

February 5, 2025

Khandikile Mvunga Sokoni
Hearing Examiner
Office of Zoning & Administrative Hearings
100 Maryland Avenue
Rockville, Maryland 20850

VIA EMAIL AND FIRST-CLASS MAIL
Khandikile.Sokoni@montgomerycountymd.gov

Re: CTC Retail, LC & Weiss Markets, Inc. (CU 25-02)

Dear Ms. Sokoni,

We would like to request that a subpoena be issued to the Applicant to provide true and accurate copies of the following documents before or at the hearing on February 20, 2025:

1. A true and accurate copy of the contract between Elm Street Development, ("Elm Street") and Newland Communities, LLC (including any other parties having an ownership interest) ("Newland") for Elm's Street's purchase of the undeveloped portion of the Clarksburg real estate that is the subject matter of this dispute.
2. A true and accurate copy of the contract between Elm Street and CTC Retail, LC ("CTC Retail") relating to the Town Center.
3. A true and accurate copy of the contract and/or letter of intent between or among CTC Retail, and/or Elm Street on the one hand and Weiss Markets, Inc. on the other.

The foregoing request includes all addenda or amendments to any of the foregoing identified documents.

The reason for the first request is to establish the purchase price and encumbrances acquired by Elm Street with respect to its acquisition of the property from Newland. The second is to establish the relationship between CTC Retail and Elm Street. CTC Retail as it appears to be acting on behalf of Elm Street and the identity of the Applicant is unclear and has previously been amended. The third request is to determine the scope of the Weiss Market, Inc. contract and any contingencies relating thereto.

EXHIBIT NO. 60

APPLICATION NO. CU 25-02

Khandikile Mvunga Sokoni
February 5, 2025
Page 2 of 2

To be clear, we do not require disclosure of any financial terms for items two and three and consent in advance to their redaction. Should Mr. Harris desire any additional redactions, I am happy to consider them provided the salient terms of the contract are produced. Thank you very much for your consideration.

Respectfully submitted,



Leslie A. Powell

cc: Messrs. Patel (by email)
Mr. Robert Harris (by email)