

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

BRIAN CHARLES VAETH

:

Plaintiff

:

vs.

:

Civil Action No. RDB-08-708

BOARD of TRUSTEES, FIRE & POLICE  
EMPLOYEES RETIREMENT SYSTEMS of  
BALTIMORE CITY

:

:

Defendants

:

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**PLAINTIFF'S MOTION TO STAY PROCEEDINGS**  
**TO FILE FIRST AMENDED COMPLAINT**

I, Brian Charles Vaeth, pro se, respectfully petition the Court to stay these proceedings, for a period of time as determined at the discretion of the Court in an effort to obtain counsel for the proper litigation of my claims of violation of Constitutional rights and Local Laws against the defendants. In support thereof, I further provide the Court with the following:

**I. INTRODUCTION**

I am a pro se plaintiff in this action, as I am sure the Court is aware. My complaint alleges violations of Federal, State, and Local laws, as well as constitutionally protected rights against the defendants in association with the administration of disability retirement benefits. This complaint was filed on March 17, 2008 and the defendants filed a Motion to Dismiss / Summary Judgment, in response, on April 28, 2008. In their motion they state the following:

This Honorable Court lacks jurisdiction over the subject matter; and


Plaintiff has failed to state a claim upon which relief can be granted.<sup>1</sup>

## **II. STATEMENT**

Due to the circumstances surrounding the facts of this case and the serious nature of what I believe are fundamental violations of law and constitutional rights by the defendants that have denied me due process and equal protection, I have filed a separate motion requesting the Court to appoint counsel so that I may present this matter to the Court in the appropriate manner. My immediate concerns are to demonstrate the proper respect for the Court and file, with sufficient clarity, my claims in future motions that do not waste or burden the Court with unnecessary filings. These violations are egregious enough that I feel the Court should hear the merits of my claim but I also understand the defendants' assertions, if I have failed to state these claims clear enough. The Court, in matters involving pro se plaintiffs, can draw any inferences it may from a well pleaded complaint, if the claim appears on the face of the pleading. Because I am not a legal professional, I have questions as to whether I am providing the proper information for the Court to properly consideration this claim.

## **III. CONCLUSION**

Due to my status as indigent before the Court and proceeding in forma pauperis, I respectfully request the Court to grant this stay in order to obtain representation from experienced counsel to maintain proper respect for this Honorable Court and file sufficient correspondence to effect the substantial and appropriate administration of justice in this action.



Brian Charles Vaeth, pro se  
8225 Poplar Mill Road  
Nottingham, Maryland 21236-5581  
(410) 931-4423  
sfenergy@comcast.net

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<sup>1</sup> Defendants Motion to Dismiss or Motion for Summary Judgment, April 28, 2008, ¶ 1.

**AFFIDAVIT**

I, Brian Charles Vaeth, pro se, hereby certify that the statements and allegations set forth in the foregoing Motion and the accompanying Memorandum are true and accurate to the best of my knowledge and belief. The specific relief sought in this action is \$102,500,000 and any and all further relief as determined by this Court.



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**CERTIFICATE OF SERVICE**

I, Brian Charles Vaeth, plaintiff in proper person in the above captioned matter, do hereby solemnly affirm that the contents of the enclosed Motion and accompanying Memorandum, has been forwarded to the defendants at City Hall, 100 N. Holliday Street, Room 640, Baltimore, MD 21202, by US mail, first class, postage prepaid on the 15<sup>th</sup> day of July, 2008, to the following:

*Defendants*

BOARD of TRUSTEES, FIRE & POLICE  
EMPLOYEES RETIREMENT SYSTEMS of  
BALTIMORE CITY  
7 E. Redwood Street, Floors 12 & 13  
Baltimore, Maryland 21202,  
(443-984-2800

WILLIAM J. GOODWIN, JR., CHIEF of  
BALTIMORE CITY FIRE DEPARTMENT  
401 E. Fayette Street  
Baltimore, Maryland 21202,  
(410) 396-3083

MAYOR & CITY COUNCIL  
of BALTIMORE CITY  
City Hall, Room 212  
100 N. Holliday Street  
Baltimore, Maryland 21202

FREDERICK MCGRATH, HEARING  
EXAMINER, PANEL OF HEARING  
EXAMINERS FOR THE FIRE & POLICE  
EMPLOYEES RETIREMENTS SYSTEMS OF  
BALTIMORE CITY

7 E. Redwood Street, Floors 12 & 13  
Baltimore, Maryland 21202,  
(443-984-2800

A handwritten signature in blue ink, appearing to read "Brian Vaeth". The signature is stylized and cursive.

Brian Charles Vaeth, plaintiff  
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