

Based on my experience with the tactics employed by Atlas Restaurant Group against their residential neighbors, I strongly support any effort to strengthen Maryland's anti-SLAPP laws. I am a retiree living in Fell's Point (Baltimore). My introduction to community organizing began when I learned from a Fell's Point Residents' Association (FPRA) meeting agenda that at the April 3, 2024 monthly FPRA meeting Darin Mislan would be presenting plans for Thames Street Venture LLC to transfer a BD-7 liquor license to 1704 Thames Street, with live entertainment and outdoor table service. 1704 Thames Street, which housed apartments and an office, is behind my husband's and my home, and we had had (and continue to have) problems with excessively loud noise from another Atlas property managed by Mislan, Waterfront Hotel at 1710 Thames Street. The noise has ruined our quality of life and enjoyment of our home. The Liquor Board hearing was scheduled for April 4. To prevent the Liquor Board from automatically approving the transfer of the license, I helped to organize a group of neighbors. On April 2 we submitted a petition and letters opposing the transfer in order to invoke MD Code 12-1508, which triggered a different process for review of the application. Then I received a letter dated April 18 from Constantine J. Themelis (Thomas & Libowitz, P.A.) "Re: Preservation of Evidence/Spoliation of Evidence 1704 Thames Street." We believe the letter was sent to all the signers of that original petition. The letter accused us of acting in bad faith and making false allegations, told us to retain all evidence, and threatened to sue us. The letter also said, "...we demand you withdraw the Petition immediately." The obvious intent was to intimidate us, which had worked in the past with a similar controversy regarding loud music from The Choptank, another Atlas-owned property a block away. On April 24 the Liquor Board sent us the hearing date (May 23) along with information about the process under MD Code 12-1508, with which we proceeded to comply. On May 1 Andrew D. Freeman and Jessica P. Weber (Brown, Goldstein & Levy, LLP) responded to Mr. Themelis's letter on our behalf, citing our right to protest under the First Amendment and noting that the legal action threatened by him would constitute a strategic lawsuit against public participation (SLAPP). They noted that such suits are prohibited under MD law. We had to pay to retain Freeman and Weber—an unreasonable burden, in our opinion, given the circumstances. However, we refused to back down in the face of Atlas's threats. The FPRA Board and Community Law Center helped us (at no cost) to get a Memorandum of Understanding (MoU) with Atlas/Mislan. However, the entire experience was stressful and time-consuming. The process seemed to us to be biased unfairly in favor of businesses rather than the tax-paying residents whose properties abut the commercial ones. We found the subsequent Liquor Board process, where the application was approved over the documented objections of the neighbors and the Board chair refused to hear our concerns about the threatening letter of April 18, appalling. Baltimore Brew covered the controversy. Those interested in more information about Atlas Restaurant Group and its interactions with the Liquor Board and its Fell's Point neighbors will find the following Baltimore Brew articles instructive:

- January 27, 2021 (Ed Gunts): Neighbors say The Choptank should lose its liquor license for loud music
- January 28, 2021 (Ed Gunts and Fern Shen): Fell's Point residents, who were threatened with a lawsuit, lose liquor license challenge
- May 13, 2024 (Fern Shen): Atlas Restaurant Group's plan for a new bar on Thames Street stirs anger and fear
- May 24, 2024 (Fern Shen): Atlas CEO complains of "harassment" as Liquor Board approves Fell's Point license transfer
- November 8, 2024 (Fern Shen): Liquor Board cites The Choptank for live outdoor entertainment without a license

Thank you for the opportunity to comment. If you need more information, please contact me.

Jeanne Nevin
1711 Lancaster Street
Baltimore, MD 21231