

Circuit Court for Baltimore County  
Case No.: C-03-CV-20-002673

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 1555

September Term, 2023

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DOROTHY WERE

v.

LUO WOMEN IN THE  
UNITED STATES CORP.

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Zic,  
Ripken,  
Wright, Alexander, Jr.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: September 11, 2024

\*This is a per curiam opinion. Consistent with Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

LUO Women in the United States Corp., appellee, sued Dorothy Were, appellant, for conversion, tortious interference, and civil conspiracy, seeking injunctive and declaratory relief as well as compensatory and punitive damages. After a two-day bench trial, the Circuit Court for Baltimore County declared Were’s wrongfully filed corporate documents were void and enjoined her from acting on behalf of LUO. The court also awarded LUO \$21,382.05 for legal fees and expenses and \$8,000 in compensatory damages. The judgment was entered on August 28, 2023. On September 8, Were filed a Motion for Reconsideration, which the court denied on September 29. Were then filed her Notice of Appeal on October 10.

We must first address the scope of our review. The judgment in this case was entered on August 28. Under Maryland Rule 8-202(a), a notice of appeal must “be filed within 30 days after entry of the judgment or order from which the appeal is taken.” This deadline may be tolled only by filing a revisory motion within 10 days of the judgment. *Pickett v. Noba, Inc.*, 122 Md. App. 566, 570 (1998). Here, Were filed her revisory motion 11 days after the judgment. It therefore did not toll the time to appeal from the underlying judgment. To appeal from the merits of the judgment, Were had until September 27 to file her notice of appeal. She did not do so. Because her notice of appeal was filed more than 30 days after the circuit court entered its judgment, we cannot consider the merits of the underlying judgment.

Were did, however, file her notice of appeal within 30 days of the circuit court’s denial of her revisory motion. To be sure, this is still an appealable order. *See Estate of Vess*, 234 Md. App. 173, 204 (2017). But “an appeal from the denial of a motion asking

the court to exercise its revisory power is not necessarily the same as an appeal from the judgment itself.” *Id.* (cleaned up). In such cases, the scope of our review is “limited to whether the trial judge abused [their] discretion in declining to reconsider the judgment.” *Id.* at 205 (cleaned up). “It is hard to imagine a more deferential standard than this one.” *Id.* See also *Stuples v. Baltimore City Police Dep’t*, 119 Md. App. 221, 232 (1998) (explaining that the denial of a motion to revise a judgment should be reversed only if the decision “*was so far wrong—to wit, so egregiously wrong—as to constitute a clear abuse of discretion*”).

Were presents two arguments. She first contends she was immune from liability as a volunteer under three statutes: the Maryland Volunteer Services Act (“MVSA”), Md. Code Ann., Cts & Jud. Proc. § 5-407; the federal Volunteer Protection Act of 1991 (“VPA”), 42 U.S.C.A. § 14501 *et seq.*; and the Maryland Torts Claims Act (“MTCA”), Md. Code Ann., State Gov’t § 12-105. Not so. The MVSA does not provide immunity to volunteers who actively participate in the wrongful act or omission. Md. Code Ann., Cts & Jud. Proc. § 5-407. Here, Were actively participated in the wrongful acts by personally making knowingly unauthorized filings on behalf of the corporation. The VPA does not apply because it does not affect civil actions brought by a nonprofit organization—like LUO—against any volunteer of the organization—like Were. See 42 U.S.C.A. § 14503(c). The MTCA is also inapplicable because Were was not volunteering for the State of Maryland. See Md. Code Ann., State Gov’t §§ 12-101 & 105.

Were’s second contention alleges an error “when [the] case was transferred from a higher court to lower court[.]” This case was never transferred between courts. On review

of the record, it appears Were may be referring to a separate, but related, case proceeding in the United States District Court for the District of Maryland. That action is irrelevant to this one, however, so we need not address Were’s second argument.

In sum, the circuit court did not abuse its discretion in denying Were’s revisory motion.

**JUDGMENT OF THE CIRCUIT  
COURT FOR BALTIMORE  
COUNTY AFFIRMED. COSTS TO  
BE PAID BY APPELLANT.**