

Exhibit 6(a)
OZAH Case No: CCOC 26-01

II. Undisputed Timeline Establishing the Conflict

The dates establish that Mr. Fellner undertook advocacy in connection with this dispute during a period in which he was serving as a CCOC Panel Chair:

- September 9, 2025 — Order Denying Motion to Lift Automatic Stay:

The CCOC issued an Order maintaining the automatic stay and expressly directing the Respondent to exclude discussions or actions related to the subject matter of the complaint. This Order remained in effect throughout Mr. Fellner's subsequent retention and representation of the Association.

- September 25, 2025 — Retention as Association Counsel:

The Board announced in open session that it had retained Mr. Fellner as legal counsel for CCOC and governance-related matters. This retention occurred while the dispute remained pending before the Commission.

- September 25, 2025 — Closed and Open Board Meetings (TA-Disclosure Approved):

The Association discussed and approved the TA-Disclosure(s) at a closed Board meeting held on September 25, 2025, in consultation with legal counsel, and ratified the disclosure at an open Board meeting the same evening, as stated in the disclosure itself.

- October 6, 2025 — CCOC Mediation:

Mr. Fellner appeared and represented the Association as counsel in mediation regarding this dispute. At that time, he was serving as a CCOC Panel Chair.

- October 17, 2025 — TA-Disclosure(s) Distributed:

Following its approval on September 25, 2025, the Association distributed the TA-Disclosure(s) addressing issues central to the pending CCOC complaint while the automatic stay remained in effect.

- November 5, 2025 — Jurisdictional Discussion:

During the jurisdictional meeting, the Commission stated on the record that Mr. Fellner had been notified that his continued service as a CCOC Panel Chair was no longer needed due to the conflict presented by this case, and that his status remained unresolved at that time. The Commission referred the matter to OZAH due to multiple conflicts of interest.

These dates are not disputed and are sufficient to establish the structural incompatibility.

III. Anticipated Defenses Do Not Cure the Conflict

Any assertion that Mr. Fellner “was not assigned” to this case, “did not adjudicate” it, or that jurisdiction had not yet been formally accepted, does not resolve the ethics concern. The County’s ethics framework focuses on role incompatibility and public confidence in impartial adjudication, not on whether a particular panel assignment occurred.

Once a dispute is pending before the CCOC, a sitting Panel Chair may not accept private employment representing a party in that dispute without creating a prohibited conflict and appearance-of-impropriety concern under County ethics standards.

IV. Post-Retention Advocacy Related to the Stayed Matter

Following his retention as Association counsel, Mr. Fellner engaged in continued advocacy on matters arising from the same dispute pending before the CCOC, including advocacy in connection with the issuance of the October 2025 TA-Disclosure, initiating parallel civil litigation in the Circuit Court, and participating in communications associated with complaints submitted to the Office of the State’s Attorney and the Office of the Attorney General. These actions are not presented for adjudication on the merits here, but they demonstrate ongoing representation adverse to a unit owner in connection with a matter under the Commission’s authority while the automatic stay remained in effect.

V. Requested Relief

For these reasons, I respectfully request that the Court disqualify Brian Fellner from serving as counsel for the Respondent in this matter and direct that the Respondent proceed with conflict-free representation going forward.

For completeness, I note that similar structural conflict concerns arise with respect to other individuals who have exercised, or are currently exercising, CCOC panel authority while acting on behalf of the Association; this observation is included solely to preserve the issue and not for adjudication at this time.

Respectfully submitted,


Mary Dolbashian

Exhibits Attached:

The following exhibits are provided solely to illustrate the scope and continuity of Respondent's counsel's advocacy in matters arising from the same dispute.

1. Exhibit A — Consolidated advocacy package transmitted on behalf of the Association to the Office of the State's Attorney and the Office of the Attorney General, which includes the October 2025 TA-Disclosure that was intended for distribution to all unit owners and residents of Kenwood Place Condominium and was circulated to the community.
2. Exhibit B — CCOC Order Denying Motion to Lift Automatic Stay (September 9, 2025).
3. Exhibit C — Civil Complaint Filed by Respondent While CCOC Matter Was Pending.
4. Exhibit D — TA-Disclosure Versions Circulated to Unit Owners and Residents (October 17, 2025)
D-1: Community version (Version 1)
D-2: Community version (Version 2)