Circuit Court for Frederick County
Case No. C-10-JG-24-001615

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 598

September Term, 2025

JOLEYVIE, LLC, RYAN CIANCI, AND TIFFANY CIANCI

v.

TLGI, LLC, UNLEASHED BRANDS, LLC, AND STEPHEN POLOZOLA.

Wells, C.J.,
Kehoe, S.,
Hotten, Michele D.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Wells, C.J.

Filed: June 30, 2026

* This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for persuasive value only if the citation conforms to Maryland Rule 1-104(a)(2)(B).

This appeal arises from a series of orders entered by the Circuit Court for Frederick County related to the enforcement of a registered foreign judgment for both monetary and injunctive relief. The underlying judgment stemmed from an arbitration award entered in Arizona in a franchise dispute between Appellants Joleyvie, LLC, Ryan Cianci, and Tiffany Cianci (collectively, "Joleyvie"), and Appellees TLGI, LLC, Unleashed Brands, LLC, and Stephen Polozola (collectively, "TLGI"). On appeal, Joleyvie challenges the circuit court's decision to extend the injunctive portion of the enrolled foreign judgment by one year, as well as several discovery-related orders.

Joleyvie presents three questions for our review, which we have rephrased slightly.[1]:

1. Whether the circuit court erred in extending the injunctive relief in the enrolled foreign judgment;

2. Whether sufficient evidence existed to support the circuit court's extension of the enrolled foreign judgment;

3. Whether the circuit court erred in permitting discovery under Maryland Rule 2-633 related to the injunctive portion of the enrolled foreign judgment?

For the reasons set forth below, we decline to address the merits of these issues as we conclude Joleyvie's claims are moot. Therefore, we dismiss.

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[1] Joleyvie's questions verbatim were:

"I. Did the Circuit Court err in extending the injunctive relief in the enrolled foreign judgment for one year?

II. Did the Circuit Court err in extending the enrolled foreign judgment absent any evidence of a violation in support thereof?

III. Did the Circuit Court err in permitting discovery under Maryland Rule 2-633 related to the injunctive—rather than the monetary—portion of the enrolled foreign judgment?"

FACTUAL AND PROCEDURAL BACKGROUND

Appellants Ryan and Tiffany Cianci, individually and through their wholly owned entity Joleyvie, LLC, previously owned and operated a franchise of The Little Gym in Frederick, Maryland. In May 2022, Appellee TLGI, LLC, the franchisor, terminated Joleyvie's franchise agreement based on repeated failures to pay royalty and advertising fees when due. That termination triggered post-termination obligations, including a two-year non-competition provision. Joleyvie thereafter commenced an arbitration proceeding against TLGI before the American Arbitration Association. Around the same time, Joleyvie began operating "Teeter Tots Music n Motion," a business offering substantially similar services to children from a location near their prior franchise.

On June 8, 2023, following a two-week hearing, the arbitrator issued an Interim Award denying Joleyvie's claims and granting TLGI's request for injunctive relief. On August 30, 2023, the arbitrator issued a Final Award incorporating the injunctive relief and awarding TLGI attorneys' fees and costs totaling $2,043,096.49. The injunction prohibited Joleyvie "[f]rom being involved in any capacity with any business that sells or offers services or products like those or competitive with those offered by TLGI franchises on the internet or within- a 25-mile radius of [the Ciancis'] previous location until a date two years from the date of this Interim Award"—*i.e.*, through June 8, 2025.

Following protracted proceedings in Arizona—including a default judgment that was later set aside for insufficient service, and the Ciancis' Chapter 7 bankruptcy filing in January 2024,—the Arizona court confirmed the Final Award and entered judgment on

August 20, 2024 (the "Arizona Judgment"). TLGI enrolled that judgment in the Circuit Court for Frederick County on August 26, 2024 (the "Maryland Judgment" or "Foreign Judgment"). The Ciancis' bankruptcy discharge, entered May 7, 2024, discharged the monetary portion of the award as to the Ciancis individually (the "Monetary Award") but did not affect the injunctive relief. The Monetary Award remained in effect as to Joleyvie, LLC. The circuit court subsequently vacated the Monetary Award as to the Ciancis at the April 22, 2025 hearing.

A. Discovery Disputes and the Motion to Extend

The record reflects that from the time the Foreign Judgment was enrolled through the circuit court's April 22, 2025 hearing, the parties engaged in extensive disputes over discovery and enforcement. TLGI propounded interrogatories on October 10, 2024, purportedly in furtherance of the injunction. Joleyvie refused to accept service, evaded process servers, and did not respond to the interrogatories within the prescribed time.

On February 4, 2025, TLGI filed their Motion to Extend Judgment, seeking a two-year extension of the injunction on the grounds that Joleyvie's delays and evasion had deprived TLGI of the benefit of the non-compete period. The same day, TLGI moved to compel discovery responses. The circuit court granted the motion to compel on February 17, 2025, ordering responses within 15 days. Joleyvie did not comply. Instead, Joleyvie filed a motion for reconsideration and a motion for protective order raising the same arguments the court had already rejected.

B. The April 22, 2025 Hearing

At the motions hearing on April 22, 2025, the circuit court addressed: (1) TLGI's Motion to Extend Judgment; (2) Joleyvie's Motion for Protective Order; (3) Joleyvie's Motion for Reconsideration; and (4) TLGI's Motion for Sanctions.

Relying on Maryland Rule 15-502 and Courts & Judicial Proceedings Article § 11-802(b), the court extended the injunction by one year through June 8, 2026 and framed its decision as enforcing rather than substantively modifying the underlying judgment, stating: "It's a fine line between modifying and enforcing, but I will go on the side of enforcing." The court granted the extension "on the basis of enforcement and lack of alleged compliance subject to further proceedings[.]" The court denied the Motion for Reconsideration and the Motion for Protective Order, concluding the discovery requests were permissible under Maryland Rule 2-401 given the pending motion to extend the Injunction. Finally, the court granted the Motion for Sanctions, though it imposed no specific sanction beyond noting that Joleyvie had "already been shown to have violated this Court's discovery Orders[.]"

Joleyvie then filed this appeal.

C. Post-Hearing Developments

After Joleyvie filed the appeal and both parties filed briefs, significant developments occurred. TLGI ultimately obtained discovery responses from Joleyvie and conducted depositions. TLGI then filed an Emergency Motion to Enforce Judgment and a Petition for Order of Constructive Civil Contempt in the Circuit Court on October 16, 2025.

On January 29, 2026, TLGI withdrew the enforcement action and contempt petition as moot, stating that "[TLGI] ha[s] received the relief they sought." The circuit court noted the withdrawal on February 2, 2026.

On April 8, 2026, TLGI filed a Motion to Dismiss the Appeal as Moot under Maryland Rules 8-602(c)(8) and 8-603, arguing that no live controversy remains because the competing business has been closed, the enforcement proceedings have been withdrawn, and the extended injunction will have expired before this Court can rule. Joleyvie opposed, contending the motion was untimely under Maryland Rule 8-603(a)(4), that the appeal remains live because TLGI had not disclaimed future damages claims for alleged violations during the extended period, and that this Court should reach the merits under the "capable of repetition, yet evading review" and "public importance" exceptions to the mootness doctrine.

The circuit court's one-year extension of the extended injunction expired on June 8, 2026.

STANDARD OF REVIEW

"Review by this Court involves interpreting whether the circuit court's order was legally correct." *Walter v. Gunter*, 367 Md. 386, 391-92 (2002). This Court may set aside a trial court's factual determinations if they are clearly erroneous. *Stevenson v. Edgefield Holdings, LLC*, 244 Md. App. 604, 611 (2020). We further review "legal conclusions de novo[.]" *Id.* (citing *Lee v. Lee*, 240 Md. App. 47, 70 (2019) *aff'd*, 466 Md. 601, 2020 WL 372734 (2020)). See also *Walter v. Gunter*, 367 Md. 386, 392 (2002) ("[W]here the order involves an interpretation and application of Maryland statutory and case law, our Court must determine whether the lower court's conclusions are 'legally correct' under a *de novo* standard of review.")

DISCUSSION

Joleyvie argues the circuit court lacked authority to extend the injunction because the Uniform Enforcement of Foreign Judgments Act ("UEFJA"), Md. Code Ann., Cts. & Jud. Proc. §§ 11-801 to 11-807, limits a Maryland court's power over an enrolled foreign judgment to narrow circumstances such as lack of jurisdiction, fraud in procurement, or satisfaction, none of which were present here. Joleyvie further contends the Maryland Rules the circuit court relied on—specifically Rules 15-502 and 2-651—do not expressly apply to foreign judgments and do not authorize enforcement of an injunction by extending its duration. TLGI respond that CJP § 11-802(b) subjects a filed foreign judgment to the same enforcement procedures as a Maryland judgment, that Rule 15-502(f) grants broad authority to modify any injunction, and that the circuit court's extension honored the purpose of the original judgment rather than collaterally attacking it on the merits.

Next, Joleyvie contends the circuit court extended the injunction without any factual finding of a violation of the non-compete provision, noting that no affidavit or documentary evidence of non-compliance was submitted with the Motion to Extend as required by Maryland Rule 2-311(d), and that the only allegation was a bare assertion made "upon information and belief." TLGI contends that the extension was a discretionary equitable decision supported by Joleyvie's pattern of delay, evasion of service, and repeated discovery violations, which prevented investigation of compliance, and that the court was not required to find a proven violation before extending the Injunction for enforcement purposes.

Finally, Joleyvie argues that Maryland Rule 2-633 authorizes discovery only "to aid enforcement of a money judgment" and that, because TLGI conceded all interrogatories related solely to the Non-Compete, no discovery was permissible under the rule. As a threshold matter, TLGI contends the discovery orders are non-final interlocutory orders that are not immediately appealable and are in any event moot because Joleyvie ultimately provided their responses. On the merits, TLGI argues the circuit court properly exercised its discretion to permit discovery under the broader provisions of Maryland Rule 2-401, and that Joleyvie's narrow reading of Rule 2-633 would leave a judgment creditor with no mechanism to investigate compliance with an injunction.

I. Joleyvie's Claims are Moot on All Issues.

We need not reach the merits of Joleyvie's claims because all three issues raised in this appeal are moot. A case is moot when "no controversy exists between the parties or when the court can no longer fashion an effective remedy." *D.L. v. Sheppard Pratt Health Sys., Inc.*, 465 Md. 339, 352 (2019) (internal quotation omitted). While this Court has the constitutional authority to discuss the merits of a moot case, that authority is exercised only in rare instances presenting the most compelling circumstances. *Mercy Hosp., Inc. v. Jackson*, 306 Md. 556, 562 (1986). Accordingly, when a case becomes moot, the general rule is that the appeal is dismissed without any expression of this

Court's views on the merits of the controversy. *Id.* "Appellate courts do not sit to give opinions on abstract propositions or moot questions, and appeals which present nothing else for decision are dismissed as a matter of course." *Id.* (quoting *State v. Ficker*, 266 Md. 500, 506-07 (1972)).

The injunction at the heart of Joleyvie's first and second questions was extended through June 8, 2026. That date has now passed. The injunction has expired by its own terms and no longer constrains Joleyvie in any way. There is also no pending enforcement action—TLGI withdrew their Motion to Enforce Judgment and Petition for Contempt on January 29, 2026, after confirming that the competing business had been shut down. A reversal of the extension order would therefore have no practical effect, and the Injunction has run its course regardless of whether it was properly extended.

As to the third issue concerning the discovery orders, those orders are likewise moot.[2] Joleyvie ultimately provided their discovery responses in May 2025. Depositions were taken, there is no outstanding discovery obligation, and the circuit court was clear

[2] Joleyvie contends that discovery was not appropriate in this case because Maryland Rule 2-633 is limited to discovery by a judgment creditor. In this instance, the monetary judgment against the Ciancis had been discharged by the Bankruptcy Court, and therefore, TLGI was not acting as judgment creditors. The circuit court ruled that since the injunction had been extended the discovery rules under Title 2, Chapter 400 of the Maryland Rules applied. Without addressing the merits of the circuit court's decision to extend the injunction, we note that, under the limited circumstances when there is an action to enforce an injunction, brought during the pendency of the injunction, and where enforcement of the injunction can yield monetary damages, the discovery rules under Title 2, Chapter 400 apply because the circuit court will ultimately have to make findings of fact as to whether there has been a violation of the injunction and as to any monetary damages that might flow out of the violation of the injunction.

that its ruling addressed "this specific discovery that's already been propounded[,]" and did not foreclose future challenges. Any reversal of the discovery orders would not undo the discovery that has already occurred, and there is no continuing order from which Joleyvie needs relief.

We have carefully considered Joleyvie's arguments that this Court should reach the merits notwithstanding mootness. We decline to do so.

Joleyvie first argues the appeal is not moot because TLGI has not disclaimed future damages claims based on alleged violations during the extended Injunction period. This argument is speculative. TLGI withdrew their enforcement filings and expressly stated that they received the relief they sought. The record contains no pending or threatened damages action arising from the extended period. The mere theoretical possibility that TLGI might someday pursue damages does not preserve the live controversy.

Joleyvie also invokes the "capable of repetition, yet evading review" exception, arguing that TLJI is pursuing similar enforcement actions and injunction extensions against other franchisees in other jurisdictions. Even assuming the first element is met—that the one-year extension was too short in duration to be fully litigated before expiration—Joleyvie has not demonstrated a reasonable expectation that they will be subjected to the same action again. The injunction has expired. The competing business has been closed. TLGI has withdrawn the enforcement filings. There is no basis in the record to conclude this same dispute between these same parties will recur.

Joleyvie's next argument urging this Court to decide the case on the ground that the issues presented are of public importance to an identifiable class of similarly situated franchisees, is also unavailing. We acknowledge that the question of whether and under what circumstances a Maryland court may extend a domesticated foreign injunction is one that may have implications beyond this case. However, this Court will continue to decline to issue advisory opinions. Should these legal questions arise in future litigation between parties with a live stake in the outcome, the courts will be well positioned to address them on a concrete record.

Finally, we note, with respect to the timeliness of TLGI's motion to dismiss, that although Joleyvie raises a colorable argument that the motion was filed beyond the ten-day period prescribed by Maryland Rule 8-603(a)(4), this Court's authority to dismiss on mootness grounds is not contingent upon a timely motion by a party. Mootness implicates a threshold justiciability concern that we may address on our own initiative. *See* Md. Rule 8-602(a) ("On motion or on its own initiative, the appellate court … may dismiss an appeal.")

For the foregoing reasons, because the injunction has expired, the enforcement proceedings have been withdrawn, the discovery has been completed, and no effective remedy remains available, we conclude that this appeal is moot on all issues. We express no opinion on the merits of the questions presented.

APPEAL DISMISSED. APPELLANT TO PAY THE COSTS.