

**IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND**

**WEST MONTGOMERY COUNTY CITIZENS  
ASSOCIATION, INC., et al**

Plaintiffs

v.

Case No. 360998-V

**MONTGOMERY COUNTY, MARYLAND**

Defendant

**AFFIDAVIT OF JANIS SARTUCCI**

I, JANIS SARTUCCI, do solemnly declare and affirm under the penalties of perjury that I am over the age of 18 and competent to testify to the matters stated herein, which are true and correct based upon my own personal knowledge:

1. On March 13, 2011, I sent an email request under the Maryland Public Information Act ("MPIA") to Patrick Lacefield, Public Information Officer for Montgomery County, Maryland, ("Lacefield") requesting copies of correspondence from County Executive Ike Leggett to Board of Education President Shirley Brandman in 2009 about the Brickyard School site and any response received from the Board of Education or MCPS.

2. On March 15, 2011, Lacefield sent me a reply email with the requested correspondence.

3. True copies of the email request and response from Lacefield are attached hereto as Exhibit A.

4. True copies of the correspondence attached to the response to the MPIA request from Lacefield are attached hereto as Exhibits B and C.

Dated: 5/21/2012

  
\_\_\_\_\_  
Janis Sartucci

EXHIBIT A

From: Lacefield, Patrick <[Patrick.Lacefield@montgomerycountymd.gov](mailto:Patrick.Lacefield@montgomerycountymd.gov)>  
Date: Tue, Mar 15, 2011 at 11:33 AM  
Subject: FW: scans  
To: Janis Sartucci <[jzsartucci@gmail.com](mailto:jzsartucci@gmail.com)>

-----Original Message-----

**From:** Lee, Kyung  
**Sent:** Tuesday, March 15, 2011 11:32 AM  
**To:** Lacefield, Patrick  
**Subject:** scans

see attached.

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From: Janis Sartucci <[jzsartucci@gmail.com](mailto:jzsartucci@gmail.com)>  
Date: Sun, Mar 13, 2011 at 1:22 PM  
Subject: MPIA - Leggett to Brandman on Brickyard Middle School  
To: "Lacefield, Patrick" <[Patrick.lacefield@montgomerycountymd.gov](mailto:Patrick.lacefield@montgomerycountymd.gov)>

Mr. Lacefield,

The media has reported that County Executive Ike Leggett wrote to Board of Education President Shirley Brandman in 2009 to discuss the Brickyard Middle School site.

Under the Maryland Public Information Act, I would request a copy of that correspondence and any response that was received by the County Executive from the Board of Education or MCPS.

Thank you for your assistance.

Janis Sartucci  
[\(301\)765-0262](tel:(301)765-0262)



EXHIBIT B

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

November 10, 2009

Ms. Shirley Brandman  
Carver Educational Services  
Center, Room 123  
850 Hungerford Drive  
Rockville, Maryland 20850

Dear Mrs. Brandman: *Shirley*

As you know, the Board of Education and the County Executive have a mutual interest in ensuring that our youth have adequate opportunities for productive after-school activities. I have been encouraged by the partnership formed between the County and MCPS staff in expanding and coordinating after-school programs — especially for those students most at risk.

As part of our efforts to ensure that our youth are constructively engaged after school, we have been working to identify possible options for more ball fields. As I am sure you are aware, the demand for playing time on ball fields is significantly greater than the available supply.

I believe that one of your vacant school sites provides a unique opportunity for us to provide additional recreational opportunities to many of our youth without sacrificing the intent of preserving future school sites for the use by MCPS. I understand that the twenty-acre Brickyard Road site is largely vacant and underutilized.

I would ask that MCPS lease this property to the County so that we may provide additional ball fields to the County's youth teams. The site will be minimally developed to use for ball fields with minimal structural changes so that if necessary, it can be quickly reclaimed by MCPS. There would be no cost to MCPS as any development costs will not be the responsibility of MCPS. I understand the lease payments from the current use are minimal. We would work closely with MCPS staff to ensure that any changes to the site would not in any way impinge on the potential future needs of the school system.

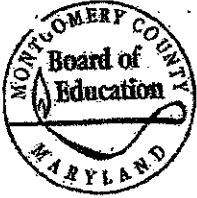
Thank you for your consideration of this proposal. Please have your staff contact Jennifer Hughes, Special Assistant to the County Executive at 240-777-2515. She will ensure that the appropriate County staff will work with MCPS staff to bring this proposal to fruition.

Sincerely,

Isiah Leggett  
County Executive

IL:vj

Cc: Jerry Weast, Superintendent of Public Schools  
Timothy Firestine, Chief Administrative Officer  
Gabriel Albornoz, Director, Department of Recreation  
David Dise, Director, Department of General Services



**MONTGOMERY COUNTY BOARD OF EDUCATION**

850 Hungerford Drive ♦ Rockville, Maryland 20850

RECEIVED

DEC 29 2009

OFFICE OF THE  
COUNTY EXECUTIVE

December 23, 2009

The Honorable Isiah Leggett  
Montgomery County Executive  
Executive Office Building  
101 Monroe Street  
Rockville, Maryland 20850

Dear Mr. Leggett:

This is in response to your letter dated November 10, 2009, regarding a proposal for the County to lease the future Brickyard Road Middle School site in Potomac from the Board of Education for recreational purposes.

We have scheduled a meeting between your staff and Montgomery County Public Schools' staff to understand all of the issues involved. The Board of Education will review recommendations following the meeting and then provide you with a more detailed response.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Patricia B. O'Neill".

Patricia B. O'Neill  
President

PBO:jlc

Copy to:  
Executive Staff  
Mr. Lavorgna