

CAAD 153

J. Calvin Carney
WALTER C. MYLANDER, JR.

Samuel H. Bernstein
Garon S. Shaw,
and
Shaw Realty
Company,

9-043581

1821 Eutan Place,
17
appellants.

BILLED 6/27/59
PLF'S ATTY. \$
CLERK'S FEES 9.00
SHF'S FEES
CLERK ADD.
TOTAL \$ 9.00
DATE PAID 7/1/59 AMT. PAID 9.00
REC'D BY DEPUTY CLERK

PLF'S ATTY. BY:
FILING FEE
PLF'S ATTY. \$ 5.00
CLERK'S FEES 5.00
SHF'S FEES 3.00
TOTAL 13.00
DATE 4/27/59 AMT. PAID 8.00
REC'D BY DEPUTY CLERK

BILLED 6/27/59
DEFT'S ATTY. \$ 5.00
CLERK'S FEES 9.00
SHF'S FEES
CLERK ADD.
TOTAL \$ 14.00
DATE PAID 7/1/60 AMT. PAID 14.00
REC'D BY DEPUTY CLERK

REFUND
PLF'S ATTY. BY:
DEFT'S ATTY. BY:

COURT FILE AND CONTENTS DESTROYED
IN ACCORDANCE WITH MD. RULE 1299.
DATE OF DESTRUCTION.: MAY 22 64

(1) April 28, 1959, Petition or proceedings for review affidavits and exhibits filed. M. ad.

(2) April 29th 1959, Ordered: That Edward J. Syas, Ralph P. Ripley, and Mac Gardiner, Constituting the Real Estate Commission of Maryland, Pursuant to Stipulation at the said hearing, by their Counsel, Joseph S. Kaufman, Esq., Assistant Attorney General of Maryland, transmit to this Court the Original or Certified Copy of the entire record of the Proceedings in the above entitled case, on or before Friday May 1, 1959.

That answers on behalf of the Appellees to the Petition for Review filed herein be filed with the Clerk of the Baltimore City Court on or before Tuesday May 5, 1959.

That any interlocutory motions be filed on or before Monday May 4, 1959.

That the above entitled case be and the same is hereby set for hearing on Friday May 8, 1959, on any and all interlocutory motions which may have been filed and on the merits, all of which shall be taken up by the Court, and disposed of at the same time at said hearing.

The legal operation and effect of the Order of the Real Estate Commission of Maryland dated April 21, 1959, from which appeal herein is taken be and the same is hereby stayed until the determination of the Appellants' Petition and Proceedings for Review by this Court.

Judge Oppenheimer filed.

C. FERDINAND SYBERT
JOSEPH S. KAUFMAN

Edward J. Syas,
Chairman,
Ralph P. Ripley,
Joseph S. Kaufman,
and
Mac Gardiner,
members,
constituting the
Real Estate
Commission of
Maryland,
Hathison Building
2.

(3) at
May 1, 1959, Transcript of record filed.

(4) May 1st 1959 On behalf of the Real Estate Commission of Maryland, one of the Defendants Answer to Petition for Review filed. Copy mailed

(5) May 6th 1959 On behalf of Allen Kleinman and Jeanette Kleinman his wife and Bernard Cherry and Dora Cherry, his wife, Appellees, answer to Petition for Review and Exhibit filed. Copy mailed

(6) May 6th 1959 Same Appellees Order for Cross Appeal from the Department of the Order of the Real Estate Commission of Maryland filed. Copy mailed

(7) May 6th 1959 Same Appellees Petition of Cross Appeal filed. Copy mailed

(8) May 6th 1959 Plaintiff's Petition for Additional Evidence, Petition Affidavit, Exhibits and Order of Court (Judge Oppenheimer) filed. Copy mailed

(9) May 6th 1959 Defendant's Petition for Additional Evidence, Petition Affidavit and Order of Court (Judge Oppenheimer) filed. Copy mailed

(10) May 8th 1959 Answer of the Petitioners to The Order of Cross Appeal and Affidavit filed. Copy mailed

(11) May 8th Petitioners Petition for Leave to present additional Evidence and Affidavit filed. Copy mailed

Allen Kleinman
and
Jeanette Kleinman,
his wife,
3801 Grantley Road,
15;
and
Bernard Cherry
and
Dora Cherry,
his wife,
3802 Grantley Road,
15;
appellees

Melvin J. Sykes
HERBERT J. ARNOFF

Record to the
Court of Appeals
of Maryland,
Clerk of the
Baltimore City
Court, \$ 20.00. P. 7/1/59 hts

7/15/60, Clerk of
the lower
Court two cases,
Mandate, \$ 15.00.
P. 8/2/60 hts

(TO PAGE 482)

COURT FILE AND CONTENTS DESTROYED
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DATE OF DESTRUCTION.: MAY 22 64

(9-043581)

Bernstein, et al. (1) (From page 97.)

(12) May 11, 1959, appellees, Alvin Kleinman and Jayette Kleinman, and Bernard Cherry and Lora Cherry, answer to petition for leave to present additional testimony, filed in open court. Copy delivered.

May 11, 1959, Submitted to the Court (Judge Oppenheimer) for determination without the intervention of a jury.

May 11, 1959, Leave granted appellees, A. Kleinman and J. Kleinman, and B. Cherry and L. Cherry, in open court, to amend by interlineation, appellee's answer to petition for review, by striking out a portion of Paragraph 12 of Paper No. 5, filed May 6, 1959, and to withdraw exhibit. Same day, amendment made. Same day, exhibit withdrawn.

May 11, 1959, Plaintiff's petition to present additional evidence, denied, as to paper No. 8, filed May 6, 1959.

May 11, 1959, Plaintiff's petition to present additional evidence, denied, as to paper No. 11, filed May 8, 1959. (Oppenheimer, J.)

May 11, 1959, Post concluded; to be resumed 10:00 A.M., May 13, 1959.

May 13, 1959, Case resumed, heard and held sub curia.

June 4, 1959, The decision of the Real Estate Commission of Maryland is hereby affirmed. Opinion of the Court (Judge Oppenheimer) filed in file # 9-043580.

June 4, 1959, Judgment nisi in favor of the defendants.

(13) June 5, 1959, Formal Order of Court (Judge Oppenheimer) filed.

(14) June 5, 1959, appeal on behalf of Margret H. Bernstein and James S. Shaw, et al. naming Shaw Real Estate Company, appellant, to the Court of Appeals of Maryland, from the order in the above entitled case, dated June 5, 1959, affirming the order of the Real Estate Commission of Maryland, dated April 21, 1959, filed.

COURT FILE AND CONTENTS DESTROYED IN ACCORDANCE WITH MD. RULE 1299. DATE OF DESTRUCTION.: MAY 22 '84

(TO PAGE 480.)

BILLED
PLF'S ATTY. \$
CLERK'S FEES
SHF'S FEES
CLERK ADD.

PLF'S ATTORNEY

BY:

FILING FEE

PLF'S ATTY. \$

CLERK'S FEES

SHF'S FEES

TOTAL

TOTAL \$

DATE PAID

AMT. PAID

DATE

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REC'D BY

DEPUTY CLERK

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BILLED

DEFT'S ATTY. \$

CLERK'S FEES

SHF'S FEES

CLERK ADD.

REFUND

PLF'S ATTORNEY

BY:

TOTAL \$

DATE PAID

AMT. PAID

DEFT'S ATTORNEY

BY

REC'D BY

DEPUTY CLERK

Real Estate Commission, et al.

~~9-083581~~

Bernstein, et al. (1) (From page 482.)

BILLED

PLF'S ATTY. \$
CLERK'S FEES
SHF'S FEES
CLERK ADD.

PLF'S ATTORNEY

BY:
FILING FEE
PLF'S ATTY. \$
CLERK'S FEES
SHF'S FEES
TOTAL

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TOTAL \$

DATE PAID AMT. PAID

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DATE AMT. PAID

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BILLED

DEFT'S ATTY. \$
CLERK'S FEES
SHF'S FEES
CLERK ADD.

REFUND

PLF'S ATTORNEY

BY:

TOTAL \$

DATE PAID AMT. PAID

REC'D BY DEPUTY CLERK

DEFT'S ATTORNEY

BY:

(15) June 5, 1959, "The legal operation and effect of the order of this Court, dated June 5, 1959, in the above entitled matter, et al, and the same, is, hereby stayed until the determination by the Court of appeals, of the appellants' appeal herein", appellants' petition, and Order of Court (Judge Oppenheimer) filed.
June 8, 1959, Judgment made absolute in favor of the defendants, for Costs of suit.

Real Estate Commission, et al.

(16) June 9, 1959, appeal on behalf of Manuel M. Bernstein and Warren S. Shaw, the managing agent of Shaw Realty Company, appellants, to the

Court of appeals of Maryland, "from the judgment in the above entitled case", filed.

June 30, 1959, Record (two appeals in one record) mailed to the Court of appeals of Maryland.

and delivered

(17) July 2, 1959, Receipt from the Court of appeals of Maryland, for the record (two appeals in one record), filed.

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(18 & 18a) Dec. 29, 1959, Two copies of the opinion of the Court of appeals of Maryland, taken from the Daily Record, filed.

(19) July 15, 1960, Record returned to the Court of appeals of Maryland.

(20) July 15, 1960, Mandate of the Court of appeals of Maryland, filed, viz: -

(TO PAGE 468.)

(9-043581)

Bernstein, et al.

(1) (From page 880)

Case No. 76, September Term, 1959.
 2 appeals in one record from the Baltimore City Court. Filed: July-1, 1959.
 December 18, 1959, orders affirmed in both cases, the appellants to pay the costs. Of.
 Torney, J.
 January 12, 1960, motion for rearrangement and for stay of mandate, etc., filed.
 January 20, 1960, order of court denied; motion for rearrangement stayed 30 days, pending action in writ of certiorari.
 February 3, 1960, motion filed, to amend order of January 20, 1960.
 February 11, 1960, order of court filed, granting motion of February 3, 1960.
 February 11, 1960, notice of appeal to U. S. Supreme Court filed.
 June 17, 1960, per curiam of U. S. Supreme Court filed, granting motion to dismiss.
 June 30, 1960, motion to clarify or extend order of court filed.
 July 1, 1960, order of court filed, staying mandate until mandate of U. S. Supreme Court issues to this court.
 July 15, 1960, certified copy of judgment received from U. S. Supreme Court.

Real Estate Commission, etc.

until mandate of U. S. Supreme Court issues to this court. July 15, 1960, certified copy of judgment received from U. S. Supreme Court.

Costs in the Court of appeals of Maryland:-

- Record, \$40.00 (Deduct in costs of lower court).
- Steno. Costs, \$47.50.
- Filing record on appeal, \$20.00.
- Printing brief of appellant, 229.21.
- Reply brief, 164.23.
- Portion of record extract - appellant, 2,013.99.
- Appearance fee - appellant, 10.00.
- Motion for rearrangement, 5.00.
- Printing brief for appellee (Kleinman), 185.45.
- Printing brief for appellee (Real Estate Commission), 85.45.
- Portion of record extract - appellee, 2,013.98.
- Appearance fee - appellee, 20.00.

"Costs shown on this mandate are to be settled between counsel and not through this office".

(2) July 15, 1960, receipt from Melvin J. Sykes, Est. attorney, for certain exhibits, filed.

(22) July 29, 1960, "Judgment of Costs in the above entitled matter satisfied." order of Melvin J. Sykes and Joseph S. Kofmans attorneys for the appellees, filed. (Applying to both cases, pages 96 & 97/18P.)

Exhibits are in the storeroom on the third floor.

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PLF'S ATTY. \$	BY:
CLERK'S FEES	FILING FEE
SHF'S FEES	PLF'S ATTY. \$
CLERK ADD.	CLERK'S FEES
	SHF'S FEES
TOTAL \$	TOTAL
DATE PAID	DATE
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BILLED	REFUND
DEFT'S ATTY. \$	\$
CLERK'S FEES	
SHF'S FEES	
CLERK ADD.	PLF'S ATTORNEY
	BY:
TOTAL \$	DEFT'S ATTORNEY
DATE PAID	BY
REC'D BY	DEPUTY CLERK