

BEFORE THE MARYLAND STATE BOARD OF EDUCATION

**Community and Education Policy
Alliance, Inc.,**

Elisa Sukhobok,

and

Pavel Sukhobok,

Appellants,

v.

Montgomery County Board of Education,

Respondent.

APPEAL OF EDUCATION FACILITIES
PLAN

The Community and Education Policy Alliance, Inc. (“CEPA”), a group of Montgomery County residents who are parents or guardians of students directly affected by an education facilities plan adopted by the Montgomery County Board of Education (the “County Board”), and Elisa and Pavel Sukhobok, as parents of students directly affected by the County Board’s educational facilities plan, hereby file this Appeal of that decision, and in support state:

DECISION FOR WHICH REVIEW IS REQUESTED

Review by the Maryland State Board of Education (the “State Board”) is sought of the County Board’s decision of March 26, 2026, to approve the Superintendent’s Recommendation for the Relocation of Thomas S. Wootton High School to the Crown Farm Site and Expansion of Damascus High School (the “Superintendent’s Recommendation”).

ISSUES FOR WHICH THE APPEAL IS TAKEN

Thomas S. Wootton High School (“Wootton High”) has built a storied legacy as one of the top-performing high schools in the state and entire nation. Carrying on that tradition of success is a proud, enduring community of students, families, neighbors, and generations of alumni including

notables in politics, entertainment, journalism, music, and sports. Wootton High is the kind of educational institution that every Maryland school board should strive to create and support.

Within a few months, it all changed. After years of extensive financial and facilities planning for *increasing* student enrollment, the County Board abruptly reversed course, claiming enrollment was suddenly *declining* and adjustments were needed. The County Board then rapidly progressed and approved a plan for a rebranded “Thomas S. Wootton High School at Crown Farm” (“Wootton at Crown Farm”), moved from Wootton Parkway in Rockville to a building miles away in Gaithersburg with a reconstituted student body. This, the Wootton High community was assured, was the same school, so certain procedural protections of the law did not apply.

This is not correct. The data does not support declining enrollment requiring the shuttering of Wootton High. The County Board’s projections were based on a snapshot of anomalous data skewed by the COVID-19 pandemic, and do not reflect long-term trends or account for substantial planned housing development — all indicating that enrollment will increase. Further, by styling Wootton High’s closure as a “relocation,” the County Board bypassed important procedural protections for the school’s community and did not consider pertinent factors. Other legal and regulatory violations occurred throughout. The County Board must reconsider its decision with additional proceedings using accurate data and complying with the applicable laws and policies.

STATEMENT OF THE FACTS

In fiscal year 2019, the County Board sought funding for Crown High School (“Crown High”), representing that a new school was needed because high schools in Montgomery County’s mid-county region were and would continue to be overutilized through the next six-year planning period. Ex. 1, County Board FY 2019 Requested Capital Budget and FY 19-24 CIP, December 1, 2017. The County Council approved the appropriation but delayed funding multiple times. On March 19, 2024, the County Board approved a comprehensive boundary study for

Crown High and Damascus High School (“Damascus High”) to determine the service areas for both schools, again citing the “urgent space needs in the mid-county region.” *See* Ex. 2, MCPS County Board Resolution, *Boundary Study Scope Recommendation to Determine the Service Area for the New Crown High School and the Expansion of Damascus High School*.

Montgomery County Public Schools (“MCPS”) contracted with FLO Analytics to facilitate the study, develop a community engagement process, and analyze potential boundary options. Ex. 3, December 5, 2024, MCPS County Board Resolution, *Contract Approval of Request for Proposal No. 4998.1, Consultant for School Boundary Review for Montgomery County Public Schools*; Ex. 4, March 18, 2025, MCPS County Board Memorandum, *Boundary Studies and Program Analysis Update*. Between June and October 2025, MCPS released eight total boundary options for Crown High and presented them at public informational sessions. Each would establish Crown High as a permanent new school in Gaithersburg necessary to ease overcrowding at nearby high schools. *See* Ex. 5, February 2026, MCPS Boundary Study Process Report at 20-23.

On October 30, the County Board approved a recommendation from MCPS superintendent Dr. Thomas W. Taylor (the “Superintendent”) amending the study scope — purportedly because of declining enrollment — to consider repurposing Crown High as a temporary holding school used when other schools underwent major construction. Ex. 6, October 30, 2025, MCPS County Board Resolution, *Revised Boundary Study Scope to Determine the Service Area for the Opening of Crown High School and Expansion of Damascus High School*. MCPS presented four options in December. Options E through G proposed to make Crown High a temporary holding school. Ex. 5 at 23-24. Option H maintained the concept of using Crown High as a permanent school, but proposed it serve a substantial portion of the students in the Wootton High attendance area — describing this as “relocating” Wootton High from Rockville to the Crown Farm site in

Gaithersburg — as well as others in walking distance who were currently assigned to Gaithersburg High School (“Gaithersburg High”). *Id.* at 25.

The Superintendent issued his recommendation on February 5. *See* Ex. 7, Superintendent’s Recommendation. His proposal modified Option H (“Modified Option H”) by redistricting Cold Spring Elementary School (“Cold Spring Elementary”) students from Cabin John Middle School and Wootton High to Herbert Hoover Middle School (“Hoover Middle”) and Winston Churchill High School (“Churchill High”). *Id.* Additionally, Fields Road Elementary School students were reassigned from Ridgeview Middle School and Quince Orchard High School (“Quince Orchard High”) to Robert Frost Middle School and Wootton High. *Id.*

The County Board convened for work sessions on the Superintendent’s Recommendation on March 3 and March 12, and hearings for public comment were held on February 23 and March 9. Families of current and future Wootton High students impacted by Modified Option H formed an organization, “Save Wootton,” to oppose the plan. This was later incorporated as CEPA,¹ for which Elisa Sukhobok currently serves as vice president; she and her husband, Pavel, are parents to students assigned to the Wootton High attendance area. On March 26, the County Board voted to adopt the Superintendent’s Recommendation, approving Wootton at Crown Farm and incorporating accompanying boundary changes. *See* Ex. 9 March 26, 2026, MCPS County Board Resolution, *Approval of the Superintendent’s Recommendation for the Relocation of Thomas S. Wootton High School to the Crown Farm Site and Expansion of Damascus High School.*

REASONS IN SUPPORT OF THE APPEAL

The standards of the State Board in reviewing this Appeal are well-established by the Code

¹ Attached hereto and incorporated herein as Exhibit 8 is an affidavit of Ms. Sukhobok, naming CEPA’s members who are parents or guardians of children currently assigned to schools in the Wootton High attendance area and thus affected by the County Board’s decision.

of Maryland Regulations (“COMAR”) and prior precedent. Decisions of a local board involving local policy are considered *prima facie* correct, and the State Board may not substitute its judgment for that of the local board unless the decision was arbitrary, unreasonable, or illegal. COMAR 13A.01.05.06A; COMAR 13A.02.09.03B (specifically as to a local board’s decision to close a school). A decision is arbitrary or unreasonable if it is contrary to sound educational policy, or if a reasoning mind could not have reasonably reached the conclusion the local board reached. *Id.* at B. A decision is illegal if it is unconstitutional, exceeds statutory authority, misconstrues the law, results from an unlawful procedure, is an abuse of discretionary powers, or is affected by any other error of law. *Id.* at C. The appellant bears the burden of proof to demonstrate an arbitrary, unreasonable, or illegal decision by a preponderance of the evidence. *Id.* at D.

I. MCPS’s enrollment projections rely on faulty assumptions.

The redistricting decisions of a local board may be arbitrary or unreasonable if they rely on substantially faulty or inaccurate data that was not corrected before the plan was adopted, or if the methodology was incorrect. *See Xue v. Howard Cnty. Bd. of Educ.*, MSBE Op. 21-18 (2021), at 3-4 (citing *Shah v. Howard Cnty. Bd. of Educ.*, MSBE Op. No. 02-30 (2002)). Since 2019, the County Board has cited growing student populations in the region and school overutilization as a basis for Crown High to operate as a new and permanent school. The County Board has sought tens of millions of dollars in State funding to build Crown High based on projections of increasing enrollment. That changed unexpectedly in October 2025, when the County Board amended the boundary study scope to include options for using Crown High as a holding school – supposedly because of declining enrollment projections. Ex. 6.

The Wootton community, as well as local politicians, neighborhood associations, and industry groups, have raised concerns that MCPS’s enrollment projections are faulty given the

significant planned development in the Rockville area. *See* Ex. 10, Rockville Mayor & City Council Letter, February 13, 2026; Ex. 11, Rockshire Home Owners Association Statement; Ex. 12, Fallsmead Homes Corporation Statement; Ex. 13, Maryland Building Industry Association Statement, January 26, 2026. Those concerns were well-founded: As explained in a report prepared by Fred Hejazi,² a consultant and practitioner of applied demographics with 20 years of forecasting experience for all levels of government, including for school districting, “the available data does not support the conclusion that long-term enrollment decline is inevitable or that existing school capacity should be reduced.” Ex. 14, Hejazi Report at 2.

a. Recent enrollment declines caused by the COVID-19 pandemic are temporary.

MCPS primarily cites reduced birth rates as the rationale for declining enrollment projections. While it is true that birth rates have declined since 2005, MCPS enrollment continued to increase until 2020 when the COVID-19 pandemic caused some parents to remove their children from public schools. *Id.* at 3. After transferring their children to nonpublic schools, many parents kept them there for educational consistency but will soon return to MCPS for high school. *Id.* at 7. This is already evidenced in recent data: In the last three years, there have been noticeable increases in MCPS enrollment between middle and high school; cohort survival rates (the ratio of students enrolled in a grade in the current year compared to those in the previous year) have more than doubled since before the pandemic. *Id.* Since 2023, high school enrollment in the mid-county area has increased by 1.24%. *Id.* at 6. The data indicates that past enrollment declines were temporary.

b. MCPS high school enrollment is projected to stabilize and grow.

A substantial majority of enrollment growth within Montgomery County – more than

² Experts are routinely used in State Board appeals; the failure to provide expert testimony has been cited as grounds to find that appellants failed to meet their burden. *See, e.g., Tucker v. Howard Cnty. Bd. of Educ.*, MSBE Op. No 21-17 (April 27, 2021) at 6 (adopting proposed decision) & Proposed Decision, p. 3 (noting testimony of expert witness); *Yearley v. Anne Arundel Cnty. Bd. of Educ.*, MSBE Op. No. 08-08 (January 30, 2008) at 1-2 (adopting proposed decision) & Proposed Decision, p. 7 (faulting appellants for not presenting evidence of a qualified expert).

75 percent – is caused by new housing units and neighborhood turnover. *Id.* at 1. Notably, there is significant housing development planned in the Wootton High attendance area, with thousands of new residential units already approved and incorporated into Rockville’s master plans. *Id.* Many of these homes are relatively affordable and will draw younger households with school-aged children; this, coupled with workforce changes caused by federal employment shifts, is likely to increase public school enrollment further. *Id.* The data demonstrates the County Board’s decision will reduce capacity in a region experiencing considerable growth, precisely the concern raised by the Wootton High community and local Rockville leadership. *See* Ex. 10; Ex. 13 .

Population data published by the Metropolitan Washington Council of Governments and Montgomery Planning also supports an increase in the number of school-aged children. *Id.* at 4-5. The percentage of Montgomery County’s population aged 5 to 19 has remained stable for the past 25 years. *Id.* With the general population projected to steadily increase, the number of school-aged children will also grow. *Id.* Independent projections from the Maryland Department of Planning reflect the same pattern: MCPS enrollment is expected to remain stable through 2028, and experience modest growth between 2029 and 2034. *Id.* at 7. High-school enrollment is projected to increase by 3 percent – approximately 1,750 students – in the same timeframe. *Id.*

Long-term declining enrollment rates were a crucial factor in the County Board’s decision, cited to justify an abrupt change from the plan to open Crown High as a new school and increase capacity in the region. If, as the data suggests, recent enrollment declines are temporary, and high-school enrollment will increase in future years, the County Board will experience the same overcrowding that required Crown High to be built in the first place. The decision was based on substantially faulty enrollment projections, rendering it arbitrary and unreasonable.

II. The County Board circumvented requisite legal procedures for school closings.

The County Board’s resolution approving the Superintendent’s Recommendation

maintains that the action relocates, but does not close, Wootton High. Ex. 9 at 4. This is because, the resolution states, “nothing herein changes the name, mascot, staff and administrators, and other aspects of the Thomas S. Wootton High School identity.” *Id.* The reason for distinguishing between closure and relocation is clear: State law and, by incorporation, MCPS regulation, provides specifically defined procedures for school closures, COMAR 13A.02.09.01; Regulation FAA-RA – Educational Facilities Planning at X(E), which the County Board did not follow before approving the Superintendent’s Recommendation.

a. The decision does not simply relocate Wootton High.

For years, MCPS planned Crown High with an attendance area made up of students from surrounding schools — including Wootton High and Gaithersburg High. *See* Ex. 15, Proposed Articulation for Options 1 - 4 & Options A – D. That is the same thing happening now: The newly built school has an attendance area combining portions of Wootton High and Gaithersburg High. The result is not a practical change from the creation of a new school, as was always intended.

The main difference from prior proposals is that, pursuant to the Superintendent’s Recommendation, *all* of Wootton High students will be moved out and transferred to new and different attendance areas. Functionally, the decision is identical to a school closure following the typical process: Boundaries are altered between various surrounding schools so that the students from the closed school are redistributed into them. This is explicit in the factors that are required to be considered for a school closure, including transportation, “student relocation,” and the “[i]mpact on community in geographic attendance area for a school proposed to be closed and school, or schools, to which students will be relocating.” COMAR 13A.02.09.01B.

The County Board essentially contends there is a loophole: By resolving that “nothing

herein changes the name³, mascot, colors, staff and administrators, and other aspects of the Thomas S. Wootton High School identity,” *see* Ex. 9, it can style the closure as a relocation and bypass the closure regulations and required procedures. Most of those “aspects” of the school “identity” are irrelevant. There is no authority that maintaining a name, mascot, or colors makes a new school identical to a prior one. If that were true, then any time a school decided to change its name, mascot, or colors, the action would constitute a school closure pursuant to COMAR 13A.02.09.01B.

For example, the County Board’s reasoning would mean it was a closure when Odessa Shannon Middle School changed its name from Col. E. Brooke Lee Middle School in 2021, or when Poolesville High School changed mascots in 2002. Crown High does not become Wootton High merely by adopting its name, mascot, or colors. As for moving Wootton High’s staff and administrators, the County Board has previously treated that as part of a closure, not a “relocation.” *See Flower Valley Elementary Sch. P.T.A. v. Bd. of Educ. of Montgomery Cnty.*, MSBE No. 81-3 (February 25, 1981) at 248-49 (reassignment of elementary school staff, including the principal, to another school addressed as a closure).

What has been relevant for a school closure is reassigning students and staff to a facility in a different city. *See Thomas Marsh v. Alleghany Cnty. Bd. of Educ.*, MSBE Op. 05-09 (March 23, 2005) at 7 (adopting Proposed Decision) & Proposed Decision at 16, 49. In *Marsh*, the local board, deciding that Westmar Middle School (“Westmar Middle”) in Westernport was an older school building that was “more costly to operate,” reassigned its students to a building approximately eight miles away in Lonaconing. That was a school closure for which the COMAR factors were applied. *See id.* at 25. The State Board adopted this decision and its reasoning without

³ It is unclear if the school name has changed; although the County Board resolved it was not doing so, the decision refers to “Thomas S. Wootton High School at Crown Farm” separately from “Thomas S. Wootton High School.”

any suggestion that the application of the required closure regulations was unnecessary or in error.

Here, too, the County Board plans to reassign Wootton High’s students to another building miles away in a different city — but it is not even reassigning all those students. In prior instances of a local board purporting to “relocate” a school, the entire student body moves from one facility to another. That is what happened in the examples that the County Board relied upon in making its decision. *See, e.g.*, Ex. 16, March 28, 2023, MCPS County Board Resolution, *Recommendation for Burtonsville Elementary School Relocation*; Ex. 17, April 14, 1992, MCPS County Board Meeting Minutes; Ex. 18, MCPS Presentation to the County Board, March 12, 2026, at 21.

Here, the County Board’s decision does not follow its precedent. It does not just move Wootton High’s students to another facility; it significantly changes that student body by diverting a portion of students currently attending Wootton High to Churchill High, and redistricting students from Gaithersburg High and Quince Orchard High to Wootton at Crown Farm. The position that Wootton High has merely been “relocated” is cold comfort to those who will now attend Churchill High instead. There is no practical difference between the Superintendent’s Recommendation and the closure of Wootton High with its student body being broken up and sent elsewhere.

b. The Wootton High community did not receive adequate process.

MCPS policies and regulations have no procedures, factors, or considerations for “relocating” a school. Without those, a local board can easily avoid the closure requirements of COMAR 13A.02.09.01 in any number of ways by bundling a “relocation” with simultaneous boundary changes and other types of actions. The resulting school could be geographically and functionally unrecognizable from its “relocated” predecessor, with no process to serve the students’ and communities’ interests. By purporting to take these actions separately rather than as one closure, for example, a local board could “relocate” a school all the way across the county, change

boundaries such that most of the student body is reassigned elsewhere, establish or eliminate educational programming, and substantially transfer staff to other schools — but simultaneously resolve that this is not a “closure” and therefore the regulatory factors and processes do not apply.

As in *Marsh*, there is good reason to apply the closure factors when students move to a new building miles away in a new city. The factors are directly relevant and there is no coherent policy reason why they should be ignored through a “relocation” loophole. COMAR 13A.02.09.01B(7) & (8) require consideration of closure and the “impact on community in geographic attendance area for school proposed to be closed and school, or schools, to which students will be relocating.” Changes in transportation are also a required factor. COMAR 13A.02.09.01B(3). If the County Board can sidestep COMAR 13A.02.09.01B through a technicality, it would never need to consider these critical issues or justify them to the public. Failing to do so, based on such an arbitrary and unreasonable distinction, is not sound educational policy.

This can be seen in practice by applying the factors here. Pursuant to COMAR 13A.02.09.01B, the decision to move the student body from Wootton High to Wootton at Crown Farm would be required to consider: whether the change in facility is necessitated by student enrollment trends; the age or condition of the buildings; comparative transportation options, expectations, and hardships for students between the two buildings; the appropriateness of the two buildings for the educational programs offered or planned; the racial composition of the student body after students are removed to Churchill High and added from Gaithersburg High and Quince Orchard High; the financial implications of reassigning students and staff to a new building versus renovating or maintaining the current building; other effects on students from the relocation; and the impact on the community in the geographic attendance areas surrounding the two buildings. What is the sound educational policy reason for not including these crucial considerations in this

monumental change for the students, parents, and surrounding communities of Wootton High?

The procedures of COMAR 13A.02.09.01 also provide more effective communication and procedural protections to the public. The regulation requires the local board to issue a written decision addressing the eight factors and providing notification of the right to appeal the decision. *Id.* at D. There are also notification and advertising requirements for the proposed closure in advance of a public hearing. *Id.* at C. The County Board followed none of these. Approval of the Superintendent's Recommendation was a closure that is illegal for failing to adhere to COMAR 13A.02.09.01B but, in any case, is also arbitrary and unreasonable as sound educational policy would require that, when the student body and staff are transferred to a new building miles away in a new city (as occurred in *Marsh*), the substance of the regulation be followed.

III. The Interagency Commission on School Construction did not approve the use of state construction funds for Modified Option H.

On October 30, 2025, the County Board approved the Superintendent's request to revise the scope of the Crown High boundary study so that MCPS staff could develop options for the use of Crown High as a holding school rather than as a permanent school for the surrounding communities, as originally planned. *See Ex. 6.* It was indicated that MCPS staff were coordinating with the Interagency Commission on School Construction (the "IAC") to confirm that approved State funding for Crown High could be maintained given its new proposed use as a holding school, and it was represented that MCPS would "not pursue a course which is not in alignment with our State policy and funding partners." *Id.* at 2. This is consistent with COMAR 14.39.02.14, which requires IAC approval for previously approved sites if there is a change in use of the school. *See IAC, Administrative Procedures Guide at p. 15-16, § 2.B.2.a.*

On November 20, the IAC issued a letter reaffirming funding approval for Crown High as a temporary holding school as proposed in Options E, F, and G. *See Ex. 21, November 20, 2025,*

IAC Letter. The letter did not confirm funding would be maintained if the site would instead be used for a purported “relocation” of an entirely separate preexisting school in the county, as provided under Option H. There is no evidence in the record that the IAC approved funding for Crown High pursuant to Option H or Modified Option H prior to the County Board’s vote on March 26. The County Board’s decision was thus contrary to its legal commitment to obtain new IAC approval before changing the intended use of Crown High, and a violation of State law. The County Board’s decision should be reversed as illegal.

IV. The County Board’s vote violated the “one subject” requirement of State law.

At the meeting to consider the Superintendent’s Recommendation, County Board members simultaneously considered the establishment of a secondary regional programs plan. Ex. 19, March 26, 2026, MCPS County Board Resolution, *Approval of the Superintendent’s Recommendation for the Reopening of the Charles W. Woodward High School and Expansion of Northwood High School*; Ex. 20, March 26, 2026, MCPS County Board Resolution, *Approval of the Superintendent’s Recommendation to Establish Secondary Regional Programs*. For unknown reasons, the County Board combined the votes on programming and its “relocation” and boundary change actions.⁴ This unusual and unnecessary grouping violated “one subject” principles set forth in Article III, § 29 of the Maryland Constitution, as incorporated by COMAR 13A.02.01.01.⁵

Joint voting on actions that are not germane to the same subject matter violates the one-subject clause, rendering the decision invalid. *Migdal v. State*, 358 Md. 308, 317 (2000). The action establishing secondary regional programs is of a vastly different scope and encompasses

⁴ In addition to the movement of Wootton High students and reconstituting the student bodies for Crown High, Gaithersburg High, and Quince Orchard High, the County Board also incorporated into the vote the decision to reopen Charles W. Woodward High School and expand Northwest High School.

⁵ COMAR 13A.02.01.01 states that “[t]he rules generally adopted by deliberative bodies for their government shall be observed by the local board of education.”

entirely different subject matter than enrollment, boundary, and facilities concerns. Whereas the actions for school “relocation,” reopening, expansion, and boundaries are specific to certain schools and attendance areas, the secondary regional program is a county-wide action that divides the school system into six regions and authorizes the Superintendent to establish specialized programs in high schools across all of them. The action goes far beyond actions establishing school boundaries and making facilities decisions, and it was improperly combined with them. Ex. 20.

Article III, § 29 — which provides that every enactment “shall embrace but one subject” — was adopted to address concerns of governmental transparency and the possibility that members of the deliberative body would condition approval on one action upon acceptance of another, rather than giving each individualized consideration. *See Kim v. Bd. of Liquor License Comm’rs for Balt. City*, 255 Md. App. 35, 49-50 (2022); *see also Equitable Life Assurance Soc’y v. State Comm’n on Hum. Rels.*, 290 Md. 333, 339 (1981) (the provision “is to prevent the joining in one act of totally unrelated pieces of legislation, which would not have received support if offered independently[.]”). Those concerns are present in the County Board’s combination of specific and geographically limited facilities and boundary actions with an expansive decision about programming for the entire school system. The grouping of those votes violated COMAR 13A.02.01.01, additionally rendering the decision illegal. It must be reconsidered.

V. Procedural violations infected the decision-making process.


The County Board’s procedures for facilities planning ensure community engagement and feedback, public accountability, and consistency by applying specifically defined factors. Here, numerous procedural failings meant these important purposes were not served. For example, FAA-RA(X)(B) mandates that the scope of potential boundary changes be established prior to the development of specific options, but here the option approved – Modified Option H – is outside that approved scope of potential boundary changes. While in March 2024 the County Board

approved the development of options to populate the new Crown High, and in October 2025 approved the development of options to use Crown High as a holding school, at no time did the County Board approve the development of options to “relocate” Wootton High or any other school.

Other procedural violations further undermine the decision. For example, despite community opposition to the Superintendent’s Recommendation, the County Board rushed the process, holding voting in March instead of April, as MCPS regulation directs. FAA-RA(XII). There is also no indication that the County Board was presented with a summary of how students were engaged regarding the options, or an explanation as to why they were not engaged, prior to deliberations. ABA(D)(7). The County Board’s repeated failures to comply with its own regulations led to an arbitrary and procedurally unlawful decision that must be reconsidered.

STATEMENT OF RELIEF SOUGHT

The County Board’s decision was predicated on faulty data, circumvented legal protections by misclassifying Wootton High’s closure as a “relocation,” and was tainted by other violations of State law and MCPS procedure. The decision is arbitrary, unreasonable, illegal, and contrary to sound educational policy. The State Board should require the County Board to reconsider the Superintendent’s Recommendation with accurate and verifiable enrollment information, adherence to the closure regulations, and otherwise in compliance with applicable law.



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