

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Nicole L. McGuire v. Harford County

McGuire v. Harford County · No. Civil Action No. RDB-25-1433 · Decided March 31, 2026

SUMMARY

The United States District Court for the District of Maryland considers Harford County’s motion to dismiss Nicole McGuire’s amended complaint. McGuire alleges sex discrimination in hiring and retaliation under Title VII, as well as a Maryland Equal Pay for Equal Work Act claim, based on allegedly disparate treatment compared with a former male employee. The court grants the motion in part and denies it in part, allowing the Title VII claims to proceed while dismissing the state-law claim.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Richard D. Bennett
JURISDICTION	United States District Court for the District of Maryland
DECIDED	March 31, 2026
DOCKET	Civil Action No. RDB-25-1433
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the operative Amended Complaint asserting Title VII sex-discrimination and retaliation claims and a Maryland Equal Pay for Equal Work Act claim.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded facts as true and construes them in the light most favorable to the plaintiff. The complaint must contain sufficient factual matter to state a claim that is plausible on its face; the court does not resolve factual contests, the merits, or defenses.
PRECEDENTIAL VALUE	Unknown
PARTIES	Nicole L. McGuire v. Harford County

TOPICS

- employment discrimination
- title vii
- retaliation
- motions to dismiss
- civil procedure

PRACTICE AREAS

employment law

civil rights

civil procedure

QUESTIONS PRESENTED

1. Whether the County's Rule 12(b)(6) motion was procedurally proper as to the claims repeated in the Amended Complaint after the County had answered the original Complaint.
2. Whether McGuire plausibly alleged a Title VII sex-discrimination claim based on disparate treatment in the hiring process and compensation.
3. Whether McGuire plausibly alleged a Title VII retaliation claim based on her complaints of sex discrimination and the County's alleged refusal to meet with her and withdrawal of its offer.
4. Whether McGuire stated a claim under Maryland Equal Pay for Equal Work Act § 3-304(b) when the alleged unequal treatment occurred in connection with an offer to a prospective employee rather than while she was an employee.

HOLDINGS

1. An amended complaint supersedes the original complaint and may revive the defendant's ability to seek dismissal under Rule 12(b)(6), including where the amended pleading adds a new count and the pleadings are not yet closed; the motion was properly considered under Rule 12(b)(6), not Rule 12(c).
2. McGuire plausibly stated a Title VII sex-discrimination claim by alleging that she was subjected to a more burdensome hiring process and lower compensation than a similarly situated male former employee, and that the County hired the male comparator for a higher-level position.
3. McGuire plausibly stated a Title VII retaliation claim by alleging that she opposed perceived sex discrimination to County human-resources personnel and that the County thereafter refused to meet with her and withdrew or declined to reconsider its employment offer.
4. McGuire failed to state a claim under Maryland Equal Pay for Equal Work Act § 3-304(b) because that provision protects employees and addresses actual wage disparities or less favorable employment opportunities, not alleged discrimination against a prospective employee who was never hired.

KEY QUOTATIONS

“For the reasons set forth below, Defendant’s Motion (ECF No. 15) is GRANTED IN PART and DENIED IN PART.”

“Specifically, Defendant’s Motion (ECF No. 15) is DENIED as to the federal Title VII claims in Count I and Count II, but it is GRANTED as to the state discrimination claim in Count III.”

FACTUAL BACKGROUND

McGuire worked for Harford County as a Public Safety Dispatcher from 2001 until her part-time position was eliminated in 2016. In 2022, after expressing interest in returning, she alleges that the County required her to undergo a formal application, interview, and testing process and offered her a probationary position at lower pay without credit for prior service, while rehiring a similarly qualified male former employee as a Public Safety

Dispatcher II without those requirements and at higher pay. After McGuire complained to County human-resources personnel about disparate treatment, she alleges that the County refused to meet with her and withdrew or declined to reconsider its offer.

PROCEDURAL HISTORY

McGuire filed the action on May 4, 2025, asserting Title VII discrimination and retaliation claims. Harford County answered the original Complaint, after which McGuire filed an Amended Complaint adding a Maryland Equal Pay for Equal Work Act claim. The County moved to dismiss the Amended Complaint. The court denied dismissal of the Title VII claims but dismissed the state-law claim.

DISPOSITION

other

CASES CITED

- Wikimedia Foundation v. National Security Agency, 857 F.3d 193, 208 (4th Cir. 2017)
- SD3, LLC v. Black & Decker (U.S.) Inc., 801 F.3d 412, 422 (4th Cir. 2015)
- Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001)
- Shelton v. Safeway, Inc., Civ. No. PJM-10-2358, 2011 WL 1869827, at *3 (D. Md. May 16, 2011)
- Edwards v. City of Goldsboro, 178 F.3d 231, 243 (4th Cir. 1999)
- Burbach Broadcasting Co. of Delaware v. Elkins Radio Corp., 278 F.3d 401, 405-06 (4th Cir. 2002)
- Stevens v. Showalter, 458 B.R. 852, 857 n.8 (D. Md. 2011)
- Presley v. City of Charlottesville, 464 F.3d 480, 483 (4th Cir. 2006)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-56, 570 (2007)
- A Society Without a Name v. Virginia, 655 F.3d 342, 346 (4th Cir. 2011)
- Lacina v. G-K Trucking, 877 F.2d 741, 742-43 (9th Cir. 1989)
- McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)
- Coleman v. Maryland Court of Appeals, 626 F.3d 187, 190 (4th Cir. 2010), *aff'd sub nom. Coleman v. Court of Appeals of Maryland*, 566 U.S. 30 (2012)
- Brinkley v. Harbour Recreation Club, 180 F.3d 598, 607 (4th Cir. 1999)
- Desert Palace v. Costa, 539 U.S. 90 (2003)
- Fuller v. Phipps, 67 F.3d 1137, 1142 (4th Cir. 1995)
- Strothers v. City of Laurel, 895 F.3d 317, 327, 330-31 (4th Cir. 2018)
- Bing v. Brivo Systems, LLC, 959 F.3d 605, 616-17 (4th Cir. 2020)
- McCleary-Evans v. Maryland Department of Transportation, 780 F.3d 582, 586, 588 (4th Cir. 2015)
- Gaines v. Baltimore Police Department, 657 F. Supp. 3d 708, 734 (D. Md. 2023)
- Danial v. Morgan State University, 426 F. Supp. 3d 135, 144-45 (D. Md. 2019)

- West v. Noem, Civ. No. JKB-23-1661, 2025 WL 896470, at *7 (D. Md. Mar. 24, 2025)
- Batchelor v. City of Wilson, 747 F. Supp. 3d 845, 860 (E.D.N.C. 2024)
- International Brotherhood of Teamsters v. United States, 431 U.S. 324, 365 (1977)
- Volling v. Kurtz Paramedic Services, 840 F.3d 378, 384 (7th Cir. 2016)
- Johnson v. Louisiana, 351 F.3d 616, 622 (5th Cir. 2003)
- EEOC v. Metal Service Co., 892 F.2d 341, 349 (3d Cir. 1990)
- Walker v. Prudential Property & Casualty Insurance Co., 286 F.3d 1270, 1275-76 (11th Cir. 2002)
- Ferdinand-Davenport v. Children's Guild, 742 F. Supp. 2d 772, 781-82 (D. Md. 2010)
- Majure v. Primland, Ltd., 2017 WL 5013582, at *3 (W.D. Va. Nov. 2, 2017)
- White v. BFI Waste Services, LLC, 375 F.3d 288, 295 (4th Cir. 2004)
- Mackey v. Shalala, 360 F.3d 463, 469 (4th Cir. 2004)
- Holloway v. Maryland, 32 F.4th 293, 300 (4th Cir. 2022)
- Laughlin v. Metropolitan Washington Airports Authority, 149 F.3d 253, 259 (4th Cir. 1998)
- Young v. Giant Food Stores, LLC, 108 F. Supp. 3d 301, 317 (D. Md. 2015)
- Herkert v. Bisignano, 151 F.4th 157, 165-66 (4th Cir. 2025)
- Laird v. Fairfax County, 978 F.3d 887, 894 (4th Cir. 2020)
- Burlington Northern & Santa Fe Railway Co. v. White, 548 U.S. 53, 68 (2006)
- Hanke v. United Parcel Service, Inc., Civ. No. JRR-23-2130, 2024 WL 3554973, at *12 (D. Md. July 26, 2024)
- Franovich v. Hanson, 687 F. Supp. 3d 670, 685 (D. Md. 2023)
- Doe v. Catholic Relief Services, 529 F. Supp. 3d 440, 446-47 (D. Md. 2021)
- Cohens v. Maryland Department of Human Resources, 933 F. Supp. 2d 735, 745 (D. Md. 2013)
- Glunt v. GES Exposition Services, Inc., 123 F. Supp. 2d 847, 861-62 (D. Md. 2000)
- Chappell v. Southern Maryland Hospital, Inc., 578 A.2d 766, 772 (Md. 1990)
- McNierney v. McGraw-Hill, Inc., 919 F. Supp. 853, 860 (D. Md. 1995)
- Hamdan v. Rumsfeld, 548 U.S. 557, 578 (2006)
- National Federation of Independent Business v. Sebelius, 567 U.S. 519, 544 (2012)