

BADTEC, INC.
d/b/a SOUTHERN MEMORIAL GARDENS,
et al.,

Petitioners

v.

OFFICE OF CEMETERY OVERSIGHT,
DEPARTMENT OF LABOR, LICENSING
AND REGULATION,

Respondent

* IN THE
* CIRCUIT COURT FOR
* CALVERT COUNTY

* Case No. C 11-577

* * * * *

ORDER

The above captioned matter having come before this Court on the 10th day of August, 2011, upon consideration of the Petitioners' request for emergency relief and a temporary stay of the suspension of Daniel Martin as a registered cemeterian and the cease and desist order issued to Badtec, Inc. d/b/a Southern Memorial Gardens directing Badtec, Inc. to immediately cease operations as Southern Memorial Gardens, and arguments of counsel for both parties,

IT IS HEREBY ORDERED, by the Circuit Court for Calvert County, Maryland, this 12th day of August, 2011, that the following relief shall be, GRANTED, for the limited purposes set forth in the petition, until such time as the legal title to the cemetery property known as Southern Memorial Gardens shall pass from Badtec., Inc. to a subsequent owner:

- 1) That the Petitioners, Badtec, Inc. and Daniel Martin, their agents, servants, and employees, and any person acting in concert with them, shall not perform any services in

connection with any burial at Southern Memorial Gardens;

2) That the Petitioners, Badtec, Inc. and Daniel Martin, their agents, servants, and employees, and any person acting in concert with them shall permit burials to be performed at Southern Memorial Gardens by independent contractors where a burial is requested by a consumer who owns an interest in a burial plot at the cemetery that was purchased prior to the date of this Order;

3) That the Petitioners, Badtec, Inc. and Daniel Martin, their agents, servants, and employees, and any person acting in concert with them shall not preclude, prevent, or interfere with, in any manner, the provision of burial services by independent contractors as authorized by paragraph 2 of this Order.

4) That the Petitioners may provide goods to a consumer in connection with a burial only where the goods were purchased and paid in full pursuant to a contract that pre-existed the date of this Order;

5) That, in the case of goods that are requested by a consumer in connection with a permitted burial, where the goods were purchased but not paid in full prior to the date of this Order, the Petitioners must file a petition for a further order of this Court directing whether or not the goods can be provided and whether or not the balance of payment for the goods may be accepted by the Petitioners; and it is further

ORDERED, by the Circuit Court for Calvert County, Maryland that the suspension of Daniel Martin as a registered cemeterian and the cease and desist order issued to BADTEC, Inc. d/b/a Southern Memorial Gardens shall remain in full force and effect pending further order from this Court.

ENTERED 8-16-11 BY BSC

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CIRCUIT COURT
FOR CALVERT COUNTY

BY: _____

COPIES OF ORDER SENT

08-16-11

F. _____
CATTY: Brandon & M. King
CATTY: Judge
Kris King

Edward