

From: [Mary](#)
To: [Sokoni, Khandikile Mvunga](#)
Cc: [Fabayo, Ifeoluwapo "Ife"](#); [Espin, Ramon](#); [Johnson, Nana](#); [Guisao-Ospina, Jony](#); [Office of Zoning and Administrative Hearings](#); [Brian Fellner](#)
Subject: Re: FW: Re: Ethics Opinion Inquiry
Date: Monday, March 2, 2026 1:52:23 PM
Attachments: [image001.png](#)

[EXTERNAL EMAIL]

Hearing Examiner Khandikile Sokoni

Office of Zoning and Administrative Hearings (OZAH)

Re: Case No. 2025-076/OZAH Referral No: CCOC 26-01 – Supplemental Statement of Facts Regarding Structural Conflict and Request for Protective Order

Dear Hearing Examiner Sokoni,

I am providing this supplemental statement to clarify the ongoing structural conflicts involving the Respondent's leadership and to request specific relief to preserve the integrity of these proceedings.

The Respondent's counsel recently filed a "Line" in the parallel Circuit Court case (Case No. C-15-CV-25-006397) claiming "no overlap" between these matters. This is a mischaracterization. The cases are inextricably linked by a coordinated effort of CCOC officials to bypass ethics rules confirmed by the Ethics Commission on February 4, 2026.

Factual Clarifications:

1. Terry Anderson's Intentional Conflict: The "Chair of the CCOC" who petitioned the Ethics Commission to overturn the conflict rule in August 2025 was Terry Anderson. She held that highest position of authority when her request was denied. She then immediately joined the Respondent's team, despite having actual notice that the Commission viewed the move as an inherent conflict. Ms. Anderson remains a Panel Chair.
2. Mark Fine's Pre-existing Conflict: Mark Fine (former CCOC Chair and current Panel Chair) was retained by the Association in January 2024 while a CCOC complaint was already pending.
3. Current Agency Oversight: The current Chairman of the CCOC, Susan Nerlinger, is now physically working at the Association's front desk. This creates an ongoing conflict where the head of the agency that will issue the Final Order is an agent/employee of the Respondent.

Request for Protective Order and Limitations on Counsel:

Because the "appearance of impropriety" is pervasive, I respectfully request the following:

- Sequestration of Witnesses: That Mark Fine and Terry Anderson be sequestered and excluded from the hearing room except during their own testimony.
- Exclusion of Current CCOC Leadership: That Susan Nerlinger be prohibited from attending the hearings as a representative or observer for the Respondent.
- Independence of Successor Counsel: In the event of disqualification, I request the Court order that the Respondent must retain independent counsel with no prior or current affiliation with Brian Fellner, Terry Anderson, Mark Fine, or JSI Management. This is necessary to prevent the Respondent from simply appointing a "personal attorney" of the conflicted parties to maintain the existing ethical bypass.

I respectfully request that these matters be addressed during our next scheduled meeting.

Respectfully submitted,

Mary Dolbashian

On Thu, Feb 12, 2026 at 9:04 PM Brian R. Fellner <bfellner@flslawyer.com> wrote:

Per the instructions of the Hearing Officer, the attached was filed in Montgomery County Circuit Court Case Number C-15-CV-25-006397.

On Wed, Feb 4, 2026 at 4:08 PM Brian R. Fellner <bfellner@flslawyer.com> wrote:

To reiterate our position, that ethics opinion holds that:

"representation by panel chairs of clients before other CCOC panels inherently raises an appearance of a conflict of interest"

However, since I am not a panel chair (and have not been since December 5, 2025) and this is not before a CCOC panel, neither of the two prongs of that test are met. My client and I are in compliance with the ethical opinion.

Thank you.

On Wed, Feb 4, 2026 at 3:23 PM Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov> wrote:

Good Afternoon Parties,

The Ethics Commission has confirmed that the April 10, 2014, opinion still stands on this issue. I am forwarding below my email exchanged with the Commission's Chief Counsel.

Sincerely,



Khandikile Mvunga Sokoni

Director/Hearing Examiner

Office of Zoning & Administrative Hearings

[100 Maryland Ave](#)

[Suite 200](#)

Rockville MD 20850

Telephone: 240-777-6664

From: Sokoni, Khandikile Mvunga
Sent: Wednesday, February 4, 2026 3:20 PM
To: O'Connor, Erin <Erin.O'Connor@montgomerycountymd.gov>
Subject: RE: Re: Ethics Opinion Inquiry

Thank you for the clarification.

Khandikile

From: O'Connor, Erin <Erin.O'Connor@montgomerycountymd.gov>
Sent: Wednesday, February 4, 2026 3:18 PM
To: Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>
Subject: Re: Re: Ethics Opinion Inquiry

This is still the Ethics Commission's opinion on the topic. The Chair of the CCOC in August asked the Commission to overturn it, but the Ethics Commission declined to do so.

Sincerely,

Erin E. O'Connor, Esq.

Pronouns: she/her

Chief Counsel and Staff Director

Montgomery County Ethics Commission

[100 Maryland Avenue, Suite 204](#)

[Rockville, MD 20850](#)

Direct: 240.777.6676

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Main: 240.777.6670

From: Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>
Sent: Wednesday, February 4, 2026 3:00 PM
To: O'Connor, Erin <Erin.O'Connor@montgomerycountymd.gov>
Subject: Re: Ethics Opinion Inquiry

Good Afternoon Erin,

OZAH received a case on referral from the Commission on Common Ownership Communities (CCOC) during the course of which I have had reason to review the attached ethics opinion by the Ethics Commission, dated April 10, 2014. Are you able to confirm if this opinion is still current and consistent with the present Code or has it been superseded by a more recent opinion on the issue of whether the County's ethics provisions preclude attorneys who are CCOC panel chairs from representing associations before the CCOC.

Kind regards,

Khandikile



Khandikile Mvunga Sokoni

Director/Hearing Examiner

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