

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

BANK OF AMERICA, N.A.

Plaintiff,

v.

C-16-CV-23-001198 AG

ST. JOSEPH'S SECONDARY
SCHOOL ALUMNAE ASSOCIATION
MID-ATLANTIC INC.,
et al.

Defendants.

**RESPONSE OF ST. JOSEPH'S SECONDARY SCHOOL ALUMNAE
ASSOCIATION MID-ATLANTIC INC. and MOLINETTE DAVIS
to COMPLAINT FOR INTERPLEADER**

St. Joseph's Secondary School Alumnae Association Mid-Atlantic Inc.

("SJSSAA") and Mollinette Davis ("Ms. Davis") by and through counsel, submit the following pursuant to Md. Rule 2-221 in response to the Complaint for Interpleader.

1. The allegations of paragraph 1 of the Complaint for Interpleader ("the Complaint") are admitted.
2. The allegations of paragraph 2 of the Complaint are admitted.
3. The allegations of paragraph 3 of the Complaint are admitted.
4. The allegations of paragraph 4 of the Complaint are admitted.
5. The allegations of paragraph 5 of the Complaint are denied as phrased; Ms. Davis however did properly represent herself as a member of the Board of Directors for SJSS.

6. The allegations of paragraph 6 of the Complaint are admitted.

7. The allegations of paragraph 7 of the Complaint are admitted.
8. The allegations of paragraph 8 of the Complaint are admitted.
9. The allegations of paragraph 9 of the Complaint are admitted
10. The allegations of paragraph 10 of the Complaint are admitted
11. The allegations of paragraph 11 are admitted in part and denied in part;

on December 4, 2021, Ms. Davis was present at the BoA Laurel Center Branch with another member of the Board of Directors of the SJSS and executed an authorization card after providing Mr. Alvaro Saballos, Assistant Vice President, Financial Center Manager, with proof of her authority on behalf of SJSS.

12. The allegations of paragraph 12 of the Complaint are admitted.

13. These answering Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 13 of the Complaint.

14. These answering Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 14 of the Complaint.

15. These answering Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 15 of the Complaint.

16. These answering Defendants admit that the referenced letter was sent to Ms. Davis; these Defendants are without knowledge or information sufficient to form a

belief as to the truth of the allegations that such letter was sent to Ms. Homer and Ms. Otto.

17. The Defendants admit that SJSSAA, Ms. Otto and Ms. Homer have attempted to resolve the dispute concerning the distribution of the funds, and that BoA, through counsel, has periodically sought the status of said efforts and that it was prepared to initiate an interpleader action and that it would seek legal fees. To the extent inconsistent with the preceding, the allegations of paragraph 17 are denied.

18. The allegations of paragraph 18 of the Complaint are admitted.

19. Defendants admit that the accounts 1 and 2 are frozen and that the quoted language is included within the Deposit Agreement with BoA; the remaining allegations of paragraph 19 are denied.

20. The allegations of paragraph 20 of the Complaint are admitted.

21. The allegations of paragraph 21 of the Complaint are denied.

22. Defendants deny that BoA is an impartial stakeholder; the remaining assertions of paragraph 22 constitute a request for relief to which no response is required.

23. The assertions of paragraph 23 constitute a request for relief to which no response is required.

WHEREFORE, SJSSAA and Mollinette Davis respectfully request as follows:

1. That the Court enter an Order of Interpleader with regard to all of the funds identified in the Complaint;

2. That the Plaintiff be required to deposit the subject funds with the Court;
3. That at SJSSAA be designated as the Plaintiff and that the other parties be designated as Defendants in the second phase of this action; and
4. That the Court direct the distribution of the Funds to SJSSAA.

Respectfully submitted,

/s/ Jeff C. Seaman

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Mid-Atlantic Inc. and Mollinette Davis*

CERTIFICATE OF SERVICE

A true copy of this Response was file and served via the Court's electronic system and via email this 21st of April 2023 to:

Jennifer J. Coyne
Miles & Stockbridge P.C.
100 Light St.
Baltimore, MD 21202
jcoyne@milesstockbridge.com

Jeff C. Seaman