

American Humanist Association,) **Case No. CV-14-550-DKC**
Steven Lowe, Fred Edwards,)
And Bishop McNeill)
)
Plaintiffs,)
)
v.)
)
Maryland-National Capital Park and)
Planning Commission,)
)
Defendant)

1. Plaintiffs seek removal of the Bladensburg World War One Peace Cross from its location of ninety years, alleging a First Amendment Establishment Clause violation. Movants request leave to be heard jointly in the matter, on the side of Defendants, as *Amicus Curiae*. Movants attach a proposed Memorandum for the Court. Movants do not seek to participate in discovery or oral argument, unless required for disposition of the instant Motion. A proposed Order is also attached.
2. Movants are citizens and residents of Prince George's County unified by dismay and urgent concern over the Plaintiffs' desire to dismantle the Bladensburg World War One Peace Cross ("the Memorial"). All Movants are well-acquainted with the ninety year old Memorial and its honored place in local life. Counsel *pro bono publico* for Movants is a Prince George's County resident, a member of the bar of this Court and in Maryland, and a Navy veteran of Iraq and the submarine service.

3. Movants wish to be heard by the Court in order to invite the Court's attention to important facts which the Plaintiffs have mischaracterized or even omitted from their Complaint. The Complaint creates a distorted image of the Memorial's background and context. Movants are fully aware of the importance of context in U.S. Supreme Court jurisprudence concerning war memorial latin crosses. Movants are concerned that factual omissions from the Complaint could also lead to recognition of a 42 U.S.C. Section 1983 claim where no genuine basis for such a claim exists.
4. Movants have informed Counsel of Record for the Plaintiffs and Counsel of Record for the Defendant of their desire to be heard in this matter. On April 21, 2014, Counsel for the Plaintiffs informed Movants via e-mail that Plaintiffs cannot consent.
5. Movants respect Plaintiffs' right to withhold consent, but for the following reasons nonetheless they respectfully ask the Court to grant this Motion for Leave.
6. Movants believe that defenders of the First Amendment should not withhold consent when ordinary citizens directly affected by their lawsuit seek an opportunity to shed additional light for the Court on issues relevant to the suit.

7. Moreover, the desire of Movants and others in the community to make a constructive contribution to the Court's awareness of all the facts is a logical consequence of Plaintiffs' lawsuit. Plaintiffs' have launched what, for Movants, is a grave, unwarranted attempt to dismantle a cherished and uncontroversial monument to Prince George's County's war dead.
8. Equally troubling to Movants is Plaintiffs' timing: they commenced a suite interpreted by many as inhumane and ungenerous to the memory of Maryland's war dead while Marylanders are still serving in Afghanistan and Iraq, and armed conflict between Ukraine and Russia seems likely. Given these circumstances, the Plaintiffs cannot be surprised that residents of the County directly affected by their lawsuit have come forward to ask the Court for leave to be heard.
9. Movants respectfully suggest that their Motion for Leave (in a real sense, as successors of the private citizens who funded and erected the Memorial after 1918) is a logical consequence of Plaintiffs' actions and should not be obstructed.
10. For these reasons, and in line with the inherent power and authority of this honorable Court to hear *amici curiae*, Movants respectfully request that the Court GRANT the Motion for Leave and take appropriate account of the Movants' proposed Memorandum.

11. Movants confirm service of this Motion on counsel of record for Plaintiffs and Defendant via electronic mail and the Court's electronic filing system.

RESPECTFULLY SUBMITTED FOR JOINT MOVANTS Richard Douglas, Kevin Young, Lori Young, Harry Pitt, Cheryl Pitt, John Dollymore, Christy Dollymore, Ellen J. McNulty, Lynn Cook, Lawrence Wenzel, Claude E. Petrone, Citizens and Residents of Maryland,

BY THEIR COUNSEL OF RECORD:

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