

## AFFIDAVIT

COMES NOW, ADRIENNE GUDE LEWIS, on this 31<sup>st</sup> day of December, 2007, who  
HEREBY SWEARS and AFFIRMS and deposes as follows:

1. That I am over the age of Eighteen and competent to testify in a Court of Law.
2. I am employed by the Montgomery County, Maryland Government. I am a County Council Legislative Aide.
3. I understand that questions have arisen regarding how and why it is that the letter written on November 14, 2007 by Mr. Eric Engleberg, of the Maryland Department of Planning (“MDP”), came to be written to Ms. Rose Krasnow.
4. I am intimately familiar with these facts as I was directly involved with them.
5. I also understand that a recent court filing alleges that Mr. William Nouvet took some type of inappropriate action to cause MDP to issue the November 14th letter. That is incorrect. Mr. Nouvet was not involved in any way. The letter came about as summarized below.
6. On November 6, 2007, acting in my capacity as legislative assistant to Montgomery County Councilmember Marc Elrich, I accompanied Mr. William Rounds to the Maryland National Capital Park and Planning Commission (“MNCPPC”) in an attempt to obtain addresses for his two Sandy Spring, Maryland properties. Also accompanying Mr. Rounds was his volunteer advocate, Mr. Steven Kanstoroom and a reporter for National Public Radio.
7. Mr. Kanstoroom had arranged an appointment for Mr. Rounds with MNCPPC’s staffer, Mr. Patrick Butler. When we arrived for our appointment Mr. Butler’s associate, Mr. Lonnie Rorie stated that Mr. Butler had an unexpected emergency we would have to reschedule.

8. I explained that Mr. Rounds had gone to great lengths to attend the meeting, and his care for his grandchildren made repeat visits to MNCPPC difficult. Under the circumstances, I requested that Mr. Rorie assist us.

9. Mr. Rorie said that he could not do so because: a) Mr. Butler was the expert in assigning addresses, b) he was unaware of what efforts Mr. Butler had already undertaken to issue addresses for Mr. Rounds' properties, and; c) Mr. Rorie has a very busy job working at the information counter and he needed to be able to assist other customers and did not have time to possibly duplicate work that had possibly already been performed.

10. Mr. Kanstoroom explained that all Mr. Butler had done was to set up a time to meet at the Information Counter – nothing more. Although Mr. Rorie continually persisted in saying that he did not have time to help us, we did manage to have an over one hour conversation with him – all the while there being no other visitors to Mr. Rorie's Information Counter.

11. We returned again the following day on November 7, 2007 to the Information Counter and were able to meet with Mr. Butler. Mr. Kanstoroom presented public record documents that showed the location of Mr. Round's properties as well as the Farm Road that has provided ingress/egress to it for more than one-hundred years. Also included were deeds from twenty properties located along the Farm Road, each of which referred to the Farm Road in their chain of title.

12. Mr. Kanstoroom pointed out to Mr. Butler MNCPPC's documents in their "Address and Subdivision Books" that showed: a) that addresses had been issued along the Farm Road, b) the Maryland Tax Records showed the same, and; c) many of the addresses along the Farm Road had been crossed-out with hand-written marks. Mr. Butler expressed his concern over the crossed-out addresses and the fact that the

Maryland Tax Records showed the addresses as valid and excused himself to make photocopies of three of Mr. Kanstoroom's documents.

13. During this time I learned that Mr. Rorie was Mr. Butler's supervisor and that Mr. Butler had been employed by MNCPPC for only a matter of weeks.

14. Ultimately, Mr. Butler returned with MNCPPC's Richard Weaver to speak on behalf of MNCPPC. Mr. Weaver attempted to explain for more than an hour reasons that MNCPPC could not issue addresses for parcels which had been recorded after the year 1958 without first going through a subdivision process. However, it was pointed out to Mr. Weaver numerous times that the subject parcels had been recorded in the 1930s and that such regulations did not apply.

15. Mr. Weaver then noticed that the Maryland Property Map which contained Mr. Rounds' parcels, Map JT123, had several parcels out of numerical order.

16. Mr. Weaver then stated that MNCPPC could not issue addresses for Mr. Rounds' properties until the Maryland Department of Planning issued a revised map showing the correct location of Mr. Rounds' properties and that of several of his neighbors. Mr. Weaver directed Mr. Kanstoroom, Mr. Rounds and me to: a) bring the matter and the same documents to the attention of the Maryland Department of Planning, and; b) request that it correct Map JT123 and advise MNCPPC in writing once they had done so.

17. Mr. Weaver said that MNCPPC would issue addresses upon receipt of such notification.

18. Later that same afternoon the same documents that were provided to Messrs. Butler, Rorie and Weaver were provided to MDP's chief cartographer for Montgomery County. MDP's staff explained that the documents provided by Mr. Kanstoroom provided the missing link as to how to correct Map JT123, a map which they indicated had contained errors for some time. The information allowed MDP to use other public

record documents to confirm the parcel locations and existence of the Farm Road as depicted on the map provided by Mr. Jefferson Lawrence. MDP was also provided with the contact information as to where to send the letter that MNCPPC's Richard Weaver requested earlier the same day.

19. On November 14, 2007, MDP issued the letter in question to Rose Krasnow. Subsequently, I accompanied Mr. Rounds again to MNCPPC on Tuesday November 20, 2007. Also accompanying Mr. Rounds was his volunteer advocate, Mr. Steven Kanstoroom, along with one of Mr. Rounds' neighbors, who was also attempting to obtain an address, and a reporter for National Public Radio. Mr. Kanstoroom presented copies of public record documents that showed MNCPPC had issued addresses along the Farm Road as recently as the year 2002. Mr. Kanstoroom presented public record documents that showed that an address had been issued immediately north of Mr. Rounds properties and two addresses had been issued immediately south of Mr. Rounds and his neighbor's property.

20. Nevertheless, Mr. Rorie said that addresses could not be issued and that Mr. Weaver did not have any authority with regard to assigning addresses. Mr. Rorie explained that he was responsible for assigning and changing all address records, a responsibility he had held for years, and that MNCPPC did not keep any records as to when or how it issued, changed or modified address records.

21. Mr. Kanstoroom then asked Rose Krasnow to meet with our group. Ms. Krasnow agreed and Mr. Rounds prevailed upon her to issue his addresses, and treat him the same as his neighbors.

22. Ms. Krasnow first reasoned that addresses could not be issued because of pending litigation. Mr. Rounds and the others in attendance pointed out that: a) neither Mr. Rounds nor his neighbor was a plaintiff in any litigation, b) Mr. Rounds and his neighbor were deserving of addresses irrespective of litigation that was occurring with regard to a property located approximately one-half mile away from their properties, and; c)

MNCPPC has testified that the Farm Road is irrelevant to the litigation Ms. Krasnow cited. Ms. Krasnow then suggested that Mr. Rounds and his neighbor put their requests in writing.

23. I learned that on November 29, 2007, MNCPPC's legal counsel was provided with a copy of MDP's November 14, 2007 letter confirming the correctness of the map produced by Jefferson Lawrence and the fact that Map JT123 had been changed to conform to it.

24. I learned that on November 30, 2007, MDP's assistant attorney general and staff explained that MNCPPC's attorney had placed phone calls and sent an email to MDP demanding that the November 14<sup>th</sup> letter be rescinded due to pending litigation in which MNCPPC was involved.

25. To date, MDP has not released a copy of the MNCPPC email demanding that the November 14<sup>th</sup> letter be rescinded.

The above statements are true and correct to the best of my knowledge, information and belief and are made under the penalty of perjury.

Adrienne Gude Lewis  
Adrienne Gude Lewis

12/31/07  
Date

Subscribed and sworn to before me, this 31<sup>st</sup> day of December, 2007.

[Signature]  
NOTARY PUBLIC



**RAJ S. SINGH**  
**NOTARY PUBLIC, STATE OF MARYLAND**  
**COUNTY OF MONTGOMERY**  
**MY COMMISSION EXPIRES APRIL 1, 2010**