

THE PLAINTIFF OR DEFENDANT CEASED TO BE, A PERSON IN EMERGENCY MANAGEMENT SERVICE OR PERSON SUFFERING INJURY OR DAMAGE.

(3) THE COURT NEED NOT ISSUE A STAY UNDER THIS SUBSECTION IF THE COURT FINDS THAT BEING A PERSON IN EMERGENCY MANAGEMENT SERVICE OR PERSON SUFFERING INJURY OR DAMAGE DID NOT MATERIALLY AFFECT THE ABILITY OF THE PLAINTIFF TO PROSECUTE THE ACTION OR THE ABILITY OF THE DEFENDANT TO CONDUCT A DEFENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 16A, §§ 14(d) and 17(a), (c), (d), and (e).

Throughout this section, references to a "proceeding" in a court are substituted for former references to an "action or proceeding commenced" in a court, for brevity and consistency with terminology used throughout this subtitle.

In the introductory language of subsection (a)(1) of this section, the reference to an action in which the defendant "fails to appear" is substituted for the former reference to "a default of any appearance by the defendant" for brevity.

In the introductory language of subsection (a)(2) of this section, the reference to filing an affidavit "in accordance with paragraph (1)(i) of this subsection" is substituted for the former reference to filing an affidavit "showing that the defendant is not a person in emergency management service or a person suffering injury or damage" for brevity.

In subsections (a)(3) and (4) and (c)(1) of this section, the reference to the defendant being "a person in emergency management service or person suffering injury or damage" is substituted for the former reference to the defendant being "in such category" for clarity and to use the defined terms.

Subsection (a)(3) of this section is revised to state explicitly when the court is required to appoint an attorney to represent a defendant who is a person in emergency management service or a person suffering injury or damage.

In subsection (a)(4) of this section, the former reference to a bond that is "conditioned" to indemnify is deleted as included in the concept of indemnification by a bond.

In subsection (a)(5) of this section, the reference to a "further" order is deleted as surplusage.

In the introductory language of subsection (c)(1) of this section, the reference to "fil[ing]" a motion with the court is substituted for the former obsolete reference to an "application being made" to the court for clarity.

In subsection (d)(1)(i) of this section, the former phrase "in the discretion of the court" is deleted as included in the reference that the court "may" take specified actions.