

**BELWARD FARM DONOR FAMILY**  
**vs.**  
**JOHNS HOPKINS UNIVERSITY**



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## **Belward Farm Successors to File Appeal in Johns Hopkins University Development Lawsuit**

**Rockville, MD** – The family of the late Elizabeth Banks, who donated a large tract of land to Johns Hopkins University in 1989 for the university to develop into a University research campus, announced today that it would appeal an Oct. 26 ruling by Montgomery County Circuit Court Judge Ronald B. Rubin that removes all restrictions on the development of Banks’ former Belward Farm property.

In granting JHU summary judgment in the case, Judge Rubin adopted the position that Ms. Banks’ “sale” of Belward Farm for \$5 million, when it was worth as much as \$50 million, constituted nothing more than an arms-length real estate transaction, rather than a gift. The transfer of the property was negotiated by JHU’s fund-raising department, was hailed by the university as a major gift, and carried restrictions on the use of the land

Ms. Banks’ family filed a lawsuit last year charging the university with violating its agreement with Ms. Banks, which limited development of the property.

Tim Newell, lead plaintiff in John Timothy Newell, et.al. v. Johns Hopkins University and spokesperson for the donor family, offered the following statement:

“We are extremely disappointed that the Court reduced my aunt

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Belward Farm: Picture by Zach Stern, zachstern.com



Belward Farm: Picture by Donna Baron

Elizabeth Banks' relationship with Hopkins to no more than 18 words in a contract, effectually ignoring a previous ruling which recognized the ambiguities of the agreement and required that the broader context be incorporated into consideration of the agreement's enforcement.

“That the Court would side with Hopkins' midnight hour, hail-Mary argument suggesting my aunt's charitable donation was nothing more than a simple real-estate transaction is an insult to the generosity of my family, ignores the history and facts of this case, and threatens the rights of donors everywhere.

“It seems that when it serves their legal purposes university officials now consider my aunt's generous donation a 'real-estate transaction,' as they claimed when they petitioned the Court for summary judgment. And yet, when it serves their propaganda and fundraising purposes, they continue to call it a gift, as they did in a [public statement](#) touting their win immediately after [last] Friday's ruling: 'Johns Hopkins is, and always will be, grateful to Miss Banks and her relatives for the gift of their property.' Which is it? Johns Hopkins can't have it both ways.

“If left uncontested, this ruling could be especially devastating to land preservation efforts, which often rely on donations of land at 'bargain sale' prices.

“Belward Farm, for instance, was worth more than \$50 million to developers at the time of its transfer to Hopkins, but it was given to the university for pennies-on-the-dollar – a deal made possible only because Hopkins promised my aunt that it would not turn the historic farm into a commercial real-estate development. Now, that's exactly what Hopkins intends to do.

“Institutions should be required to honor donor intent, and our family intends to fight for Belward Farm, Aunt Liz, and donors around the country who trust that their donations will be used as promised.”

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Belward Farm: Picture by Zach Stern, zachstern.com

#### **RECENT LEGAL DOCUMENTS:**

[Johns Hopkins University's Opposition to Plaintiffs' Motion for Summary Judgment](#)  
(October 12, 2012)

[Reply Memorandum In Support of Plaintiffs' Motion for Summary Judgment](#)  
(October 19, 2012)

#### **ABOUT THE LAWSUIT:**

JHU's plan to develop Belward Farm into a commercial "Science City" violates the now-deceased donors' intent that the Farm be used for a suburban University Research Campus.

The donor's family filed suit against the University on November 10, 2011 in Montgomery County Circuit Court.

JHU's attempt to have the case dismissed failed when the Court issued a decision in March 2012 mandating that discovery in the case go forward.