Circuit Court for Montgomery County
Case No. C-15-CV-22-003435

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1388

September Term, 2024

EDWARD MAGLAD, ET AL.

v.

GROOMINGVILLE, LLC, ET AL.

Arthur,
Ripken,
Hotten, Michele D.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Arthur, J.

Filed: June 16, 2026

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

After a bench trial, the Circuit Court for Montgomery County found that, over the course of more than three years, Edward Maglad had engaged in a concerted campaign of harassment against Susan Mejia and her business, Groomingville, LLC. The court ultimately entered a money judgment in favor of Groomingville on a claim for defamation and a money judgment in favor of Ms. Mejia on a claim for intentional infliction of emotional distress. The court entered a default judgment against Mr. Maglad's business, Motion Components Corporation ("MCC").

Mr. Maglad and MCC appealed. We affirm.

FACTUAL AND PROCEDURAL HISTORY

Ms. Mejia owns Groomingville, a dog grooming, daycare, and boarding business. Groomingville operates part of its business out of 2289 and 2293 Lewis Avenue in Rockville, Maryland. Those two units occupy the space on either side of 2291 Lewis Avenue, where Mr. Maglad operates MCC, a business that exports industrial machine parts.

Groomingville cares for approximately 20 dogs each day. From his unit, Mr. Maglad can hear the dogs barking. Mr. Maglad claims that the barking caused him to experience chest pain and stress because he was afraid of being attacked by the dogs. He also claims that he was bitten by a dog that was in the custody of a Groomingville employee and that the odor of dog urine and feces wafted into his premises. The court credited none of his claims.

Over a period of several years, Mr. Maglad displayed his enmity toward his neighbor and its proprietor, Ms. Mejia. He posted signs and handed out flyers that alleged that Groomingville's operations were illegal and that dogs were not allowed on the property. He wrote a letter to Groomingville's customers in which he claimed that dog boarding was illegal and listed a number of rules for customers to follow. He threatened to "report" the customers "to the animal services police" and said that "a citation" would "be issued to the owner's home address." He made signs that fraudulently mimicked official postings from the Montgomery County government and warned customers that the business was unlicensed and illegal and that the customers' pets would be seized by Animal Control.

Mr. Maglad regularly confronted Ms. Mejia, her employees, her customers, and anyone who came near the business. He repeatedly texted and called Ms. Mejia, her business partner, and her daughter to complain, to yell, or just to "breath[e] in[to] the phone," sometimes in the middle of the night. Acting in a "physically menacing" way, he made a habit of waiting by his front door and talking to and often yelling at Groomingville employees and customers. He attempted to dissuade customers from entering the business, telling them that their dogs would be injected, abused, or killed. He regularly accused Groomingville of injecting, torturing, and killing its customers' dogs. He also accused Groomingville of selling dog meat. After viewing videos of his conduct, the court found that "[a]t all times" Mr. Maglad was "a physically menacing figure."

Mr. Maglad convinced one customer to come into his unit so he could show her "proof" that the Groomingville employees "kill dogs." At trial, this customer testified that when she walked into his unit, confused and holding her dog, Mr. Maglad abruptly shut the door behind her, which caused her to grab her can of pepper spray. She saw no evidence of anything "alarming" on the multiple videos and papers he showed her.

A few of Groomingville's customers posted negative reviews that centered entirely around negative interactions with Mr. Maglad. One customer posted a review that said that Mr. Maglad warned her about illicit injections; another complained that he told her that her dog was too large for Groomingville's services, implying that it would be illegal for her to patronize the business.

One Groomingville employee's job was to call customers who visited the business one time and never returned, to find out why they did not come back, and to offer them a promotional deal to try to retain their patronage. She reported to Ms. Mejia that "most" of the one-time customers had a "problem with Mr. Maglad" and decided not to return to Groomingville.

For three years, Mr. Maglad regularly yelled through the common wall between MCC and Groomingville—and he did so on nearly every day in 2024. While yelling, he often pounded the metal beam that supports the shared wall, causing a loud noise and strong vibrations to reverberate in Groomingville's units. He pounded the wall so forcefully and so often that the resulting vibrations caused the paint on Ms. Mejia's side of the wall to peel. On one occasion, he pounded on the wall while an employee was

grooming a dog, causing the dog to startle and hit its jaw on the grooming table and then the floor. The dog suffered an injury to its face, and Groomingville paid the expensive veterinary bill.

After viewing videos from the interior of the Groomingville unit while the pounding was taking place, the court found that the sound was "extremely loud, startling, and certainly frightening." An employee testified that "she would hear this banging every single day in 2024." The court found it "quite remarkable" that the employee could work there "because the sound is so extremely loud."

Mr. Maglad regularly called, emailed, and sent letters to the Rockville City Police, Animal Control, and the Community Planning and Development Services of the City of Rockville—"at times on a daily basis"—for about three years. In these communications, he accused Ms. Mejia of operating an illegal and unlicensed business, of encouraging dogs to bark at and bite him, of creating hazardous and unsanitary conditions, of "murder[,]" and more. Mr. Maglad also accused Groomingville and Ms. Mejia of harboring illegal immigrants. He alleged that her employees were criminals with "ties to animal abuse" and a danger to the community. He often screamed "no immigrants" through the wall. He accused Ms. Mejia and Groomingville of human trafficking and sexual assault.

When Ms. Mejia rented and renovated a third unit in the complex that would allow her to do some of her grooming services farther away from Mr. Maglad, he attempted to interfere with the permitting and licensing processes. On March 7, 2023, Mr. Maglad

attempted to interfere with a Rockville fire marshal's inspection of Groomingville, prompting the Deputy Director of the Community Planning and Development Services office to ask Mr. Maglad to refrain from approaching and speaking to city staff in a disrespectful manner. When plumbers and electricians arrived to inspect or work on any of the three Groomingville units, Mr. Maglad "always approach[ed] [them] under the guise of potentially hiring them for a job. He then interrogate[d] the person about what business they [were] doing . . . and why they [were] present in the [Lewis Avenue] complex." He often referred to himself as the "neighborhood representative," though there is no evidence in the record that any other members of the neighborhood were involved in his efforts. The owner of a business that makes window stickers and other marketing materials for Groomingville called Ms. Mejia to tell her that the business received an email from Mr. Mejia asking that they "protest reject" Groomingville.

Mr. Maglad filed several petitions for peace orders against Ms. Mejia and her attorneys. None were granted. He falsely claimed that a local judge had granted him what he called a "coexistence rule." In communications to the police, city employees, the court, nearby neighbors, and Groomingville's marketing partner, he falsely warned that "[Ms. Mejia] must comply with the coexistence rule or face legal proceedings." He implied that "those who attempted to help her" would also face legal proceedings.

As a result of Mr. Maglad's conduct, Ms. Mejia was afraid to interact with Mr. Maglad and took pains to avoid him. She worried that his behavior would continue to escalate and that he would at some point become violent.

Eventually giving up on her attempts to find "a peaceful way to solve the problems" with her neighbor, Ms. Mejia sought and obtained several peace orders against Mr. Maglad. She called the police on occasions when he violated a peace order. She tried to dodge Mr. Maglad's attempts to confront her. On days when her son could not accompany her to and from her car, she either asked employees to escort her or ran as fast as she could through the parking lot to avoid interacting with Mr. Maglad. She warned her customers and any workers scheduled to come to the property about Mr. Maglad and asked that they not interact with him. She asked her groomers to walk customers to and from their cars to help them avoid contact with Mr. Mejia. She installed insulation on the wall between MCC and Groomingville in an attempt to dampen the sounds of Mr. Maglad banging on and shouting through the wall. She acquired and renovated a third unit in the same complex but farther away from MCC so that she could conduct the grooming business without Mr. Maglad's noisemaking.

Ms. Mejia felt unsafe and stressed as a result of Mr. Maglad's conduct. She suffered physical symptoms of anxiety and takes medication as a result. She had trouble sleeping, breathing, and concentrating on her work.

Ms. Mejia and Groomingville filed a complaint against Mr. Maglad, alleging defamation, interference with economic relationships, interference with contracts, intentional infliction of emotional distress, assault, trespass, and interference with personal property. Ms. Mejia and Groomingville amended the complaint to assert those claims against Mr. Maglad's company, MCC, as well.

Mr. Maglad, representing himself and purporting to represent MCC, filed his answer to the complaint. Because Mr. Maglad is not an attorney and therefore may not represent a business organization,[1] Ms. Mejia and Groomingville contended that MCC had not answered the complaint. They requested an order of default against MCC.

Ms. Mejia and Groomingville also moved to strike MCC's answers and supporting exhibits. The court denied the motion to strike, but ordered MCC to file an amended comprehensive answer to the complaint and to serve that answer and future pleadings on counsel for Ms. Mejia and Groomingville. Mr. Maglad filed an amended answer and signed it himself. The amended answer was written in first person and did not state that it was filed on behalf of MCC.

In June 2023, the court entered an order of default against MCC pursuant to Maryland Rule 2-613. When MCC failed to file a timely motion to vacate the order of default, Ms. Mejia and Groomingville moved for judgment by default against MCC. In August 2023, the court granted judgment by default against MCC on all counts. The order did not determine the damages due.

At a three-day bench trial in June 2024, Mr. Maglad represented himself. At the end of the trial, the court entered judgment in favor of Ms. Mejia and Groomingville and against Mr. Maglad and MCC for $69,400.00 in compensatory damages for defamation and $200,000.00 in non-economic damages for intentional infliction of emotional distress.

[1] *See* Md. Rule 2-131(a)(2).

In July 2024, Mr. Maglad and MCC, through an attorney, moved to alter or amend the judgment. A few weeks later, MCC moved to revise the judgment pursuant to Rule 2-535, contesting the judgment by default.

After a hearing, the court granted the motion to alter or amend in part. As amended, the court entered judgment on the defamation claim in the amount of $69,400.00 in favor of Groomingville and against Mr. Maglad and MCC, jointly and severally. In addition, the court entered judgment on the claim for intentional infliction of emotional distress in the amount of $200,000.00 in favor of Ms. Mejia and against and against Mr. Maglad and MCC, jointly and severally. The court denied the motion to revise the default judgment against MCC.

Mr. Maglad and MCC, through counsel, noted a timely appeal and filed a brief. Although counsel withdrew his appearance, reinstated it, and withdrew again, we have permitted the appeal to proceed on the basis of the brief that counsel prepared.

QUESTIONS PRESENTED

In this appeal, Mr. Maglad and MCC presents the following questions, which we have re-ordered but have otherwise quoted literally:

1. Did the failure of Plaintiff Groomingville, LLC to present evidence of actual compensatory damages preclude its recovery for defamation/trade libel?

2. Did the record evidence provide sufficient facts to support Plaintiff Mejia's claim for intentional infliction of emotional distress?

3. Were the compensatory damages of $69,400 for defamation appropriate?

4. Did the trial court err in granting a default judgment against [MCC] for failure to file an Answer to the Amended Complaint?[2]

DISCUSSION

A. Motion to Alter or Amend Defamation Judgment

Mr. Maglad and MCC challenge the denial of the motion to alter or amend the judgments against them on the defamation claim. "In general, the denial of a motion to alter or amend a judgment or for reconsideration is reviewed by appellate courts for abuse of discretion." *RRC Northeast, LLC v. BAA Maryland, Inc.*, 413 Md. 638, 673 (2010); *accord Schlotzhauer v. Morton*, 224 Md. App. 72, 84 (2015), *aff'd*, 449 Md. 217 (2016).

Mr. Maglad and MCC contend that Groomingville's claim for defamation was really a claim for what they call "[t]rade libel" or "commercial disparagement." Quoting 2 *Rights and Liabilities in Media Content* § 9.3 (2d ed. 2025), they contend that "'the core elements of a business disparagement action are in certain aspects more stringent than those of defamation because business disparagement protects against pecuniary loss,'" rather than damage to one's character or reputation. Quoting the same source, they assert that "'[a] business disparagement claim requires that the statement must be false, published with malice, with the intent to cause pecuniary loss or the reasonable recognition that it will cause such loss, and in turn actually result in such pecuniary

[2] In the brief filed by Mr. Maglad and MCC, our third question is their second, and our second question is their third. In their final question, Mr. Maglad and MCC erroneously refer to a default judgment against Groomingville, LLC. We have substituted MCC, the party against which the court entered the default judgment, for Groomingville.

loss.'" Mr. Maglad and MCC claim that Groomingville adduced no evidence of financial damages and, thus, that it could not recover for "trade libel."

The standard of review is dispositive on this issue because, in deciding whether to grant a motion to alter or amend, "the discretion of the trial judge is more than broad; it is virtually without limit." *Steinhoff v. Sommerfelt*, 144 Md. App. 463, 484 (2002). As Judge Moylan memorably explained:

> What is, in effect, a post-trial motion to reconsider is not a time machine in which to travel back to a recently concluded trial in order to try the case better with hindsight. The trial judge has boundless discretion not to indulge this all-too-natural desire to raise issues after the fact that could have been raised earlier but were not or to make objections after the fact that could have been earlier but were not. Losers do not enjoy *carte blanche,* through post-trial motions, to replay the game as a matter of right.

Id.

Furthermore:

> That a party, *arguendo,* should have prevailed on the merits at trial by no means implies that he should similarly prevail on a post-trial motion to reconsider the merits. A decision on the merits, for instance, might be clearly right or wrong. A decision not to revisit the merits is broadly discretionary. The appellant's burden in the latter case is overlaid with an additional layer of persuasion. Above and beyond arguing the intrinsic merits of an issue, he must also make a strong case for why a [court], having once decided the merits, should in [its] broad discretion deign to revisit them.

Id. at 484-85.

In short, "[w]hen a party requests that a court reconsider a ruling solely because of new arguments that the party could have raised before the court ruled, the court has almost limitless discretion not to consider those arguments." *Schlotzhauer v. Morton*, 224 Md. App. at 85.

Mr. Maglad and MCC did not introduce the concept of trade libel or business disparagement until he filed his post-judgment motion to alter or amend. They cited (and continue to cite) no Maryland case that says that a defamation claim brought by a business must fit the mold of what they characterize as a claim for trade libel or business disparagement. In any event, the court found that Mr. Maglad had made false and defamatory statements, that he made the statements knowing that they were false or with reckless disregard for the truth, that he acted with malice, and that he caused harm. In other words, the court found most, if not all, of what it would be required to find in order to uphold what Mr. Maglad and MCC describe as a claim for trade libel or business disparagement. In these circumstances, we can hardly say that the court abused its "boundless discretion" to deny the motion to alter or amend. *Steinhoff v. Sommerfelt*, 144 Md. App. at 484.

B. Motion to Alter or Amend Judgment for Intentional Infliction of Emotional Distress

Mr. Maglad and MCC challenge the denial of his motion to alter or amend the judgment against them on the claim for intentional infliction of emotional distress. They assert that the evidence was insufficient to establish three elements of the tort: that Mr. Maglad's conduct was intentional or reckless, that his conduct was extreme and outrageous, and that the resulting emotional distress was severe.

Although Mr. Maglad and MCC could have made those arguments in a motion for judgment at the trial itself, they did not do so. Instead, they made them for the first time in the post-judgment motion to alter or amend. Consequently, just as the circuit court had

almost limitless discretion to reject the arguments concerning trade libel or business disparagement, so too did it have "boundless discretion" to reject these arguments as well. *Steinhoff v. Sommerfelt*, 144 Md. App. at 484.

Quoting *Kentucky Fried Chicken National Management Co. v. Weathersby*, 323 Md. 663, 670 (1992), Mr. Maglad and MCC stress that the tort of intentional infliction of emotional distress "is 'to be used sparingly and only for opprobrious behavior that includes truly outrageous conduct.'" Quoting *Continental Casualty Co. v. Mirabile*, 52 Md. App. 387, 403 (1982), they assert that "[c]onduct is deemed outrageous and extreme 'only where the conduct has been so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community.'" (Further citation omitted.) Nonetheless, they recognize that Maryland appellate courts have upheld claims of intentional infliction of emotional distress in at least five reported opinions: *Faya v. Almaraz*, 329 Md. 435 (1993) *Figueiredo-Torres v. Nickel*, 321 Md. 642 (1991); *B.N. v. K.K.*, 312 Md. 135 (1988); *Young v. Hartford Accident & Indem. Co.*, 303 Md. 182 (1985); and *Reagan v. Rider*, 70 Md. App. 503, 521 (1987).

Mr. Maglad and MCC deny that Mr. Maglad desired or intended to inflict severe emotional distress. They claim that Mr. Maglad's "interactions with Susana Mejia [were] for the intended purpose of convincing her to abate the private nuisance caused by her dog daycare and boarding business." The court did not abuse its vast discretion in rejecting this post-judgment attack on the factual findings that it made at trial.

Mr. Maglad and MCC argue, at some length, that Mr. Maglad's conduct was not sufficiently extreme and outrageous to satisfy the exacting requirements of a claim for intentional infliction of emotional distress. They discuss the facts of the cases in which defendants have and have not been found liable for intentional infliction of emotional distress, apparently suggesting that Mr. Maglad's conduct was less extreme and outrageous than theirs. Here, however, is how Mr. Maglad and MCC describe some of Mr. Maglad's conduct in their own statement of facts:

> To eliminate what he perceived to be a private nuisance, Mr. Maglad took certain actions to deter his neighbor's activities. This included questioning Groomingville, LLC employees and yelling at its clientele. He handed out flyers to Groomingville customers advising them that its operations were illegal. He called the Rockville City Police and Animal Control to report perceived infractions and filed several [p]etitions for [p]eace [o]rders against [Ms. Mejia]. He accused Groomingville, LLC of injecting and killing a customer's dog. He yelled and banged on the common wall with Groomingville two (2) to three (3) times a day.

Similarly, in determining that Mr. Maglad's conduct was extreme and outrageous, the court considered his consistent banging on the wall and screaming through the wall; his interference with the fire marshal, the police, and the city authorities; his confrontations with Ms. Mejia and her family members, customers, and employees; and his "extremely aggressive" behavior. The court noted that his conduct was incessant for a period of three years and that it invaded Ms. Mejia's work and home life.

The circuit court considered that conduct in context, as it should. *See Harris v. Jones*, 281 Md. 560, 568 (1977). Ms. Mejia is a business owner who is accountable to her customers for their negative experiences on her premises. Their patronage is her

livelihood. As an employer, Ms. Mejia is also responsible for the well-being and safety of her employees, whom Mr. Maglad confronted, verbally accosted, and accused of being "illegals" and "criminals." Ms. Mejia's business is located directly next door to Mr. Maglad. Mr. Maglad used his proximity to harass Ms. Mejia from *inside* her workplace and from the safety of his front door and walkway. He also used his business's security cameras to record Ms. Mejia and her family and employees, often showing this footage to bystanders and the police, and frequently using it to accuse Ms. Mejia of crimes.

In the present circumstances, we need not decide whether the circuit court would have been required to grant a motion for judgment at the end of the plaintiffs' case and at the end of all the evidence had Mr. Maglad and MCC argued that the evidence was insufficient to prove that Mr. Maglad's conduct was extreme and outrageous. The question before us is not whether Mr. Maglad and MCC would have been entitled to judgment as a matter of law had he made an appropriate motion at trial; it is whether the court was obligated to exercise its discretion to revisit the merits after it had already expressly found that Mr. Maglad's conduct was "extreme and outrageous, so outrageous in character as to go beyond all possible bounds of decency, and . . . certainly atrocious." *See Steinhoff v. Sommerfelt*, 144 Md. App. at 484-85. The court did not abuse its "boundless discretion" in deigning not to reconsider its conclusion about whether Mr. Maglad's conduct was sufficiently extreme and outrageous to warrant the imposition of liability for intentional infliction of emotional distress. *Id.* at 484.

Finally, Mr. Maglad and MCC argue that Ms. Mejia failed to prove that she suffered the kind of severe distress that is required before a plaintiff may recover for intentional infliction. They concede, however, that the trial court itself observed Ms. Mejia's body language and emotional state while she was in Mr. Maglad's presence and evidently based its decision in part on those observations. "Even in court," the trial judge said, "she was still shaking" when she described her interactions with Mr. Maglad. The court did not abuse its "almost limitless" discretion in deigning not to revisit its evidence-based conclusions. *Schlotzhauer v. Morton*, 224 Md. App. at 85.

C. Insufficiency of Proof of Damages on Defamation Claim

The circuit court awarded Groomingville $69,400.00 in economic damages for defamation. According to the court, the damages consisted of $68,400.00 to renovate an additional unit, $300.00 for soundproofing one of the units, and $700.00 to pay the veterinary bill for a dog that was injured after it jumped off a table while Mr. Maglad was banging on the walls.

Mr. Maglad and MCC challenge the award of those damages. They argue that the damages "were not incurred to remedy defamation."

At no time did Mr. Maglad or MCC make this argument in the circuit court. They did not make the argument before the court awarded the damages for defamation. Nor did they make the argument in the motion to alter to amend. Therefore they have failed to preserve the argument for appellate review. *See* Md. Rule 8-131(a). We cannot fault

the circuit court for failing to credit an argument that Mr. Maglad and MCC did not make.

D. Default Judgment

MCC contends that the circuit court erred in granting a default judgment against it. If the court entered a default judgment based on a factual predicate, we review the decision for abuse of discretion. *See, e.g.*, *Wells v. Wells*, 168 Md. App. 382, 394 (2006).

MCC does not dispute that under Rule 2-131(a)(2) it was required to appear through an attorney and answer the complaint and amended complaint. Nor does MCC dispute that it failed to file an answer through an attorney. Finally, MCC does not dispute that it received notice of the order of default and that the court entered the default judgment only after MCC failed to file a timely motion to vacate the order of default.

In contending that the circuit court erred in entering the default judgment, MCC argues only that Mr. Maglad had filed an answer to the amended complaint on MCC's behalf and that the court never struck the answer. He asserts, without citation to any authority, that a court may not enter a default judgment against a corporation that has filed (or, more precisely, purported to file) an answer even when the answer was filed by someone other than attorney.

The short answer to MCC's legally unsupported argument is that the answer filed by Mr. Maglad on MCC's behalf was a legal nullity. *See Turkey Point Prop. Owners' Ass'n, Inc. v. Anderson*, 106 Md. App. 710, 720 (1995). Because MCC, a corporation, can appear only through an attorney, an answer filed by someone other than an attorney

has no force or effect. When a corporation has failed to file a timely answer through an attorney and has failed to file a timely motion to vacate an ensuing order of default, a circuit court is not divested of its power to enter a default judgment merely because the court has not stricken a pleading that someone other than an attorney filed, improperly, on the corporation's behalf.

JUDGMENT OF THE CIRCUIT COURT FOR MONTGOMERY COUNTY AFFIRMED. COSTS TO BE PAID BY APPELLANTS.