney General

From: OAG <OAG@oag.state.md.us>
Sent: Thursday, February 27, 2025 7:31 AM
To: OAG <OAG@oag.state.md.us>
Subject: New Web Form Submission - Ryan Dillon-Capps

Category:

First Name: Ryan
Last Name: Dillon-Capps
Address 1: 1334 Maple Ave
Address 2:
City: Essex
State: Maryland (MD)
Zip: 21221
Email: ryan@mxt3.com
Phone Number: 703-303-1113

Previously Contacted the OAG? Yes

Message:

I am writing regarding Dillon-Capps v. Ohana Growth Partners, LLC, et al., Appeal No. 25-1162, which is currently before the United States Court of Appeals for the Fourth Circuit. On December 27, 2024, I filed civil action 1:24-CV-3744 in the U.S. District Court for the

District of Maryland as a Pro Se litigant proceeding In Forma Pauperis (IFP). My IFP status was granted on January 8, 2025. It was recently brought to my attention that the District Court has not issued summons or effectuated service through the U.S. Marshals Service, as required under Federal Rule of Civil Procedure 4(c)(3) and 28 U.S.C. § 1915(d). This failure to serve applies to the State of Maryland and individuals acting under the color of state law. The District Court misrepresented the facts and incorrectly applied legal precedent, leading to the improper dismissal of the same defendants and claims that are now before the Fourth Circuit on appeal. Despite these errors, the appeal has been docketed under case number 25-1162, and I am now required to serve the appellee-defendants with court filings. However, as a Pro Se IFP appellant, I am experiencing severe financial hardship that prevents me from serving the necessary parties by first-class mail. In light of this, I am requesting consent for electronic service under Federal Rule of Appellate Procedure 25(c) and Fourth Circuit Local Rule 25(a)(1). Specifically, I seek your office's confirmation that service may be effectuated electronically for the following appellee-defendants: the Circuit Court for Baltimore County, including Judges Dennis M. Robinson, Jr., H. Patrick Stringer, Michael S. Barranco, Stacey A. Mayer, Andrew M. Battista, Jan M. Alexander, Keith R. Truffer, Marc A. DeSimone, Jr., and Judith C. Ensor in her role as Clerk of the Circuit Court. Additionally, this request extends to Bar Counsel Thomas M. DeGonia II and Tanya C. Bernstein, Director of Investigative Counsel, as well as the State of Maryland. If you or the relevant appellee-defendants consent to electronic service, please confirm by replying to this message. If there is no response, I will need to explore alternative options, including seeking a court order to waive service costs or requesting that the Clerk's Office of the Fourth Circuit serve the required documents on my behalf. I also wish to note that on three separate occasions, an attorney representing the State of Maryland has remanded or otherwise directed this matter back to the federal District Court. These occurrences took place on June 26, 2024, November 2/6, 2024, and again on February 20, 2025. This appeal involves allegations of serious misconduct and criminal violations by individuals acting under the color of state law, and I remain open to negotiations regarding the resolution of these matters. Please contact me via email at ryan@mxt3.com as soon as you receive this communication. Your prompt attention to this matter is appreciated.

 [RDC-Ohana_1-24-cv-3744-AO399_WaiverServiceofSummons.pdf](#)
274K



Ryan Dillon-Capps <ryan@mxt3.com>

Re: Request for Consent to Electronic Service - Fourth Circuit Appeal No 25-1162

1 message

Ryan Dillon-Capps <ryan@mxt3.com>
To: jay.lenrow@ohanagp.com

Fri, May 2, 2025 at 3:02 AM

USDM-20241226-2037-READY.zip

Dear Mr. Jay Lenrow,

I am following up on my email dated April 29, 2025 which remains unanswered. While our previous phone conversation on February 24, 2024 had indicated you would provide a response, no response has been received.

Attached again for convenience are:

- **AO 399 – Waiver of Service of Summons**, and
- the original **December 27, 2024 complaint** (zipped format).

Under **FRCP 4(d)(2)**, refusal to waive service without good cause authorizes the Court to impose the full cost of service upon the defendant. Ohana Growth Partners, LLC and its agents have had constructive and actual notice of the claims and requested relief for several months, and neither Ohana Growth Partners, LLC nor its authorized agents have disavowed, rebutted, or defended the conduct at issue. To the contrary, Richard Hartman and Robert Brennen have both confirmed that the FMLA violations were intentional and are not disputed.

Absent return of the executed waiver and engagement to resolve this matter in good faith, I will proceed as if service was effectuated on **February 27, 2025, at 7:35 AM**, pursuant to prior notice and applicable procedural authority. Take notice that I will be pursuing my previously stated intent to seek injunctive relief, evidentiary hearings, and judgment as a matter of law on all claims, with all forms of relief available under law, and with no remaining recognized corporate immunity. Furthermore, this email shall serve as formal notice of my intent to pursue default judgment. Nothing herein shall be construed as a waiver or abandonment of any claim, nor of any right to discovery, depositions, or further procedural steps necessary to ensure a complete and accurate adjudication of all claims, parties, and requested relief.

This communication shall be deemed a final opportunity to resolve the matter voluntarily before binding court orders are issued and judgments are rendered.

Sincerely,
Ryan Dillon-Capps
1334 Maple Avenue
Essex Maryland 21221

On Tue, Apr 29, 2025 at 6:28 PM Ryan Dillon-Capps <ryan@mxt3.com> wrote:

Dear Mr. Lenrow,

I hope this message finds you well.

I am writing to provide an update regarding the ongoing appellate proceedings in *Dillon-Capps v. Ohana Growth Partners, LLC*, Fourth Circuit Appeal No. 25-1162. As you are aware, I previously filed an Emergency Motion for Injunctive Relief Pending Appeal and requested single-judge review. That motion was denied, but the underlying impediment has since been addressed.

Throughout this process, I have made repeated and substantial efforts to provide Ohana Growth Partners, LLC with both notice and meaningful opportunities to resolve these matters. This message constitutes an additional formal notice and opportunity to confer.

I will remind you that I am the prevailing party in your client's state court action, and I am positioned to exit the appeal in a stronger posture than when the case was first filed on December 27, 2024. As in-house counsel, you serve as the de facto legal representative for Ohana Growth Partners, LLC. Should your client wish to engage in negotiations or assert any position prior to further rulings, I respectfully request that you contact me immediately.

I am renewing my motions, including for injunctive relief and judgment as a matter of law on several claims. Should your client continue to disregard these notices and opportunities, it will further strengthen the record that they have knowingly forfeited available defenses.

Thank you for your attention to this matter. I look forward to your response.

Ryan Dillon-Capps
ryan@mxt3.com
703-303-1113

On Thu, Feb 27, 2025 at 7:35 AM Ryan Dillon-Capps <ryan@mxt3.com> wrote:

Dear Mr. Lenrow,

I hope this email finds you well.

I am writing regarding Dillon-Capps v. Ohana Growth Partners, LLC, et al., Appeal No. 25-1162, which is currently before the United States Court of Appeals for the Fourth Circuit. As you are aware, I originally filed civil action 1:24-CV-3744 in the U.S. District Court for the District of Maryland on December 27, 2024, as a Pro Se litigant proceeding In Forma Pauperis (IFP). My IFP status was granted on January 8, 2025. However, it was recently brought to my attention that the District Court failed to issue summons or effectuate service through the U.S. Marshals Service, as required under Federal Rule of Civil Procedure 4(c)(3) and 28 U.S.C. § 1915(d). This failure has impacted the State of Maryland and other individuals acting under color of state law named in the case.

Despite these procedural errors, the Fourth Circuit has docketed the appeal under case number 25-1162, and I am now required to serve the appellee-defendants with court filings. As a Pro Se IFP appellant, I face significant financial hardship that prevents me from fulfilling this obligation through first-class mail. Therefore, I am reaching out to request your consent for electronic service, as permitted under Federal Rule of Appellate Procedure 25(c) and Fourth Circuit Local Rule 25(a)(1).

If you consent to electronic service, I will provide all future filings via email, and I request that you do the same for any responses. Please confirm your consent by replying to this email. If no response is received, I will need to pursue alternative measures, including seeking a court order to waive service costs or requesting that the Clerk's Office of the Fourth Circuit effectuate service on my behalf.

Given the allegations, which involve serious misconduct and criminal violations, I remain open to discussions regarding the resolution of these matters.

Please confirm your receipt of this request and let me know whether you consent to electronic service. I can be reached at ryan@mxt3.com.

Thank you for your time and attention to this matter. I look forward to your response.

Sincerely,

Ryan Dillon-Capps

ryan@mxt3.com

703-303-1113

1334 Maple Avenue

Essex Maryland 21221

 [RDC-Ohana_1-24-cv-3744-AO399_WaiverServiceofSummons.pdf](#)
274K



Ryan Dillon-Capps <ryan@mxt3.com>

Notice of Opportunity to Waive Service and Resolve Claims

1 message

Ryan Dillon-Capps <ryan@mxt3.com>
To: ngreenes@milesstockbridge.com

Fri, May 2, 2025 at 3:46 AM

USDM-20241226-2037-READY.zip

To: Nancy Whiteman Greene
Chairman, President & CEO
Miles & Stockbridge P.C.
100 Light Street
Baltimore, MD 21202
ngreenes@milesstockbridge.com

Ms. Nancy Whiteman Greene,

I hope this message finds you well.

This correspondence constitutes formal notice to Miles & Stockbridge P.C. ("M&S"), presents a final opportunity to resolve this matter in good faith, and affords a reasonable opportunity to avoid the costs and procedural consequences of formal service by completing and returning the attached waiver pursuant to Federal Rule of Civil Procedure 4(d).

Attached are:

- AO 399 – Waiver of the Service of Summons; and
- The original complaint filed on December 27, 2024 (in zipped format).

Despite prior notice and multiple good-faith efforts to negotiate resolution—including with several of your firm's principals and associates—no lawful defense has been raised, no disavowal of misconduct has been issued, and no action has been taken to remedy the substantial legal harm inflicted. Moreover, the Office of Bar Counsel has officially concluded, following investigation and response from the named attorneys, that the allegations remain meritorious.

Absent return of the executed waiver and engagement to resolve this matter in good faith, I will proceed as if service was effectuated as of **May 2, 2025**, at the time of this transmission, the silence will be construed as continued refusal to engage in good faith, and I will then proceed to seek default judgment, along with all forms of equitable, injunctive, and monetary relief available under the law.

Please take notice that I will be pursuing my previously stated intent to seek injunctive relief, evidentiary hearings, and judgment as a matter of law. Nothing in this communication shall be construed as a waiver of any claims, nor of my right to discovery—including invocation of the crime-fraud exception to the attorney-client privilege—depositions, or any further procedural step necessary to ensure full and proper adjudication of all claims, parties, and relief.

As a professional courtesy, I am also attaching the **Motion to Disqualify** and its **three supporting affidavits** to ensure M&S is fully aware of the expanded scope of allegations—some of which concern the firm and certain named individuals. At present, no formal allegations have been asserted that directly implicate M&S in the newly raised claims, and it is in hope and good faith that I state my belief that no such basis will ultimately arise. Kramon and Graham have received a similar notice that depositions are likely to arise.

Were our positions reversed, I would appreciate being notified directly—even if already aware through other channels.

Sincerely,

Ryan Dillon-Capps
ryan@mxt3.com
703-303-1113
1334 Maple Avenue
Essex Maryland 21221

2 attachments

RDC-Ohana_1-24-cv-3744-AO399_WaiverServiceofSummons.pdf
274K

25-1162-ECF24-disqualification.zip
3694K



Ryan Dillon-Capps <ryan@mxt3.com>

Re: Attorney Grievance Commission Private and Confidential Letters Dated 1-22-25

1 message

Ryan Dillon-Capps <ryan@mxt3.com>
 To: "Kelsey E. Rowe" <kelsey.rowe@agc.maryland.gov>

Wed, Jan 22, 2025 at 10:47 AM

Dear Kelsey E. Rowe,

Thank you for your email. Unfortunately, it comes too late to toll the proceedings. The failure of this office to intervene in a timely manner has significantly contributed to the financial and physical harm that I continue to endure.

As an attorney with representational standing in the State of Maryland, Mr. DeGonia II's inaction and the supporting conduct by this office are unacceptable. Accordingly, I formally request that this office, Mr. DeGonia II, and the State of Maryland initiate direct negotiations with me without further delay.

Thank you for your prompt attention to this matter.

Sincerely,

Ryan Dillon-Capps

On Wed, Jan 22, 2025 at 10:00 AM Kelsey E. Rowe <kelsey.rowe@agc.maryland.gov> wrote:

Dear Mr. Dillon-Capps,

Please see the attached correspondence from the Attorney Grievance Commission of Maryland.

This correspondence is being sent only via e-mail.

Thank you,



KELSEY E. ROWE

Secretary

Phone: (410) 514-7051

200 Harry S. Truman Parkway

Suite 300

Annapolis, MD 21401-7479

Email: kelsey.rowe@agc.maryland.gov

Web:www.courts.state.md.us/attygrievance/faqs

Confidentiality Note: This email message and attachments contain information which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named on this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this email information, is strictly prohibited and that the documents should be returned to me immediately. If you have received this email in error or by accidental transmission, please notify me by return email; immediately delete all electronic copies of this email and all attachments; and destroy all hard copies. Thank you.



Ryan Dillon-Capps <ryan@mxt3.com>

Thank you for submitting a report to the Civil Rights Division

1 message

DOJ Civil Rights - Do Not Reply <civilrightsdonotreply@mail.civilrights.usdoj.gov>

Reply-To: civilrightsdonotreply@mail.civilrights.usdoj.gov

To: ryan@mxt3.com

Fri, Jan 17, 2025 at 4:52 PM



Please do not reply to this email. This is an unmonitored account.

Thank you for submitting a report to the Civil Rights Division. Please save your record number for tracking. Your record number is: **559449-VTN**.

If you reported an incident where you or someone else has experienced or is still experiencing physical harm or violence, or are in immediate danger, please call 911 and contact the police.

What to Expect

1. We review your report

Our specialists in the Civil Rights Division carefully read every report to identify civil rights violations, spot trends, and determine if we have authority to help with your report.

2. Our specialists determine the next steps

We may decide to:

- Open an investigation or take some other action within the legal authority of the Justice Department.
- Collect more information before we can look into your report.
- Recommend another government agency that can properly look into your report. If so, we'll let you know.

In some cases, we may determine that we don't have legal authority to handle your report and will recommend that you seek help from a private lawyer or local legal aid organization.

3. When possible, we will follow up with you

We do our best to let you know about the outcome of our review. However, we may not always be able to provide you with updates because:

- We're actively working on an investigation or case related to your report.
- We're receiving and actively reviewing many requests at the same time.

If we are able to respond, we will contact you using the contact information you provided in this report. Depending on the type of report, response times can vary. If you need to reach us about your report, please refer to your report number when contacting us. This is how we keep track of your submission.

What You Can Do Next

1. Contact local legal aid organizations or a lawyer if you haven't already.

Legal aid offices or members of lawyer associations in your state may be able to help you with your issue.

- American Bar Association, visit the www.americanbar.org/groups/legal_services/flh-home or call (800) 285-2221
- Legal Services Corporation (or Legal Aid Offices), to help you find a legal aid lawyer in your area visit www.lsc.gov/find-legal-aid

2. Learn More

Visit civilrights.justice.gov to learn more about your rights and see examples of violations we handle.

Please Note: Each week, we receive hundreds of reports of potential violations. We collect and analyze this information to help us select cases, and we may use this information as evidence in an existing case. We will review your letter to decide whether it is necessary to contact you for additional information. We do not have the resources to follow-up on every letter.

Contact

civilrights.justice.gov



U.S. Department of
Justice
Civil Rights Division
[950 Pennsylvania](http://950Pennsylvania)



(202) 514-3847
phone 1-855-856-1247 (toll-free)
Telephone Device for the



Ryan Dillon-Capps <ryan@mxt3.com>

Automatic reply: Civil Rights Violations in Circuit Court for Baltimore County

1 message

Civil Rights <CivilRights@oag.state.md.us>
To: Ryan Dillon-Capps <ryan@mxt3.com>

Fri, Jan 17, 2025 at 5:06 PM

Thank you for contacting the Civil Rights Division of the Maryland Office of the Attorney General (OAG). **We will review the information that you provided carefully and will contact you should additional information be necessary.**

The Civil Rights Division works to create equal opportunity by addressing violations of State and federal civil rights laws through investigation, litigation, and public education. The OAG's Civil Rights Division does not represent individuals harmed by civil rights violations. It seeks to address patterns of misconduct, discriminatory policies, or widespread conduct. In most of our cases, the discrimination will have harmed, or poses a risk of harm to multiple persons.

If the Office has reason to believe that there has been a civil rights violation, it may seek restitution, a court order to stop further violations, and/or civil penalties.

You may also contact the **Maryland Commission on Civil Rights (MCCR)**, which can be found at <https://mccr.maryland.gov/Pages/default.aspx>. MCCR assists individual complainants to resolve their disputes. The OAG and the MCCR coordinate to ensure the protection of Marylanders' civil rights.

The OAG Civil Rights Division does not have authority to address complaints against governmental agencies. If you have a complaint against a State or local government, you should contact MCCR or your local human rights organization. If you have a complaint against law enforcement, there may be a civilian oversight board in your community.

Filing a complaint with the Office of the Attorney General is not a substitute for bringing an individual lawsuit in court, and it does not affect any of the filing deadlines or other administrative prerequisites that may exist for filing a lawsuit in court or with a government agency.

Sincerely,

Maryland Office of the Attorney General
Civil Rights Division
<https://www.marylandattorneygeneral.gov/Pages/Civil/default.aspx>



Ryan Dillon-Capps <ryan@mxt3.com>

Thank You for Submitting MCCR's Preliminary Questionnaire

1 message

donot.reply@maryland.gov <donot.reply@maryland.gov>

Fri, Jan 17, 2025 at 5:02 PM

Reply-To: donot.reply@maryland.gov

To: ryan@mxt3.com

Thank you for submitting the Maryland Commission on Civil Rights' Preliminary Questionnaire (PQ).

A copy of your responses below have been sent to MCCR's Intake Unit for review. Due to a high volume of cases filed in the last few months, there may be a delay in processing your claim and it may take us two to three weeks to contact you to discuss the next-steps in the process. We thank you for understanding. Please direct any questions you may have to 410-767-8600 or mccr@maryland.gov.

-----NAME & CONTACT INFORMATION-----

1. Complainant Personal Information (Person Filing Complaint)

First Name: Ryan

MI:

Last Name: Dillon-Capps

Street or Mailing Address

Street: 1334 Maple Ave

City: Essex

County: Baltimore County

State: MD

Zip: 21221

Phone Number

Home:

Work:

Cell: 703-303-1113

Email Address: ryan@mxt3.com

Date of Birth: 8/28/1980

Sex: X

Please answer each of the next three questions.

What is your race?

What is your National Origin? United States by Birth

Do you have a disability? Yes

Do you need an accommodation or a translator to use MCCR's services? If so, please specify: Possibly

Please Provide The Name Of A Person We Can Contact If We Are Unable To Reach You. *If MCCR is unable to reach you at any point during the intake and investigation processes, your complaint may be administratively closed.*

Name: Caroline Dillon-Capps

Relationship: Spouse

Street or Mailing Address

Street: 1334 Maple Ave
City: Essex
County: Baltimore County
State: MD
Zip: 21221

Phone Number

Home:
Work:
Cell: 813-694-0598

Have you sought help about this situation from an attorney, a union, or any other source? If yes, please provide the name of the organization, the name of person you spoke with, date(s) of contact, and results (if any). Yes

How did you hear about MCCR?

-----COMPLAINT TYPE-----

2. What kind of discrimination complaint do you wish to file with MCCR? Public Accommodations

-----EMPLOYMENT DISCRIMINATION-----

3. Employment Discrimination Complaint Information

I believe that I was discriminated against by the following organization(s):

Date of Alleged Discrimination:

Where did the alleged discrimination occur?

Have you previously filed this complaint with the U.S. Equal Employment Opportunity Commission (EEOC) or any other agency? If yes, date filed and which office:

Respondent Contact Information

Employer Name:

Street or Mailing Address

Street:
City:
County:
State:
Zip:

Phone Number:

HR Director or Owner Name:

Street or Mailing Address

Street:
City:
County:
State:
Zip:

Phone Number:

Number of Employees in the Organization at All Locations:**Additional Organization Name:**

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

HR Director or Owner Name:

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

4. Your Employment Data**Are you a federal employee?**

Date Hired:

Most Current Position:

Job Title at Time of Alleged Discrimination:

Name and Title of Immediate Supervisor:

If Job Applicant, Date You Applied for Job:

Job Title Applied For:

What is the reason (basis) for your claim of employment discrimination?

If you selected color, religion or national origin, please specify:

If you selected genetic information, please select which type(s) of genetic information is/are involved:

If you selected any of these options, how did the employer obtain the genetic information?

Other reason (basis) for discrimination (Explain):

-----HOUSING DISCRIMINATION-----**3. Housing Discrimination Complaint Information****I believe that I was discriminated against by the following organization(s):****Date of Alleged Discrimination:****Where did the alleged discrimination occur?**

Have you previously filed this complaint with the U.S. Department of Housing & Urban Development (HUD) or any other agency? If yes, date filed and which office:

Please Provide the Name(s) of Other Aggrieved Persons

Individual 1

Name:

Relationship:

Individual 2

Name:

Relationship:

Individual 3

Name:

Relationship:

Respondent Contact Information

Organization Name:

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

Manager or Owner Name:

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

Additional Organization Name:

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

Manager or Owner Name:

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

4. Your Housing Data

If Rental Applicant

Application Date:

Denial Date:

If Loan Applicant

Application Date:

Denial Date:

What is the reason (basis) for your claim of housing discrimination?

If you selected color, religion or national origin, please specify:

Other reason (basis) for discrimination (Explain):

What is the violation (issue) involved in your claim of housing discrimination?

-----PUBLIC ACCOMMODATION DISCRIMINATION-----

3. Public Accommodation Discrimination Complaint Information

I believe that I was discriminated against by the following organization(s): Governmental Facility

Date of Alleged Discrimination: 11/6/2024

Where did the alleged discrimination occur? Baltimore County

Have you previously filed this complaint with another agency? If yes, date filed and where: Yes

Please Provide the Name(s) of Other Aggrieved Persons

Individual 1

Name:

Relationship:

Individual 2

Name:

Relationship:

Individual 3

Name:

Relationship:

Respondent Contact Information

Organization Name: Circuit Court of Baltimore County

Street or Mailing Address

Street: **401 Bosley Ave**

City: Towson

County: Baltimore County

State: MD

Zip: 21204

Phone Number: 410-887-2139

Manager or Owner Name:

Street or Mailing Address

Street:

City:

County:

State: MD
Zip:

Phone Number:

Additional Organization Name:

Street or Mailing Address

Street:
City:
County:
State: MD
Zip:

Phone Number:

Manager or Owner Name:

Street or Mailing Address

Street:
City:
County:
State: MD
Zip:

Phone Number:

4. Your Public Accommodation Data

What is the reason (basis) for your claim of public accommodation discrimination? Disability
If you selected color, creed (religion) or national origin, please specify:
Other reason (basis) for discrimination (Explain): Civil Rights Violations - Due Process

What is the violation (issue) involved in your claim of public accommodation discrimination? Denial/Refusal of Service (*Denial of accommodations, advantages, facilities and privileges of a place of public accommodation*)

-----STATE CONTRACT DISCRIMINATION-----

3. State Contract Discrimination Complaint Information

Type of Business Entity that Engaged in Discrimination:

Date of Alleged Discrimination:

Where did the alleged discrimination occur?

Have you previously filed this complaint with another agency? If yes, date filed and where:

Respondent Contact Information

Organization Name:

Street or Mailing Address

Street:
City:
County:
State:
Zip:

Phone Number:

Manager or Owner Name:

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

Additional Organization Name:

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

Manager or Owner Name:

Street or Mailing Address

Street:

City:

County:

State:

Zip:

Phone Number:

4. Your State Contract Data

What is the reason (basis) for your claim of discrimination?

If you selected color, religion or national origin, please specify:

Other reason (basis) for discrimination (Explain):

What is the violation (issue) involved in your claim of state contract discrimination?

-----DISCRIMINATORY ACT DETAILS-----

5. What happened to you that you believe was discriminatory?

A. Date:

Action:

Name and Title of Person(s) Responsible:

B. Date:

Action:

Name and Title of Person(s) Responsible:

C. Date:

Action:

Name and Title of Person(s) Responsible:

D. Date:

Action:

Name and Title of Person(s) Responsible:

6. Why do you believe these actions were discriminatory? On June 14, 2024, my employer filed a lawsuit against me seeking injunctive relief in a labor dispute, in violation of the Norris-LaGuardia Act (29 U.S.C. §§ 101–115). For months, the court proceedings advanced while all of my answers and counterclaims were ignored, and ultimately the Circuit Court Judges permitted my employer's voluntary dismissal. During those proceedings, a Circuit Court Judge remanded one of my claims to federal court; however, in doing so, all of my unadjudicated claims were also transferred to federal court. Throughout the case, I was denied the rights guaranteed by the Constitution to parties in civil actions. At one point, there were threats to jail me for refusing to comply with my former employer's demands that I continue working, despite those demands raising legal issues more typical of criminal investigations. Near the end of the case, I noticed certain court records were being altered and decided to review their metadata. By comparing these altered records to documents from other court proceedings, I discovered that specific software tools had been used to modify the case records. Some rulings contained traces of text from earlier rulings, indicating they had been edited prior to being added to the official record. I also found evidence that the county clerk's office modified official forms to invent new reasons to reject my submissions, effectively preventing evidence from appearing in the record. These irregularities were compounded by multiple violations of state law, such as denying mandatory hearings in a labor dispute where injunctive relief was being sought. I have now filed my case in federal district court and am providing evidence to various agencies before sharing this information with the media. The state court proceedings resulted in severe harm, and I have yet to receive a timely response in federal court—this includes a motion to hold a hearing under seal for presenting highly sensitive information. I am not asserting a federal court violation at this time; however, I cannot allow continued inaction when I believe countless others may be experiencing even worse outcomes under similar circumstances. My case is unique because I gathered enough documentation to prove these actions occurred and have developed a process to demonstrate where and how court records were altered. Moreover, the judiciary remanding part of my case, solely adjudicating on a NLA violation which makes absent all jurisdiction, and then ending the case as a voluntary dismissal equates to the voluntary waiver of state immunity, loss of judicial immunity, and free and clear claim for relief on all of my claims in federal court.

Please upload additional information if needed.

7. What reason(s) were given to you for the acts you consider discriminatory? By whom? His/Her Job Title?

8. Describe who was in the same or similar situation as you and how they were treated.

A. Full Name:

Protected Class Characteristics:

Job Title (*if applicable*):

Description of Treatment:

B. Full Name:

Protected Class Characteristics:

Job Title (*if applicable*):

Description of Treatment:

C. Full Name:

Protected Class Characteristics:

Job Title (*if applicable*):

Description of Treatment:

D. Full Name:

Protected Class Characteristics:

Job Title (*if applicable*):

Description of Treatment:

-----DISABILITY COMPLAINT DETAILS-----

9. Please check all that apply: Yes, I have a disability

10. What is the disability that you believe is the reason for the adverse action taken against you? Does this disability prevent or limit you from doing anything?

11. Do you use medications, medical equipment or anything else to lessen or eliminate the symptoms of your disability? If yes, what medication, medical equipment or other assistance do you use?

12. Did you ask your employer, housing provider, or place of public accommodation for any assistance or accommodations because of your disability? If yes, when did you ask?

How did you ask (verbally or in writing)?

Who did you ask?

Describe the assistance or accommodations that you requested:

How did that individual respond to your request?

-----WITNESSES & REMEDIES-----

13. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and tell us what they will say.

A. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

B. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

C. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

D. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

E. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

F. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

G. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

H. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

I. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

J. Full Name:

Job Title (*if applicable*):

Address & Phone Number:

What do you believe this person will tell us?

14. What remedy are you seeking?

How did you come up with this remedy?

-----REVIEW, SIGN & SUBMIT-----

**I SOLEMNLY AFFIRM UNDER PENALTY OF PERJURY THAT THE CONTENTS OF THE
FOREGOING STATEMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION
AND BELIEF.** Accept

SIGNATURE: RDC

DATE: 1/17/2025

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**
LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX
1100 EAST MAIN STREET, SUITE 501
RICHMOND, VIRGINIA 23219-3517
WWW.CA4.USCOURTS.GOV

NWAMAKA ANOWI
CLERK

TELEPHONE
(804) 916-2700

April 23, 2025

CONFIDENTIAL (via email)

Ryan Dillon-Capps
1334 Maple Ave.
Essex, MD 21221
(ryan@mxt3.com)

Re: Submission relative to a judicial complaint

Dear Mr. Dillon-Capps:

The Chief Judge has reviewed your submission and determined that it does not present "extraordinary circumstances . . . such that more than five pages are required to set forth a 'concise statement that details the specific facts on which the claim of misconduct or disability is based.'" Rule 6(b)(1), *Fourth Circuit Local Rules for Judicial-Conduct and Judicial-Disability Proceedings*.

Upon receipt of a properly executed complaint with an accompanying statement of facts, a number will be assigned to the complaint, and it will be processed in accordance with Judicial-Conduct Rule 8. If a properly executed complaint is not received by May 6, 2025, the materials received will be considered under Judicial-Conduct Rule 5(b).

Sincerely,



Nwamaka Anowi

NA:swv

From: Butler, Holly Drumheller <hbutler@MilesStockbridge.com>
Sent time: 2024/06/05 14:29:05
To: Ryan Wagner
Subject: RE: Confirmation of Representation Status
Attachments: image006.png image007.png image001.png

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Wagner, as I expressly stated below, if you have questions—whether about legal representation or otherwise, I recommend you direct them to the company. I will not be responding further.



Holly Drumheller Butler (She/Her/Hers) | *Principal*
Miles & Stockbridge
direct: +1 (410) 385-3829

From: Ryan Wagner <Ryan.Wagner@ohanagp.com>
Sent: Wednesday, June 5, 2024 2:24 PM
To: Butler, Holly Drumheller <hbutler@MilesStockbridge.com>
Subject: [EXTERNAL] Re: Confirmation of Representation Status

[EXTERNAL]

[@Butler, Holly Drumheller](#)

Good afternoon,

Thank you for your prompt reply. I understand and respect your position regarding client confidences. However, I need to clarify whether you are still representing Ohana Growth Partners in this specific matter. This information is crucial for ensuring that our communications and inquiries are properly directed and addressed.

Could you please confirm if you are currently acting as the legal counsel for Ohana Growth Partners regarding the ongoing investigation? If not, please advise to whom we should direct our future correspondence.

Thank you for your cooperation and attention to this matter. I look forward to your prompt response.

This message may include text created with the help of natural language processing.

[Book time to meet with me](#)

Ryan Wagner
Vice President of IT
Ohana Growth Partners, LLC



office 410-252-8058 x109
212 W. Padonia Rd
Timonium, MD 21093
www.planetfitness.com

"Culture eats strategy for breakfast"

From: Butler, Holly Drumheller <hbutler@MilesStockbridge.com>
Sent: Wednesday, June 5, 2024 2:19 PM
To: Ryan Wagner <Ryan.Wagner@ohanagp.com>
Subject: RE: Confirmation of Representation Status

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Mr. Wagner. As you know, I conducted an independent investigation on behalf of Ohana Growth Partners

in connection with the concerns you identified. Out of respect for client confidences, I do not divulge the names of my clients or the extent of my representation of them. If you have questions, I recommend you direct them to the company.

Regards,
Holly



Holly Drumheller Butler (She/Her/Hers) | *Principal*
Miles & Stockbridge
direct: +1 (410) 385-3829

From: Ryan Wagner <Ryan.Wagner@ohanagp.com>
Sent: Wednesday, June 5, 2024 8:00 AM
To: Butler, Holly Drumheller <hbutler@MilesStockbridge.com>
Subject: [EXTERNAL] Re: Confirmation of Representation Status
Importance: High

[EXTERNAL]

[@Butler, Holly Drumheller](#)

I received your out of office message that said you would be returning on Monday June 3, 2024.

I am still awaiting a response to confirm your current standing and where to direct future correspondence and inquiries.

Thank you for your attention to this matter. I appreciate your prompt response.

This message may include text created with the help of natural language processing.



[Book time to meet with me](#)

Ryan Wagner
Vice President of IT
Ohana Growth Partners, LLC



office 410-252-8058 x109
212 W. Padonia Rd
Timonium, MD 21093
www.planetfitness.com

"Culture eats strategy for breakfast"

From: Ryan Wagner <Ryan.Wagner@ohanagp.com>
Sent: Saturday, June 1, 2024 6:16 PM
To: Butler, Holly Drumheller <hbutler@MilesStockbridge.com>
Subject: Confirmation of Representation Status

[@Butler, Holly Drumheller](#)

I hope this message finds you well.

I am writing to inquire about your status regarding the representation of Ohana Growth Partners. We previously had communication regarding the investigation, and I would like to confirm whether you are still acting as the legal counsel for Ohana Growth Partners in this matter.

Could you please confirm your current standing and whether we should direct future correspondence and inquiries to a different representative?

Thank you for your attention to this matter. I appreciate your prompt response.

This message may include text created with the help of natural language processing.

Ryan Dillon-Capps

From: Butler, Holly Drumheller <hbutler@MilesStockbridge.com>
Sent: Wednesday, June 5, 2024 2:29 PM
To: Ryan Wagner
Subject: RE: Confirmation of Representation Status

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Holly Drumheller Butler (She/Her/Hers) | *Principal*
Miles & Stockbridge
direct: +1 (410) 385-3829

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Subject: [EXTERNAL] Re: Confirmation of Representation Status

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Book time to meet with me

Ryan Wagner
Vice President of IT
Ohana Growth Partners, LLC



office 410-252-8058 x109
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"Culture eats strategy for breakfast"

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Regards,
Holly



Holly Drumheller Butler (She/Her/Hers) | *Principal*
Miles & Stockbridge
direct: +1 (410) 385-3829

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Sent: Wednesday, June 5, 2024 8:00 AM

To: Butler, Holly Drumheller <hbutler@MilesStockbridge.com>

Subject: [EXTERNAL] Re: Confirmation of Representation Status

Importance: High

[EXTERNAL]

@Butler, Holly Drumheller

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"Culture eats strategy for breakfast"

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Sent: Saturday, June 1, 2024 6:16 PM
To: Butler, Holly Drumheller <hbutler@MilesStockbridge.com>
Subject: Confirmation of Representation Status

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Could you please confirm your current standing and whether we should direct future correspondence and inquiries to a different representative?

Thank you for your attention to this matter. I appreciate your prompt response.

This message may include text created with the help of natural language processing.

 Book time to meet with me

Ryan Wagner
Vice President of IT
Ohana Growth Partners, LLC

From: [Ryan Wagner](#)
To: [Justin Drummond](#); [Rich Hartman](#); [Karen Debus](#); [Matt Norris](#); [Stacey Wittelsberger \(ESC\)](#); [C. Victor Brick](#); [Lynne Brick B.S.N. M.A.](#); [Terry Woods \(Planet Fitness\)](#); [Earl Ihle](#); [Glenn Norris](#)
Subject: Request for Information Regarding Legal Representation
Date: Thursday, June 6, 2024 5:13:45 PM
Attachments: [Outlook-tawky54o.png](#)
[ohanagrowthpartnersfinallogo_7fa8dba2-2909-40ee-839a-12ba06da3de6.png](#)
Importance: High

Aloha

I hope this message finds you well. I am writing to formally request information regarding the legal representation retained by Ohana Growth Partners LLC concerning accounting irregularities, the unauthorized use of my name to attest compliance documents, fabricated or altered emails/documents, or any matters related to my employment.

Specifically, I would like to know the name and contact information of the attorneys or law firms representing the company on any of these matters. This information is pertinent as I am seeking to engage in direct negotiations to resolve these issues amicably and efficiently.

I believe that open communication can help us reach a mutually agreeable solution and prevent the need for more formal proceedings. Therefore, I would appreciate your prompt response to this request.

Thank you for your cooperation.

This message may include text created with the help of natural language processing.

 [Book time to meet with me](#)

Ryan Wagner
Vice President of IT
Ohana Growth Partners, LLC



office 410-252-8058 x109
212 W. Padonia Rd
Timonium, MD 21093
[www.planetfitness.com](#)

"Culture eats strategy for breakfast"



Ryan Dillon-Capps <ryan@mxt3.com>

Re: Ohana Growth Partners, LLC v Ryan Dillon-Capps

1 message

Ryan Wagner <ryan@mxt3.com>

Reply-To: ryan@mxt3.com

To: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>

Mon, Jun 17, 2024 at 11:05 PM

I don't know why they told you to use that email address, except to say they knew I would not get the email.

Please do not continue to email ohanagp.com but direct your communications in writing to ryan@mxt3.com. You may also text 703-303-1113.

I believe your colleague Holly Butler has my contact information from our interactions earlier this year.

When has the full court hearing been scheduled?

A family emergency, not mine, has delayed our side. Thank you for providing the email.

NONE OF THIS WAS A RESPONSE TO THE FILING

On Mon, Jun 17, 2024, 10:29 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>

Date: June 17, 2024 at 09:13:28 EDT

To: Ryan.DillonCapps@ohanagp.com

Subject: Re: Ohana Growth Partners, LLC v Ryan Dillon-Capps

We have been advised by Judge DeSimone's Chambers that the Court will hear Ohana's Motion for a Temporary Restraining Order this morning as soon as possible after I arrive at the courthouse, which ought to be in about 35 minutes. If you have retained a lawyer to represent you in this matter you should have your lawyer contact Chambers to arrange to participate. If not you can contact Chambers and arrange to appear on your own behalf.

Sent from my iPhone

On Jun 14, 2024, at 11:49, Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

We have been retained by Ohana Growth Partners, LLC to represent it in connection with your ongoing breaches of your contract with and duty of loyalty to the Company and your continuing violation of Md. Code ANN., CRIM. LAW., §7-302(c) through your refusal to provide Global Admin rights to Phil Leodore of Hartman Executive Advisors. Your continued refusal to comply with Ohana's demands, and your action to lock VP of Human Resources Richard Hartman out of the Company's MS 365 account has left the Company with no option but to seek assistance of the courts.

Attached are copies of a Complaint that will be filed on Ohana's behalf against you in the Circuit Court for Baltimore County. Also attached is a Motion for Entry of a Temporary Restraining Order and Preliminary Injunction, Memorandum of Law in support of the motion with exhibits, and a proposed Order that will be filed along with the Complaint. Our transmitting these documents does not currently constitute service of process triggering your duty to file a response to the Complaint, but it does place you on notice of the Motion for a TRO.

Immediately after the documents are filed we will transmit courtesy copies of the filings to the Hon. Michael J. Finifter, who is serving as today's Chambers Judge for the Court, and request that we be given an opportunity to heard on the Motion for a TRO as soon as possible this afternoon. I will advise you as to whether the Court sets an in-person or telephonic hearing on the motion. If you are represented by an attorney, you should have your attorney contact me as soon as possible.

Ohana will consider withdrawing the Motion for TRO provided that (1) you immediately provide Global Admin rights to Phil Leodore of Hartman Executive Advisors; (2) we receive confirmation from Mr. Leodore that he has received and can exercise those rights; and (3) you confirm in writing that you will comply with the suspension letter sent to you yesterday by Richard Hartman. Time is of the essence. Ohana is also open to a negotiated resolution to the entire matter and any claims that you believe you may have, but will not entertain any discussions until the issue of Global Admin rights is resolved. I am available by telephone to discuss the matter with you and/or your attorney should you wish to do so.

Regards,

Robert Brennen

Principal

100 Light Street | Baltimore, MD 21202

D: +1 410.385.3653 | O: +1 410.727.6464 | F: +1 410.698.1352



[bio](#) | [vCard](#) | rbrennen@milesstockbridge.com



<Civil - Case Information Report1.pdf>
<2024-06-14 Complaint Ohana v Dillon-Capps.pdf>
<2024-06-14 TRO PI Cover Motion.pdf>
<2024-06-14 MOL in support of TRO.pdf>
<Exhibit 1 to MOL - Hartman Affidavit.pdf>
<Exhibit 2 to MOL - Justin_Drummond Affidavit.pdf>
<Exhibit 3 to MOL.pdf>
<2024-06-14 Proposed TRO.pdf>
<image001.png>
<image002.png>
<image003.jpg>
<image004.png>
<image005.png>

Confidentiality Notice:

This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.

Any federal tax advice provided in this communication is not intended or written by the author to be used, and cannot be used by the recipient, for the purpose of avoiding penalties which may be imposed on the recipient by the IRS. Please contact the author if you would like to receive written advice in a format which complies with IRS rules and may be relied upon to avoid penalties.

[Secure Upload/Download files click here.](#)

5 attachments



Ryan Dillon-Capps <ryan@mxt3.com>

Re: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

1 message

Ryan Wagner <ryan@mxt3.com>

Tue, Jun 18, 2024 at 5:30 PM

Reply-To: ryan@mxt3.com

To: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>

I am writing to confirm that the share link to the encrypted envelope and file should have been received. The password has been texted to you separately for security purposes.

In my haste, I did not request a copy of my submission from the clerk. It was signed, and today's chamber judge was named. Due to the urgency of the situation, I was rushing, but assuming everything was printed correctly, the attachment should be what the judge has. I apologize for any delay. Earlier in the week, I informed Justin and Glenn that I could no longer sustain the current situation and required assistance. Glenn mentioned what I assume to be Hartman Executive Advisors. My recent email to Mr. Leadore reiterates my openness to support.

I should clarify that the plaintiffs are not technical experts, and their response to my concerns has consistently been, "I disagree." Throughout this process, I have provided numerous options and proactively suggested solutions to maintain PCI compliance while accommodating their requests. My current state is barely functional, and my wife, a licensed therapist with extensive trauma counseling experience, is primarily taking care of me. I have been in and out of a non-functional state for days now, and leading up to this, I have repeatedly requested contact information from their attorney. When I asked Holly Butler, her instruction was that I go through Ohana, which is confusing given that you are all part of the same law firm. They have refused to provide me with your information, and I had to obtain it from the filing.

There have been two formal written requests for your information because I want this to end. They persist, and when not targeting me, they go after Darren, Ann, and the help desk. Ann requested time off for mental health reasons yesterday. When I inquired about her well-being, she disclosed that she had experienced a panic attack but did not recognize it until she saw a doctor.

On Thursday, I sent emails about Rich's actions against Darren, spoke with Victor and Lynne, and had a lengthy text chain with Justin. At no point did anyone say I was suspended, and I believed Rich was dangerous for hours. I sent my wife away, I sent Ann home, and I reached out to two senior directors for backup before someone responded to me. I would greatly appreciate anything you could do to help us negotiate an end to this. The only condition that is not acceptable is that anyone is left unprotected, and in the last 30 days alone, it has been clearly documented in writing that they are also targeting Ann, Darren, and Cielo. There are more examples stretching back even further for all of us.

Thank you for your attention to this matter. I am doing the best I can, and technically, since I said I would tell them when I was back, my FMLA leave is still active. If they believe something else to be true, please inform them that as a result of the escalated hostility, I will be on FMLA leave until further notice. The statement about there being no other administrators is incorrect. LeeAnn continues to hold the role of Billing Administrator, and the support team continues to hold the privileged role of User Administrator. Since Darren was removed, there have been some gaps in Azure administration. I would like to provide this access to Dante Martinez, who is the Help Desk Manager. The gap in understanding what the Global Administrator role does underscores how their statements do not qualify as expert testimony.

Thank you for your attention to this matter.

with gratitude and appreciation,

RDC

On Tue, Jun 18, 2024 at 1:41 PM Ryan Wagner <ryan@mxt3.com> wrote:

I am in my car, and I definitely can give you the letter. I do not know the procedure for the rest of it.

I would have sent it you soon sooner, but I have been non-functioning for most of the time since the suspension. I do not think you would have filed the case at all if you had been given even the full emails where the make coercive threats and supporting emails and texts. For example, the cease and desist was because I had been on FMLA leave time for less than 2 hours before the 6hour demand letter to work or else. I cant think of a reason to not give it to you because it was supposed to be our filing against multiple people at Ohana in our own TRO, preliminary injunction, and Peace Order along with other documents supporting what we are requesting.

Please give me a moment to stop shaking and get to a computer

On Tue, Jun 18, 2024, 1:30 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

Are you going to send me a copy of what you presented to the Court?



Robert Brennen | Principal

Miles & Stockbridge

direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>**Sent:** Tuesday, June 18, 2024 1:26 PM**To:** Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>**Subject:** Re: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699**[EXTERNAL]**

I just left the courthouse after providing a letter to the clerk for the chambers judge. My lawyer has a death in the family and is at a prescheduled conference next week and we are looking for another attorney who can respond to this urgency issue. The judge also received documentation showing the suspension was illegal and the TRO is asking me to do something illegal.

Please allow time for the judge to review.

On Tue, Jun 18, 2024, 1:12 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

As neither I nor Mr. Leadore have received the passwords as contemplated below we will be moving forward with contempt proceedings.

Robert Brennen | Principal

Miles & Stockbridge

direct: +1 (410) 385-3653

From: Brennen, Robert S.**Sent:** Tuesday, June 18, 2024 8:39 AM**To:** Ryan Wagner <ryan@mxt3.com>**Cc:** Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@milesstockbridge.com>**Subject:** FW: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699**Importance:** High

Per the attached, a hearing on Ohana Growth Partners, LLC's Motion for Preliminary Injunction is set for next Wednesday, June 26, 2024 from 9 to 11 a.m.

While Ohana is certain that you are abundantly familiar with the actions necessary to bring you into compliance with the Temporary Restraining Order entered yesterday, here are the steps that you should take:

1. Create an account in Ohana's Microsoft 365 tenant, pleadore@ohanagp.com. Add the account into the Global Administrators group and send the password to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458.
2. Provide pleadore@ohanagp.com with owner level rights to all Azure subscription plans.
3. Provide the root level administrator account password in GoDaddy to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458. You should remove all multi-factor authentication apps, phone numbers, and/or email addresses associated with the root account.
4. Once accounts have been created in Ohana's Microsoft 365 tenant and the root level password provided for the GoDaddy account, refrain from accessing or making configuration changes to their Microsoft 365 and GoDaddy accounts.

You should take all the above actions this morning so that you are in compliance with the Temporary Restraining Order by 12 p.m. today. If you fail to do so Ohana will have no choice but to file additional papers with the Court seeking to have you held in contempt of the Order and will ask that the Court take up the issue of contempt during the hearing on June 26th.

As stated in my June 14, 2024 email, Ohana is open to a negotiated resolution to the claims it has asserted in its Complaint and any claims that you believe you may have, but will not entertain any discussions until you are in compliance with the Temporary Restraining Order. If you bring yourself into compliance and are interested in discussing a resolution, it is possible that the matter could be resolved in advance of the June 26th hearing.

I look forward to receiving confirmation of your compliance.

Robert Brennen | *Principal*

Miles & Stockbridge

direct: +1 (410) 385-3653

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
Sent: Monday, June 17, 2024 3:42 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]

Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Envelope Number: 16870699

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.



Ryan Dillon-Capps <ryan@mxt3.com>

Immediate Action Required - Final Attempt to Resolve Critical Legal Issues

1 message

Ryan Wagner <ryan@mxt3.com>

Fri, Aug 23, 2024 at 10:26 AM

Reply-To: ryan@mxt3.com

To: "Brennen, Robert S." <rbrennen@milesstockbridge.com>, "Edwards, Kimale J." <kjedwards@milesstockbridge.com>, "Frenkil, Steven D." <sfrenkil@milesstockbridge.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>

Please see the attached email.

Ryan Dillon-Capps
Pro Se Defendant
Email: ryan@mxt3.com | Phone: 703-303-1113

 **Immediate Action Required - Final Attempt to Resolve Critical Legal Issues.pdf**
127K

Ryan Dillon-Capps

Pro Se Defendant

Email: ryan@mxt3.com | Phone: 703-303-1113

August 23, 2024

**Mr. Robert Brennen
Miles & Stockbridge
100 Light Street
Baltimore, MD 21202**

Subject: Immediate Action Required - Final Attempt to Resolve Critical Legal Issues

Dear Mr. Brennen,

The time has come for you and your client, Ohana Growth Partners, to confront the serious consequences of your actions. The ongoing litigation, driven by both your counsel at Miles & Stockbridge and the leadership at Ohana, has not only failed to achieve its intended objectives but has also significantly increased your collective exposure to severe legal repercussions.

This lawsuit, built on a foundation of perjury, fraudulent notification practices, and egregious ethical failures—including the failure to perform ex parte duties—has already caused irreparable damage to your credibility. Your firm and your client now face substantial risks, including disqualification from this case, sanctions for perjury, and allegations of fraud and abuse of the judicial system. These actions are not only unethical but potentially criminal, and they will not go unchallenged.

The shared culpability between Ohana and Miles & Stockbridge is undeniable. The submission of false statements under oath, the calculated abuse of judicial processes, and the pursuit of a baseless legal strategy represent a collective effort to mislead and deceive. This collaboration in unethical practices has created significant liability, including potential civil fraud claims under regulatory scrutiny and criminal charges for obstruction of justice, mail and wire fraud, and conspiracy. Furthermore, these actions constitute serious ethical violations as outlined in the

Page 1 of 5

This document is being sent via email and first-class mail on August 23, 2024.

Ryan Dillon-Capps

Pro Se Defendant

Email: ryan@mxt3.com | Phone: 703-303-1113

Maryland Rules of Professional Conduct, Rule 19-303.3 (Candor Toward the Tribunal), and other applicable legal standards.

Your continued pursuit of this case, rather than engaging in direct and honest negotiations with me, has only deepened these risks. The fraudulent notification practices you have employed, the deliberate submission of false filings, and the systemic efforts to undermine the integrity of this case are clear violations of both legal and ethical standards. These actions have exposed both your firm and your client to the very real possibility of punitive damages and severe legal sanctions.

It is important that you fully understand the severity of the situation you have created. The reckless and malicious actions taken by you and your client have not only introduced significant legal risks but have also placed my life in grave danger. As a direct result of the stress and psychological trauma caused by your actions, I have experienced severe dissociative episodes—an extremely serious psychological condition that, in rare cases, can lead to sudden death due to the body's inability to regulate itself. Should these actions result in such a fatal outcome, I will ensure that your firm and your client are pursued to the fullest extent of the law. Arrangements have already been made to secure funding and engage a highly proficient legal team to carry forward this action, backed by all necessary evidence and documentation.

Failure to comply with these demands or address the ongoing violations will compel me to file a Motion to Compel Discovery for any documents not yet provided, including the court transcripts and other critical evidence. I will also seek a Protective Order if any further attempts at harassment or retaliation are made against myself or those associated with this case. Additionally, a Motion for Sanctions will be filed to address your unethical conduct, and should ethical violations continue, I will have no choice but to file a formal complaint with the State Bar, seeking disciplinary action against those involved.

Page 2 of 5

This document is being sent via email and first-class mail on August 23, 2024.

Ryan Dillon-Capps

Pro Se Defendant

Email: ryan@mxt3.com | Phone: 703-303-1113

In addition to civil actions, I am prepared to pursue all available criminal remedies, including filing complaints for obstruction of justice, perjury, and fraud with both state and federal authorities. The ongoing fraudulent conduct in this case may also trigger regulatory investigations, and I will not hesitate to involve agencies such as the Securities and Exchange Commission (SEC) if the financial transactions involved are deemed suspect.

It is also critical to note that, while I am prepared to litigate this matter fully, this course of action would likely expose your firm and your client to extensive media coverage, further damaging your reputation. This is not a threat but a natural consequence of pursuing litigation that is rooted in misconduct and unethical practices.

Key Immediate Actions Required

1. Extension of Answer Deadline:

By 4 PM today, August 23, 2024, you must confirm an extension of the answer deadline until 15 days following the formal termination of negotiations. The request for default must be withdrawn immediately as a sign of good faith.

2. Immediate Return of Compensation and Benefits:

By September 1, 2024, all unpaid compensation, covering the period since June 13, 2024, must be included in my paycheck. Additionally, all benefits must be fully reinstated without delay.

3. Payment Related to Refinancing Deal:

My rightful share of the refinancing deal must be included in the September 1, 2024 paycheck, with no further attempts to delay or obstruct this payment.

Page 3 of 5

This document is being sent via email and first-class mail on August 23, 2024.

Ryan Dillon-Capps

Pro Se Defendant

Email: ryan@mxt3.com | Phone: 703-303-1113

These actions are non-negotiable and must be completed by the specified dates to demonstrate a genuine willingness to resolve this matter. Failure to comply will be taken as a clear signal that Ohana and Miles & Stockbridge have no intention of resolving this issue amicably, forcing me to proceed with the next steps in litigation and potential criminal complaints.

Additional Actions and Timeline

As a sign of good faith and openness to resolve all issues quickly and allow all parties to move on, I also require the following:

- **Court Transcripts:**

Provide copies of all court transcripts currently in your possession by 4 PM today.

- **Employment and Contract Status:**

- **CieloIT:** The contract with CieloIT must remain intact throughout these negotiations.
- **Ann Pinera:** Ann Pinera's employment must remain secure and unchanged during these negotiations.

- **Disclosure of Agreements:**

Full disclosure of any agreements or documents provided to Ann Pinera, Darren Koritzka, or CieloIT since May 21, 2024, including their current status.

- **Prohibition Against Harassment or Retaliation:**

Cease any and all harassment or retaliation against me, Ann Pinera, Darren Koritzka, or CieloIT immediately.

Page 4 of 5

This document is being sent via email and first-class mail on August 23, 2024.

Ryan Dillon-Capps

Pro Se Defendant

Email: ryan@mxt3.com | Phone: 703-303-1113

• **Privileged Log:**

Provide a comprehensive privilege log detailing any documents or communications withheld under claims of privilege.

Last Chance to Resolve This Matter

The consequences of your continued resistance are severe and will only escalate from this point forward. While I remain open to resolving this matter without further escalation, this is your final opportunity to engage in genuine and good faith negotiations. A failure to comply with the demands outlined in this email will leave me no choice but to finalize preparations for the next steps, which will include the initiation of further litigation and the pursuit of criminal complaints. Be assured, the repercussions of ignoring this final opportunity will be significant and unavoidable.

I expect your immediate attention to this matter and a formal response by 4 PM today confirming your compliance with these demands.

Sincerely,

Ryan Dillon-Capps

Pro Se Defendant

Email: ryan@mxt3.com

Phone: 703-303-1113

Page 5 of 5

This document is being sent via email and first-class mail on August 23, 2024.



Ryan Dillon-Capps <ryan@mxt3.com>

Re: Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 17940350

1 message

Ryan Wagner <ryan@mxt3.com>

Tue, Sep 10, 2024 at 3:53 PM

Reply-To: ryan@mxt3.com

To: "Edwards, Kimale J." <kjedwards@milesstockbridge.com>

Cc: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>, "Duvall, Jessica L." <jduvall@milesstockbridge.com>, "Frenkil, Steven D." <sfrenkil@milesstockbridge.com>, Rachel Kiefer <rachel.kiefer@mdcourts.gov>, "Edwards, Kimale J." <kjedwards@milesstockbridge.com>, vklein@milesstockbridge.com

Dear Kimale Edwards,

Thank you for your email. We have received the opposition to our motion to dismiss and are currently preparing our reply. As mandated by Rule 2-322(a), we are required to file our motions to dismiss before answering the complaint. Unfortunately, we have less control over the timing of these proceedings than Miles & Stockbridge and cannot obtain rulings within minutes or hours of filing.

Furthermore, neither Ohana nor Miles & Stockbridge has responded to negotiate. The only offer that was responded to occurred before the lawsuit and was accepted by Ohana's president. Regrettably, Ohana failed to honor that agreement and instead chose to file this lawsuit, representing to the court that no such agreement existed.

In our forthcoming reply, we will address the opposition and make it clear to the Court that this lawsuit represents an abusive use of the judicial process. Additionally, we must express our concern about Miles & Stockbridge representing Ohana in this matter, given that the firm has its own separate legal issues with the Defendant. We believe this constitutes a conflict of interest, and we formally request that your firm withdraw from this case. Should you choose to do so, we are willing to support the withdrawal and offer Ohana an extension to retain new legal counsel.

If you would like to discuss this matter further, please let us know your availability.

Sincerely,
Ryan Dillon-Capps



Ryan Dillon-Capps <ryan@mxt3.com>

Re: Ohana Growth Partners, LLC v. Ryan Dillon-Capps

1 message

Ryan Wagner <ryan@mxt3.com>

Mon, Oct 7, 2024 at 8:00 AM

Reply-To: ryan@mxt3.com

To: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>

Cc: "Frenkil, Steven D." <sfrenkil@milesstockbridge.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>, "Edwards, Kimale J." <kjedwards@milesstockbridge.com>, hbutler@milesstockbridge.com, "Duvall, Jessica L." <jduvall@milesstockbridge.com>

Miles & Stockbridge,

Happy Monday, everyone. Today is October 7, 2024. Three months ago, on June 7, 2024, Justin Drummond and I resolved the issue concerning the access request. If **Glenn Norris** refused to provide the information to me and declined to give it to Justin Drummond, then who would he have given it to? We may never know, as Glenn Norris did not answer the question, and the written agreement was breached six days later when Justin Drummond engaged in **estoppel**, preventing the agreement's fulfillment.

I believe the offer was genuinely accepted on June 7th, despite Glenn Norris' refusal to answer a simple question: "**What is it for?**" A straightforward question like this should have a clear answer, and it is unusual for someone to refuse. After all, they were aware it was required by **PCI DSS v4**, which also ensured **Ohana Growth Partners, LLC**'s compliance with **Md. Code Ann., Com. Law § 14-3503**. No impartial judge or jury will disagree that it's reasonable to understand the purpose of access when they are bound by multiple contracts to maintain PCI DSS v4 compliance. Denying such access would have placed them in direct violation of **Md. Code Ann., Com. Law § 14-3503**.

Consider the case of **FTC v. Wyndham**, which dealt with Wyndham's failure to implement similar measures to prevent unauthorized access. No one can dispute that these measures were necessary, mandated, and that the request for access was lawful. Especially not after we present the exhibit showing **Ryan Brooks** using his knowledge of the system to attempt unauthorized access, knowing that no one had properly authorized him. His actions were logged, captured, and documented in an email where I asked if anyone had misled him into believing he had access outside normal channels. Coincidentally, **Md. Code Ann., Crim. Law § 7-302** is the very statute Ryan Brooks violated.

As of this morning, the settlement offer stands at **\$213,100,535.11**, reflecting a minor increase based on the pre-established daily rate. However, this amount will be adjusted tonight to account for new filings scheduled for submission. Once filed, the offer will rise to **\$231,366,767.22**, reflecting changes in plaintiffs, updates to the proposed order, and amendments to the counterclaim, including two new charges related to **Ohana Growth Partners, LLC**'s continued poor decision-making. You may want to remind them about issues of **spoliation** and **retaliation**. A delay in filing is possible for various reasons, none of which are indicative of any particular change in strategy. However, once the filings are submitted, the settlement amount will be adjusted accordingly, and the figure provided reflects the current schedule.

The settlement offer is contingent on the funds being categorized as **tax-free** and paid within a period where this status remains valid. The settlement agreement will include a payment schedule with three critical clauses:

1. **Misclassification Penalty:** If any payment is misclassified for tax purposes, **Ohana Growth Partners, LLC** will incur a penalty equal to **double the taxable amount**, with the corrected amount being reassigned to a tax-free category.
2. **Litigation and Late Payment Penalty:** Any litigation arising from the settlement, particularly if I am the defendant, will result in the **penalty doubling** the owed amount, and the corrected amount will remain tax-free. Additionally, if any payment is late, this will trigger both penalties, regardless of tax implications. **One late payment** will immediately double the owed amount, and if litigation follows, the amount will double again.
3. **Personal Liability for Owners:** All individuals who owned shares in **Ohana Growth Partners, LLC** between **January 10, 2020**, and the settlement date will be held **personally liable** for the full settlement amount. This liability will take **priority over all other obligations** and will be irrevocable. Furthermore, these individuals will be prohibited from entering into new contracts that give third parties priority in claims against them.

I am extending a **one-time, time-sensitive, confidential offer** for a negotiation session aimed at resolving the outstanding matters between the parties. The following terms define the scope and conditions of this offer:

1. Single Session and Confidentiality of Offer:

- This offer is for a **single closed-door negotiation session**. It will be the only session offered, and I reserve the right to withdraw this offer at any time prior to its acceptance. Once the session is completed or the offer is withdrawn, it will be permanently closed, and **no further discussions or extensions** will be permitted.
- If the offer is withdrawn or accepted, the only response to any future inquiries will be: "**The offer is no longer available.**"
- All parties must maintain absolute confidentiality of this offer, including the fact that it was made, any details surrounding the negotiation, and its acceptance or withdrawal. Any breach of this confidentiality will be subject to penalties as described below.

2. Vested Individuals:

- This offer can be accepted by **any individual with documented vestment** in **Ohana Growth Partners** or **Miles & Stockbridge**. A vested individual is defined as someone who has a verifiable financial, professional, or legal interest in either organization. No

additional authorization is needed to accept this offer, and any such individual may contact me directly to communicate acceptance.

- As the Defendant and Attorney in this matter, I can be contacted directly by **any vested individual** regarding this offer.

3. Comprehensive Confidentiality:

- The entirety of the period from the time of this offer until the conclusion of the negotiations will be considered a **confidential void**, and all parties must make their best efforts to ensure that **nothing from this period is disclosed in any manner**, whether in whole or in part. This includes the **when, where, who, or what** of any communications or negotiations.
- This confidentiality is **all-encompassing**, and any breach, whether intentional or accidental, will be subject to the enforcement provisions below.

4. Global Enforceability and Penalty for Breach:

- This agreement is intended to be **enforceable in any jurisdiction worldwide**, and I expect the same from all parties involved. In the event of a breach of confidentiality, the offending party will be subject to **severe penalties**, which will be determined based on the most expansive remedy available in the jurisdiction where enforcement is sought.
- Remedies for breach shall not be limited to financial recovery where other forms of redress are legally permissible, ensuring that **non-financial remedies** (such as reputational, professional, or other penalties) can also be enforced if applicable.
- In jurisdictions where financial penalties are the primary remedy, the amount of damages shall be equal to **the aggregate value of everything the breaching party has ever or will ever have a claim to**, as reasonably determined by the offended party.

5. Acceptance and Closure:

- This offer remains open for a limited time and may be withdrawn at any time without further notice. Once the offer is withdrawn or the session has taken place, it will not be extended or reopened. **All future inquiries about the offer will be met with the response, "The offer is no longer available."**

If you or any other vested individual wishes to accept this offer, you may contact me directly. I look forward to your response should you choose to proceed.

This offer is made in good faith, providing an opportunity for private discussion with the hope of moving forward. Whether we succeed, fail, or reach another outcome, the intention is for this to serve as our own December 24–25, 1914—a moment to pause, set aside differences, and explore the possibility of a resolution, **without penalty**.

On Thu, Oct 3, 2024 at 3:34 PM Ryan Wagner <ryan@mxt3.com> wrote:

Miles & Stockbridge,

October 16, 2023 — December 21, 2023 — January 4, 2024 — March 15, 2024 — April 4, 2024 — June 5, 2024 — June 7, 2024 — June 10, 2024 — June 13... 1932 — 32 minus 19 equals 13. Based on my calculations, \$213,065,535.11 represents our 13th highest potential outcome. It seems fitting to anchor the negotiations at your lucky number, 13.

I was transparent about my direction from the start, as a precaution for where I knew I would eventually end up. However, your focus on what was being "telegraphed" and your own fear blinded you to what was happening. I had Motion prepared before you even emailed me and waited until 9:30 PM to reflect—just as you've had the chance to reflect at similar times in the past, when you've responded differently. I had hoped for a different outcome this time, but even at one-third of my capacity, and after losing four hours yesterday, but I still knew it wasn't a likely outcome and I was prepared for disappointment.

Did you know that Hitler believed a bigger tank would solve his problems? Imagine knowing the projected power of the atomic bomb and still thinking, "I just need a bigger tank." To be clear, I don't have just one "nuclear-sized" legal strategy—I have several. The irony here is that I initially wanted Miles & Stockbridge to help Ohana mitigate this risk. Instead, their guidance has placed them directly in the crosshairs. It now feels like you're daring me to pull the trigger.

Glenn was deceived in 2023, and his pride blinded him to betrayal. He preferred to believe he caught me in a deception and perpetuate the idea that he couldn't have been tricked after all - he caught me... I had already secured everything on merit and had no reason to waste a moment of time on such **petty** nonsense. . As for Andrew Dinh, prior to October 16, he was nothing but a financial burden to the department. Had the development team spent energy preventing problems rather than creating them, they wouldn't have tried to push the blame onto me and forced me back into the loop. Is it really that unreasonable to think Bill Flax could have simply stopped, and that would have ended it all? And do you know what most people say about **Bill**?

When Victor canceled his plans, I could feel the influence of Miles & Stockbridge. Do you really think if I filed suit against Miles & Stockbridge right now, you'd get a favorable ruling, given that six Circuit Court judges are exposed while new violations continue? I believe most people have at least one thing they find truly heinous. Would you disagree?

You entered the situation, and Victor canceled his trip, only for Josh Beyer to fly out on company funds to meet him. Do you know why a company would hire a new CDO facing sexual harassment allegations, including an incident of excessive drinking that led to a sexual encounter? Just before the hire, a strategic decision was made to scale back the offer. When the lawsuit followed this individual, do you know why? Do you know what happened next? Despite being highly litigious year after year, Beyer has been outmaneuvered by the company, to the point where he's grown suspicious of everything Richard Hartman does.

Why did Richard Hartman lie and claim he had no knowledge of what was on Josh Beyer's review? Why does Hartman shield Beyer from me, Goodwin, and others, while the company opposes him behind closed doors? How does Beyer remain in his position when we've seen what Ohana is capable of?

One thing I've learned is that everyone has a motive, and that motive need not be directly related to another's. It's like watching a car crash where everyone collides into a pileup due to their own choices. And when they emerge from their vehicles, instead of expressing anger at one another, they attack the one car driving carefully around them—the driver asking if anyone needs help. Just because the driver saw everyone crash, why would they all believe that the only reason the driver is asking them if they needed help is a trick... fear. ... and I watched that fear turn right in front my eyes and on June 10th I shared a moment of my past with Glenn and Justin. Justin responding appropriately and Glenn being only able to focus on one thing that fed his hatred.

I am watching it happen again, and I am not your enemy. There is a way out of this, but you need to come the table in good faith and your lucky number 13 is the starting number as a reminder that some choices are not ones you can escape the consequences of. Instead of trying to change gravity, let's find a way to reach a new accord.

All three parties.

Ryan Dillon-Capps

On Wed, Oct 2, 2024 at 9:28 PM Ryan Wagner <ryan@mxt3.com> wrote:

Robert Brenne, please look at an email form adobe e-sign services for the negotiation agreement.

I look forward to what I hope to be a productive conversation.

Ryan Dillon-Capps

On Wed, Oct 2, 2024 at 4:41 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

Ryan Dillon-Capps,

While the parties' respective views of the relevant facts and applicable law seem irreconcilable in key respects, Ohana Growth Partners is open to your meeting with me and Mr. Frenkil for a discussion of whether there is any possibility of a negotiated end to the ongoing litigation.

If that is of interest, please advise as to your availability for balance of this week and next week.

Robert Brennen

Principal

100 Light Street | Baltimore, MD 21202

D: +1 410.385.3653 | O: +1 410.727.6464 | F: +1 410.698.1352



[bio](#) | [vCard](#) | rbrennen@milesstockbridge.com



Confidentiality Notice:

This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may



Ryan Dillon-Capps <ryan@mxt3.com>

Re: [EXTERNAL] Re: FW: Retention as Mediator

1 message

Ryan Wagner <ryan@mxt3.com>

Wed, Oct 23, 2024 at 2:15 PM

Reply-To: ryan@mxt3.com

To: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>

Cc: "Frenkil, Steven D." <sfrenkil@milesstockbridge.com>

It does appear that the divergence in views is too far apart at this time. Please let me know when their position evolves beyond "I disagree".

The 'unbelievable' Dillon-Capps

On Tue, Oct 22, 2024 at 3:17 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

As stated in my email of October 18, 2024, Ohana Growth Partners remains open to good faith negotiations regarding a possible resolution of the litigation. However, in light of the parties' respective and very divergent views on the material facts and applicable law, Ohana does not think that direct party to party discussions are likely to be constructive. Ohana continues to be open to participating in settlement discussions with the assistance and participation of a mediator.

**Robert Brennen | Principal**

Miles & Stockbridge

direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
Sent: Tuesday, October 22, 2024 12:24 PM
To: Brennen, Robert S. <RBRENNEN@milesstockbridge.com>
Cc: Frenkil, Steven D. <sfrenkil@milesstockbridge.com>
Subject: [EXTERNAL] Re: FW: Retention as Mediator

[EXTERNAL]

Maybe,

I held the filing back yesterday as a courtesy. I want to give both of you the opportunity to be heard -- I am not going into the city to your office or anywhere that is favorable ground to either of you.

Let's see if we can save everyone time -- 5625 O'Donnell St, Baltimore, MD 21224 parking lot. Twenty-minute meeting today. It can be during or after hours, and it is between both of us at a large establishment.



Ryan Dillon-Capps <ryan@mxt3.com>

Re: FW: Retention as Mediator

1 message

Ryan Wagner <ryan@mxt3.com>

Tue, Oct 22, 2024 at 12:24 PM

Reply-To: ryan@mxt3.com

To: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>

Cc: "Frenkil, Steven D." <sfrenkil@milesstockbridge.com>

Maybe,

I held the filing back yesterday as a courtesy. I want to give both of you the opportunity to be heard -- I am not going into the city to your office or anywhere that is favorable ground to either of you.

Let's see if we can save everyone time -- 5625 O'Donnell St, Baltimore, MD 21224 parking lot. Twenty-minute meeting today. It can be during or after hours, and it is between both of us at a large establishment.

You, Robert, and Steven present the position for Ohana and M&S and let's see if there are sufficient grounds to discuss further.

hopeful,
RDC

On Tue, Oct 22, 2024 at 9:40 AM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

We have heard that retired Baltimore County Circuit Court Judge Kathleen Cox will take on mediation retentions involving *pro se* litigants. <https://msa.maryland.gov/msa/mdmanual/31cc/former/html/msa02818.html>

Let us know if you would agree to use Judge Cox.

**Robert Brennen | Principal**

Miles & Stockbridge

direct: +1 (410) 385-3653

From: Perri Boyd <pboyd@mccammongroup.com>
Sent: Monday, October 21, 2024 1:15 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
Subject: [EXTERNAL] RE: Retention as Mediator

[EXTERNAL]

Counsel,

It is McCammon's policy that all parties in mediation must have attorneys, and we coordinate the scheduling process through the attorneys. If Mr. Wagner decides to retain counsel for this matter, please reach out to us, and we would be happy to move forward with scheduling mediation.

Thanks!

Regards,

Perri Boyd

Senior Case Manager



The McCammon Group, Ltd.

Direct: 804.433.2259 | Toll Free: 888.343.0922

www.McCommonGroup.com

From: Alexander Williams <judgeaw@gmail.com>
Sent: Monday, October 21, 2024 12:29 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Perri Boyd <pboyd@mccammongroup.com>; Williams, Alexander, Jr. <judgeaw@gmail.com>
Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
Subject: Re: Retention as Mediator

Will be happy to assist. I'll have copied Perri Boyd from the McCammon Group will work out the logistics.

Alex williams

From: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
Sent: Monday, October 21, 2024 12:25 PM
To: judgeaw@gmail.com <judgeaw@gmail.com>
Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
Subject: Retention as Mediator

Dear Judge Williams,

Good afternoon. We represent Ohana Growth Partners, LLC in a matter pending before the Circuit Court for Baltimore County styled as *Ohana Growth Partners, LLC v. Ryan Dillon-Capps*, Case No. C-03-CV-24-002264. Ryan Dillon-Capps (*nee Wagner*) is proceeding *pro se*. The parties would like to retain Your Honor to assist them in mediating a resolution of the matter, and would like to schedule a mediation conference with you at your earliest convenience. Please advise how we should proceed with your retention.

Respectfully,

Robert Brennen

Principal

100 Light Street | Baltimore, MD 21202



Ryan Dillon-Capps <ryan@mxt3.com>

Re: Retention as Mediator

1 message

Ryan Wagner <ryan@mxt3.com>

Mon, Oct 21, 2024 at 9:41 PM

Reply-To: ryan@mxt3.com

To: Perri Boyd <pboyd@mccammongroup.com>

Cc: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>, "Frenkil, Steven D." <sfrenkil@milesstockbridge.com>

Greetings and Salutations Perri Boyd,

I would like to respectfully request an exception to McCammon's policy requiring attorney representation in mediation. I fully acknowledge the importance of this policy and understand that it is designed to ensure that all parties have access to sound legal advice and to maintain an orderly process. However, I believe that in the specific circumstances of this case, allowing me to proceed as a pro se party would serve the interests of both fairness and efficiency, ensuring a more expedient and balanced resolution.

The Plaintiff and their counsel have requested mediation at a critical juncture, with litigation on the horizon that could drag on for years. I understand that this last-minute move toward mediation comes as they face increasing challenges in this case and in the additional lawsuits that are forthcoming. With these growing pressures, it is in everyone's best interest to resolve this matter promptly.

I have specifically requested Judge Alexander Williams, Jr. (Ret.) to mediate this case because of his reputation for a no-nonsense approach and his track record of facilitating fair and swift resolutions. Given the circumstances, I am confident that allowing me to proceed pro se will not only keep the process moving forward but also ensure that both parties have the opportunity to be heard and to negotiate effectively. Judge Williams is more than capable of ensuring fairness throughout the process, which alleviates any concern that my pro se status could create an imbalance.

While the McCammon policy likely exists in part to protect against overly emotional or ill-informed negotiations by pro se parties, I want to assure you that I will approach this mediation professionally, objectively, and with full understanding of the issues at hand. I am well-prepared to participate in a productive manner and will not create any procedural difficulties or emotional complications that would undermine the process.

In fact, I believe that my participation as a pro se party is in the best interest of both parties, as it allows us to move toward resolution quickly without unnecessary delays. Given the Plaintiff's recognition of their weakening position and their desire to settle, this is a pivotal moment to explore mutually beneficial solutions. I want to listen to their position and give them the opportunity to adjust their course before additional litigation ensues.

My decision to settle or proceed with litigation is not purely self-serving. I am deeply conscious of the broader implications for the employees of Ohana Growth Partners, LLC, and the legal professionals at Miles & Stockbridge, PC. My focus is on finding a resolution that will minimize harm and ensure the most favorable outcome for the greatest number of people. I believe that this is best achieved through open communication and negotiation, and that allowing me to participate pro se will help bring this matter to a resolution sooner.

Thank you for considering my request for this exception. I am hopeful that we can work together toward a fair and efficient resolution that benefits all parties involved.

Thank you for considering - with gratitude and appreciation,

RDC

On Mon, Oct 21, 2024 at 1:14 PM Perri Boyd <pboyd@mccammongroup.com> wrote:

Counsel,

It is McCammon's policy that all parties in mediation must have attorneys, and we coordinate the scheduling process through the attorneys. If Mr. Wagner decides to retain counsel for this matter, please reach out to us, and we would be happy to move forward with scheduling mediation.

Thanks!

Regards,

Perri Boyd

Senior Case Manager



The McCammon Group, Ltd.

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www.McCammonGroup.com

From: Alexander Williams <judgeaw@gmail.com>

Sent: Monday, October 21, 2024 12:29 PM

To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Perri Boyd <pboyd@mccammongroup.com>; Williams, Alexander, Jr. <judgeaw@gmail.com>

Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>

Subject: Re: Retention as Mediator

Will be happy to assist. I'll have copied Perri Boyd from the McCammon Group will work out the logistics.

Alex williams

From: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>

Sent: Monday, October 21, 2024 12:25 PM

To: judgeaw@gmail.com <judgeaw@gmail.com>

Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>

Subject: Retention as Mediator

Dear Judge Williams,

Good afternoon. We represent Ohana Growth Partners, LLC in a matter pending before the Circuit Court for Baltimore County styled as *Ohana Growth Partners, LLC v. Ryan Dillon-Capps*, Case No. C-03-CV-24-002264. Ryan Dillon-Capps (*nee Wagner*) is proceeding *pro se*. The parties would like to retain Your Honor to assist them in mediating a resolution of the matter, and would like to schedule a mediation conference with you at your earliest convenience. Please advise how we should proceed with your retention.

Respectfully,

Robert Brennen

Principal

100 Light Street | Baltimore, MD 21202

D: +1 410.385.3653 | O: +1 410.727.6464 | F: +1 410.698.1352



Ryan Dillon-Capps <ryan@mxt3.com>

Re: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024

1 message

Ryan Wagner <ryan@mxt3.com>

Reply-To: ryan@mxt3.com

To: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>

Mon, Oct 21, 2024 at 10:31 AM

Understandable,

To help expedite this matter, we suggest using Judge Alexander Williams, Jr. (Ret.) as a mediator. His track record with resolving cases efficiently and his no-nonsense approach would likely ensure we reach a solution quickly, minimizing ongoing legal expenses and avoiding prolonged court involvement. His reputation for straightforward and practical resolutions aligns with our shared goal of finding a mutually agreeable outcome without unnecessary delays or escalating costs.

Additionally, utilizing a private mediation group like the McCammon Group allows us both to maintain more control over the process, ensuring flexibility and convenience for scheduling, while keeping the costs and timeline manageable for both sides. The McCammon group boasts that 85% of the mediations they handle result in a settlement, and they have an agreeable neutral format.

There will be a large filing later today. I wanted to let you know in advance to avoid any misunderstanding because this was already planned and it is not an indication of a change in my position. I recommend engaging them quickly if it is agreeable.

Judge Alexander Williams, Jr. (Ret.) (U.S. District Court for Maryland)

- Website: <https://www.mccammongroup.com/>
- Phone: 888-343-0922
- <https://www.mccammongroup.com/services/civil-dispute-mediation/basics-mediation/>
- <https://www.mccammongroup.com/neutrals/hon-alexander-williams-jr-ret/>

On Mon, Oct 21, 2024 at 9:25 AM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

Because Judge Rolle is a full-time judicial appointee, she is barred by Maryland Rule 18-203.9(a) from serving as a mediator. The Circuit Court for Baltimore County could appoint a retired judge from that Circuit to serve as the mediator. Do you have a preference with regard to a particular retired judge of the Baltimore County Circuit Court?



Robert Brennen | Principal

Miles & Stockbridge

direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>**Sent:** Friday, October 18, 2024 2:44 PM**To:** Brennen, Robert S. <RBRENNEN@milesStockbridge.com>**Cc:** Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>**Subject:** Re: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024**[EXTERNAL]**

I am open to this opportunity, but I want Judge Stenise L Rolle to be asked and for all parties to accommodate her schedule. Is this acceptable?

On Fri, Oct 18, 2024 at 1:45 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

Consistent with its position throughout the ongoing litigation, Ohana Growth Partners remains open to good faith negotiations regarding a possible resolution of the litigation. However, in light of the parties' respective and very divergent views on the material facts and applicable law, Ohana does not think that direct party to party discussions are likely to be constructive. Ohana proposes that the parties agree to participate in settlement discussions with the assistance and participation of a mediator appointed by the Court, preferably a retired Circuit Court judge. Please advise whether you would object to or consent to the Court's referring the matter to a court-appointed mediator for mediation. If you consent, or at least do not object, we will prepare and file a request to the Court that it make such a referral and indicate in the request that you either consent, or do not object.

We look forward to hearing from you.



Robert Brennen | *Principal*

Miles & Stockbridge

direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
Sent: Friday, October 18, 2024 11:30 AM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@milesstockbridge.com>; Edwards, Kimale J. <kjedwards@MilesStockbridge.com>; Butler, Holly Drumheller <hbutler@MilesStockbridge.com>; Duvall, Jessica L. <jduvall@MilesStockbridge.com>
Subject: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024

[EXTERNAL]

I am writing to formally propose an opportunity to engage in negotiations to resolve the ongoing litigation and open to discussing future litigation with Ohana Growth Partners, LLC and Miles & Stockbridge, PC. I believe that an amicable resolution can be achieved without the need for additional litigation, which would be beneficial to both parties in terms of time, cost, and preserving business relations.

If you wish to open negotiations, please respond to this email to declare participating and representing parties. I will provide an updated negotiation agreement that aligns. I am confident that through constructive dialogue, we can arrive at a solution that meets the needs of all involved.

Please include the following when you respond.

_____ (parties) are open to discussions on the following key points:

1. [Briefly outline the main points you wish to negotiate]
2. [Propose potential terms or frameworks for negotiation, if you want to propose terms for the negotiation agreement]

A belief that negotiating in good faith at this stage will allow us to avoid further unnecessary escalation of the situation and find a solution is to Ohana Growth Partners, LLC and Miles & Stockbridge, PC benefit.

Please feel free to contact me via email at ryan@mxt3.com if you have any preliminary questions to ask in good faith.

I hope we can work towards a resolution.

The previous terms for the negotiation agreement are no longer available, previous terms are no longer available, and the closed session is no longer available.

with kindness and generosity,

Ryan Dillon-Capps

1334 Maple Ave



Ryan Dillon-Capps <ryan@mxt3.com>

Re: New Web Form Submission - Ryan Dillon-Capps

1 message

Ryan Dillon-Capps <ryan@mxt3.com>
To: "Spiker, James" <jspiker@oag.state.md.us>

Wed, May 7, 2025 at 5:37 PM

Dear Mr. Spiker,

Thank you for your response. I remain unrepresented at this time and will correspond with your office directly unless or until that changes.

Respectfully, your refusal to waive service on behalf of the State defendants rests on a ruling issued by Judge Brendan A. Hurson—whose conduct and jurisdiction are themselves central to the appeal currently pending before the Fourth Circuit. As the record reflects, Judge Hurson unilaterally altered the court record, directed the District Court Clerk to cease efforts to correct it, and under duress, compelled the Clerk to recharacterize exhibits filed on December 27, 2024, as if they had been submitted later as a supplemental entry on January 3, 2025. These actions are among the allegations of judicial misconduct now under review and were undertaken in complete absence of subject-matter jurisdiction, rendering the resulting rulings *void ab initio*.

The factual record also includes allegations of criminal misconduct and undisclosed personal, professional, and financial conflicts of interest. Judge Hurson's elevation to Article III status followed improper ties to multiple defendants in this case, and financial disclosure irregularities reflect a previously unreported seven-figure increase in his investment portfolio within 60 days of his appointment. This raises the specter of what can only be described as the purchase of judicial influence—evidence that now materially links the bribe to individuals named in the complaint.

The ruling you cite is, at best, not final and remains under interlocutory review. It is predicated on a record that has been procedurally compromised and stands alongside multiple, independently sufficient bases for reversal, including structural error, denial of due process, and fraud on the court. Reliance on that ruling to reject waiver of service presumes legitimacy where none exists and ignores both the procedural posture and the constitutional violations still pending appellate review.

Your email establishes receipt of the complaint and waiver of service requests on behalf of the State of Maryland, the Circuit Court for Baltimore County, and numerous individual defendants, including members of the judiciary and the Office of Bar Counsel. As you are aware, waiver of service under Rule 4(d) is a procedural accommodation—not a concession of liability or jurisdiction. Refusing waiver under these circumstances reinforces existing claims of obstruction and collusion, and reflects a broader pattern of bad faith consistent with the allegations now before the courts.

Accordingly, I strongly urge your office to reconsider and execute the waiver of service. If you continue to decline, I will proceed with formal service through the U.S. Marshals under Rule 4(e) and will seek recovery of all associated costs and sanctions as provided by Rule 4(d)(2). That said, the extraordinary nature of this case—including demonstrable misconduct by both current and pending defendants—places it squarely within the narrow class of proceedings in which non-discretionary petitions may be pursued as a matter of right under the established principles and usages of law. In such circumstances, a court of equity is not merely empowered but compelled to set aside procedural formalities where enforcement of the non-offending party's fundamental rights, preservation of judicial integrity, and prevention of irreparable harm demand immediate and overriding intervention.

As I have stated repeatedly—and which continues to be substantively omitted from responses—the opportunity to engage in good-faith negotiations remains open, but must be exercised promptly. Further delay will render any acceptance presumptively insincere and indistinguishable from the existing pattern of bad-faith conduct intended to evade accountability and liability. This statement reiterates my prior formal notices, including, but not limited to, my declared intent to seek injunctive relief, evidentiary hearings, and judgment. Whereas my original position sought to limit relief against the sovereign, your continued reliance on procedural abuse has materially altered my posture in response to that bad faith.

The State's established waiver of immunity through multiple invocations of federal jurisdiction, combined with the interrelated claims subject to congressional abrogation, entitles me to pursue all forms of relief available under state and federal law. I will exercise that right in full, including—but not limited to—my express notice in the amended informal brief, now further supported by newly uncovered evidence, which compels the inclusion of pre-existing claims challenging the 2024 judicial election in my federal action. I possess a unique statutory and constitutional right to do so, having timely filed challenges to judicial candidates in the Circuit Court for Baltimore County under Maryland law. That filing preserves my

right not only to challenge the 2024 judicial election, but also to challenge the constitutionality of the State's judicial election system itself.

Since the filing of the federal action, I have preserved claims against numerous additional individuals identified by their official titles, departments, and roles—claims asserted solely within the scope of their professional duties and under color of law. This was done as a courtesy to the sovereign, in good faith. However, continued bad-faith conduct will compel the addition of these individuals by name to the list of defendants, along with numerous unidentified Does who will be named as discovery progresses. This communication reiterates my willingness to engage in immediate good-faith negotiations. Please advise how you wish to proceed. In the absence of a timely and substantive demonstration of good faith, both action and inaction will be deemed further evidence of continued bad-faith conduct.

Sincerely,
Ryan Dillon-Capps
1334 Maple Avenue
Essex Maryland 21221
703-303-1113
ryan@mxt3.com

On Wed, May 7, 2025 at 8:31 AM Spiker, James <jspiker@oag.state.md.us> wrote:

Mr. Dillon-Capps:

I presume that you remain unrepresented by counsel. If I am incorrect, please direct this email to your counsel and send all future correspondence to me through your counsel.

We are unable to waive service as to an action from which the State defendants have been dismissed, as it would not be proper to serve the State defendants at all. In the event that the dismissal is reversed, we will consider your request at that time.

Thank you.



The information contained in this communication (including any attachments) may be confidential and legally privileged. This email may not serve as a contractual agreement unless explicit written agreement for this purpose has been made. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication or any of its contents is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender indicating that it was received in error and delete the original message and any copy of it from your computer system.

From: Ryan Dillon-Capps <ryan@mxt3.com>
Sent: Friday, May 2, 2025 2:43 AM
To: Spiker, James <jspiker@oag.state.md.us>
Subject: Re: New Web Form Submission - Ryan Dillon-Capps



Ryan Dillon-Capps <ryan@mxt3.com>

Response: Your Civil Rights Division Report - 559449-VTN from the Employment Litigation Section

1 message

DOJ Civil Rights - Do Not Reply <civilrightsdonotreply@mail.civilrights.usdoj.gov>

Reply-To: civilrightsdonotreply@mail.civilrights.usdoj.gov

To: ryan@mxt3.com

Wed, Jan 22, 2025 at 1:50 PM



Dear Ryan Dillon-Capps,

You contacted the Department of Justice on January 17, 2025. After careful review of what you submitted, we have determined that your report would more appropriately be handled by another federal agency.

What we did:

Your record number is 559449-VTN.

Team members from the Civil Rights Division reviewed the information you submitted. Based on your report, our team determined that you alleged employment discrimination or other employment-related issues.

Federal law limits the Department of Justice's ability to take direct action under certain situations. Based on our team's review of your report, this includes your matter.

What you can do:

We are not determining that your report lacks merit. Rather, another federal agency may be able to help in your situation.

We have included a list of federal agencies that may be able to help. You should reach out to the appropriate agency if you want to pursue this further.

NOTE: There are strict time limits for filing complaints related to employment discrimination. If you feel you have been discriminated against in employment, you should contact the appropriate agency as soon as possible.

I EXPERIENCED...

Employment discrimination based on: race, color, national origin, religion, sex (including pregnancy, sexual orientation and gender identity), age, disability, or retaliation.

AGENCY THAT MAY BE ABLE TO HELP

Equal Employment Opportunity Commission (EEOC)

File online: eeoc.gov/filing-charge-discrimination

Contact by phone: 1-800-669-4000

File in-person at your nearest EEOC Office: www.eeoc.gov/field-office

I EXPERIENCED...

Employment discrimination based on military service, including retaliation and failure to reemploy.

AGENCY THAT MAY BE ABLE TO HELP

U.S. Department of Labor

Veterans Employment Training Service (VETS)

File online or contact VETS in-person: www.dol.gov/agencies/vets/

Contact by phone: 1-866-487-2365

I EXPERIENCED...

Employment discrimination by the federal government

AGENCY THAT MAY BE ABLE TO HELP

The equal employment opportunity officer at your federal agency

Find your federal EEO officer: www.eeoc.gov/federal-sector/federal-agency-eeo-directors

I EXPERIENCED...

A workers' compensation issue

AGENCY THAT MAY BE ABLE TO HELP

U.S. Department of Labor

Office of Workers' Compensation Programs (OWCP)

Phone and in-person options:

<https://www.dol.gov/owcp/owcpkeyp.htm>

I EXPERIENCED...

An issue with wages and/or work hours

AGENCY THAT MAY BE ABLE TO HELP

U.S. Department of Labor
Employment Standards Administration, Wage and Hour Division

How to file a complaint: www.dol.gov/agencies/whd/contact/complaints
Contact by phone: 1-866-487-2365

I EXPERIENCED...

An issue with worker safety

AGENCY THAT MAY BE ABLE TO HELP

U.S. Department of Labor
Occupational Health and Safety Administration (OSHA)

File online: www.osha.gov/workers/
Contact by phone: 1-800-321-6742

I EXPERIENCED...

A problem with the Equal Employment Opportunity Commission

AGENCY THAT MAY BE ABLE TO HELP

Equal Employment Opportunity Commission
Director, Office of Field Management Programs

[131 M Street, NE](#)
[Washington, DC 20507](#)

In addition, your state bar association or local legal aid office may be able to help with your issue even though the Department of Justice cannot.

TO FIND...

A personal attorney

ORGANIZATION THAT MAY BE ABLE TO HELP

American Bar Association

www.americanbar.org/groups/legal_services/flh-home
Contact by phone: 1-800-285-2221

TO FIND...

A personal attorney for low-income individuals

ORGANIZATION THAT MAY BE ABLE TO HELP

Legal Services Corporation (or Legal Aid Offices)
To help you find a legal aid lawyer in your area

www.lsc.gov/find-legal-aid

How you helped:

While we cannot act in this specific instance, your report will help us advance civil rights. Information from reports such as yours helps us understand emerging and urgent issues. This helps inform how we protect the civil rights of all people in this country.

Thank you for taking the time to contact the Department of Justice about your concerns.

Sincerely,

U.S. Department of Justice
Civil Rights Division

Contact

civilrights.justice.gov



U.S. Department of
Justice
Civil Rights Division
[950 Pennsylvania
Avenue, NW](http://950PennsylvaniaAvenueNW)
Washington, D.C. 20530-
0001



(202) 514-3847
phone 1-855-856-1247 (toll-free)
Telephone Device for the
Deaf
(TTY) (202) 514-0716