

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

LINTON HURST

v.

W.W. ADCOCK, INC.

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: CIVIL NO. CCB-17-2970
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MEMORANDUM

Plaintiff Linton Hurst has filed suit against his former employer W.W. Adcock, Inc., alleging racial and national origin discrimination in connection with the termination of his employment (Counts I, II and V), intentional infliction of emotional distress (Count III), and violation of the Maryland Economic Stabilization Act (Count IV). The defendant has filed a motion to dismiss Counts III and IV.

The motion will be granted as to Count IV, which Hurst concedes should be withdrawn. (Mem. Resp. Oppn. Mot. Dismiss at 11, ECF No. 13-1.) The motion will be denied as to Count III. Hurst identifies himself as being of Jamaican descent. He alleges, among other incidents, in the placement of a wooden coffin-shaped box on the workplace with a note reading “ONE WAY TO JAMAICA” and another note reading “PROPERTY OF JAMAICAN NAVY” with a handmade picture of the Jamaican flag. (Cmpl. at ¶ 27.) He also alleges severe emotional distress requiring psychiatric treatment resulting from the conduct directed against him. (*Id.* at ¶ 64-70.) While the requirements of proving this tort are high, *see Harris v. Jones*, 281 Md. 560, 566 (1977), these allegations are sufficient to survive a motion to dismiss.

A separate Order follows.

February 2, 2018
Date

/s/
Catherine C. Blake
United States District Judge