

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF MARYLAND

LORIANN LUDWIG,

Plaintiff,

v.

RAYMOND G. STRUBIN, individually and  
in his official capacity as a member of the  
Maryland Judiciary and Judge for the  
Fourth Judicial Circuit of Maryland,

Defendant.

CIVIL ACTION NO.

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**COMPLAINT**

Plaintiff Loriann Ludwig files this Complaint against Defendant Raymond G. Strubin, individually and in his capacity as a member of the Maryland Judiciary and Judge for the Fourth Judicial Circuit of Maryland, seeking damages for abuse she was subjected to and the deprivation of her constitutional rights.

**PRELIMINARY STATEMENT**

1. On April 29, 2019, Ludwig was called into work by her boss, Defendant Strubin, a judge for the Fourth Judicial Circuit of Maryland, and told that she should provide him with 50 blow jobs to celebrate her birthday. When Ludwig refused, Strubin became enraged, and forcibly had sex with Ludwig, without her consent.

2. This heinous act, however, was not an isolated incident but part of a 4-year period during which Strubin required Ludwig to regularly have sex with him to keep her job. The terror that Ludwig experienced during this period – which included Strubin repeatedly telling Ludwig that if she did not have sex with him, she would lose her health insurance and not be able to receive life-saving cancer treatments – remains with her to this day.

3. Ludwig is filing this action to confront her tormentor and pursue meaningful change within the Maryland Judiciary, and other state entities, so that discriminatory and harassing behavior in the workplace can be prevented, and not just managed after abuse, harassment, and/or assaults have occurred.

### **THE PARTIES**

4. Plaintiff Loriann Ludwig is an adult individual who resides in Garrett County, Maryland.

5. Defendant Raymond G. Strubin is an adult individual who resides in Garrett County, Maryland.

6. Defendant Strubin is also a member of the Maryland Judiciary and currently serving a term as Circuit Court Judge for Garrett County, Maryland. As the only Circuit Court Judge in Garrett County, Defendant Strubin also serves as the Administrative Judge for Garrett County.

7. At all relevant times, Defendant Strubin acted under color of Maryland law and is a “person” within the meaning of 42 U.S.C. § 1983, subject to liability for violations of the Fourteenth Amendment to the United States Constitution.

8. Defendant Strubin is being sued individually and in his capacity as a member of the Maryland Judiciary and Judge for the Fourth Judicial Circuit of Maryland.

### **JURISDICTION AND VENUE**

9. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 in that Ludwig’s claims arise under the laws of the United States and Ludwig seeks redress for violations of federal laws. The Court has supplemental jurisdiction over the remaining claims

pursuant to 28 U.S.C. § 1367, because such claims are so closely related to Ludwig's federal claims that they form part of the same case or controversy.

10. Venue is proper in this district pursuant to 28 U.S.C. § 1391(a) and (b)(2) as a substantial part of the events or omissions giving rise to Plaintiffs' claims occurred in this district.

### **FACTUAL BACKGROUND**

#### **A. The current structure of the Maryland Judiciary permits judges to act with impunity in the workplace**

11. Judges in Maryland are required to comply with state and federal laws, just like any other citizen. However, the mechanisms responsible for ensuring a judge's compliance with workplace laws and regulations in Maryland are lacking.

12. While the courts and Commission on Judicial Disabilities provide individuals with some recourse, those forums are reactionary measures and often require an individual to endure severe and pervasive behavior before issues can be addressed.

13. As a result, harassment by judges – like the harassment that Ludwig endured for years by Strubin – can go unchecked for years. Sometimes, indefinitely.

#### **Maryland Judiciary**

14. The Maryland Judiciary is one of the three branches of government for the State of Maryland, and its power and authority are provided by the Maryland Constitution. See Md. Const., Art. IV.

15. The Maryland Judiciary is a sprawling branch of the Maryland Government comprised of a four-level court system (Court of Appeals, Court of Special Appeals, Circuit Courts, and District Court), numerous commissions and committees, and state-funded support agencies.

**Circuit Courts of Maryland**

16. Circuit Courts are trial courts of general jurisdiction and are the only courts in Maryland empowered to hold jury trials. In Maryland, each county and Baltimore City has a Circuit Court.

17. In 2019, there were 173 Circuit Court Judges who handled major civil cases, serious criminal matters, and all family matters including juvenile.

18. The Circuit Courts are grouped into eight geographical circuits, each with two or more counties, except for the Eighth Circuit, which consists of Baltimore City.

19. In Garrett County, there is only one Circuit Court judge: Defendant Strubin.

20. As the only Circuit Court judge in Garrett County, Strubin also serves as County Administrative Judge and, as a result, wields a tremendous amount of influence in the courtroom and county.

21. In Garrett County, there is no mechanism or process to supervise, monitor, or address Judge Strubin's behavior in the workplace.

22. While Strubin administratively reports to the Circuit Administrative Judge for the Fourth Judicial Circuit of Maryland, it is believed that the position of Circuit Administrative Judge has no independent authority to discipline or remove Strubin from his position.

23. It is believed that the primary role of the Circuit Administrative Judge is to advance the operational needs of the Fourth Judicial Circuit to the Maryland Judicial Conference ("Conference").

**Maryland Judicial Conference**

24. The Conference is an entity within the Maryland Judiciary which is comprised of all judges of the Court of Appeals, Court of Special Appeals, Circuit Courts, and District Court. The Chief Judge of the Court of Appeals serves as Chair of the Conference, and the State Court Administrator serves as Executive Secretary.

25. The Conference exists to review the status of judicial business in the various courts and consider improvements to court practice and procedure.

26. The Conference also evaluates and recommends legislation and discusses proposals to improve the administration of justice and the judicial system in Maryland.

27. The Conference does not manage a Maryland judge's compliance with federal or state law. The Conference also does not supervise the behavior of Maryland judges.

28. The purpose of the Conference is to ensure that the Maryland Judiciary complies with its constitutional mandate.

**Employees of the Maryland Judiciary**

29. Employees of the Maryland Judiciary, which does not include judges, are managed by the Administrative Office of the Courts ("AOC").

30. Pamela Harris is the State Court Administrator and head of the AOC, and Harris oversees the management of over 4,000 employees and an approximate budget of \$566 million.

31. The AOC is responsible for creating and implementing policies which govern the workplace. In 2017, the State Court Administrator adopted policies that apply to all employees of the Maryland Judiciary, which included the "Policy Prohibiting Discrimination, Harassment, and Retaliation." ("EEO Policy")

32. The EEO Policy prohibits discrimination, harassment, and retaliatory behavior in the workplace.

33. In theory, the EEO Policy should eliminate, or at least stem, discrimination, harassment, and retaliatory behavior in the workplace. In practice, it fails.

34. The glaring issue with the EEO Policy is its failure to account for the realities of working in a smaller county.

35. In the Circuit Court for Garrett County, the EEO Policy required Strubin to inform and train all employees of the Maryland Judiciary on the EEO Policy. The EEO Policy also required Strubin to designate an EEO coordinator, who would be responsible for the implementation of the EEO Policy.

36. Strubin never informed Ludwig about the EEO Policy.

37. Strubin never trained Ludwig on the EEO Policy.

38. Upon information and belief, Strubin never trained any employees of the Maryland Judiciary on the EEO Policy.

39. Upon information and belief, Strubin never designated an individual as EEO coordinator, as required by the EEO Policy.

40. As a result, when Strubin began to harass and abuse Ludwig, Ludwig believed that she had no other recourse but to endure Strubin's behavior.

41. The Maryland Judiciary's failure to implement any meaningful oversight over the training and implementation of the EEO Policy allows judges to act with impunity in the workplace.

**B. Strubin's abuse of his power and authority as a Maryland judge**

**Ludwig's romantic relationship with Strubin leads to a courtroom position funded by the State of Maryland**

42. In 2009, Strubin met Ludwig while she was employed at a local bookstore. The two developed a friendship, which eventually turned into a romantic relationship.

43. Since Strubin and Ludwig were both married, their time spent together was often limited to periods when they were both supposed to be working.

44. On August 26, 2014, then Maryland Governor Martin O'Malley appointed Strubin to fill the vacancy on the Circuit Court for Garrett County.

45. On September 22, 2014, Strubin began his term as the judge for the Circuit Court for Garrett County. Immediately after Strubin began his term as judge, he arranged for Ludwig to get a job as Jury Commissioner/Law Librarian for the Circuit Court for Garrett County.

46. Ludwig did not meet the qualifications for the position of Jury Commissioner/Law Librarian, but Strubin insisted that Ludwig take the job so that they would have more time for their romantic relationship at work.

47. Ludwig agreed to take the position, both because of her relationship with Strubin and the increase in pay and benefits from her then current job.

48. On September 29, 2014, Strubin offered Ludwig an employment contract for the position of Jury Commissioner/Law Librarian. The employment contract was made between the Circuit Court for Garrett County, Strubin, and Ludwig.

49. As soon as Ludwig began her employment with the Circuit Court for Garrett County, Strubin asked Ludwig to engage in a variety of romantic activities during work hours.

50. Ludwig genuinely believed that she was in a relationship with Strubin and would often rendezvous with Strubin at the local golf club for drinks and area motels for sex during work hours.

51. Strubin would also take Ludwig on trips, often while conducting business on behalf of the Maryland Judiciary.

52. As Strubin grew increasingly comfortable with his power and authority as a Circuit Court Judge, he became reckless and demanded that Ludwig have sex with him at work, in his chambers. Despite his recklessness, Strubin continued to tell Ludwig that they had to keep their relationship a secret.

53. In 2015, Ludwig became remorseful of her secret relationship with Strubin and told Strubin that she wanted to end things. Strubin, however, told Ludwig that if she stopped having sex with him, he would fire her.

**Strubin changes his relationship with Ludwig into a *quid pro quo* relationship**

54. Ludwig felt trapped by Strubin but continued working as Jury Commissioner/Law Librarian because she needed the money to live.

55. Meanwhile, Strubin continued to demand that Ludwig have sex with him at work. If Strubin was alone with Ludwig, he would initiate sex or require Ludwig to perform oral sex, wherever they were in the courthouse.

56. If other employees were present, Strubin would use hand signals to tell Ludwig when he wanted to have sex. For instance, if Strubin made a Vulcan salute hand gesture, it meant that he wanted to have sex that day. Ludwig would have to acknowledge this hand gesture by immediately calling or messaging Strubin and asking him, “are you sitting at your desk?” If Strubin responded with a “yes”, Ludwig would have to come to his chambers at 4:30pm for sex.

57. Strubin required Ludwig to have sex with him numerous times per week. Ludwig, however, continued to tell Strubin that she wanted to end their relationship.

58. Strubin initially responded to Ludwig's repeated rejection with romantic gestures. When those gestures failed, Strubin gave Ludwig jewelry and other gifts. When jewelry and gifts failed to ameliorate the situation, Strubin resorted to threats.

59. Strubin's threats began small, as he reminded Ludwig that he could fire her at any time if she stopped having sex with him. When Ludwig pushed back, Strubin told Ludwig that he was the most powerful man in Garrett County, and he would ruin her life if she ended their sexual relationship.

60. Ludwig continued to tell Strubin that she wanted to end their relationship, which enraged Strubin. Strubin then began proclaiming that he was more powerful than God and that if Ludwig stopped having sex with him, he would ruin her life and the lives of everyone she knew.

61. Despite these constant threats, Ludwig was ready to quit her job and end her relationship with Strubin. Unfortunately, Ludwig was diagnosed with an aggressive form of breast cancer in April 2016, and she had to keep her job in order to have the necessary health insurance so that she could stay alive.

**Strubin prevents a cancer-stricken Ludwig from ending their *quid pro quo* relationship**

62. Ludwig was forced to undergo chemotherapy and radiation as part of her treatment for breast cancer. These life-saving treatments were covered by the health insurance Ludwig received from work.

63. Although Ludwig's cancer treatments were necessary, they were also grueling and caused significant changes to her body, weight, and hair.

64. During Ludwig's cancer treatments, Strubin continued to force Ludwig to have sex with him. Strubin would often tell Ludwig that he liked the changes to her body because it felt like he was dating someone new.

65. Strubin would also ask Ludwig to wear different wigs to work because it allowed him to imagine that he was having sex with a different girl each time Ludwig changed her wig.

66. During this period, Strubin repeatedly threatened Ludwig and told her that if she ended their relationship, she would lose her job. Strubin would also cruelly remind Ludwig that if she were fired, she would not have the money to continue her chemotherapy treatments and would die.

67. Eventually, Ludwig's health improved, and she began to recover from breast cancer. As a result, Ludwig began to imagine a life without Strubin.

68. In April 2019, Ludwig told Strubin that she wanted to end their relationship. Strubin reminded Ludwig that she still needed her health insurance and that if she stopped having sex with him, he would fire her.

69. On April 29, 2019, Strubin called Ludwig to wish her a happy birthday. During this call, Strubin remarked that Ludwig should give him 50 blow jobs because she turned 50 years old that day. Strubin then demanded that Ludwig come to his chambers for sex.

70. When Ludwig went to Strubin's chambers, she told Strubin that she wanted to end things and would not be having sex with him. As Ludwig attempted to leave, Strubin became enraged and grabbed Ludwig and pushed her towards his desk. Strubin then slammed Ludwig's face down towards his desk, pulled down her clothes, and forcibly had sex with Ludwig, without her consent.

71. After Strubin finished, Ludwig immediately left work and never returned.

**C. Ludwig's Recovery**

72. In May 2019, Ludwig began receiving treatment for alcohol abuse. Ludwig had grown dependent on alcohol to deal with her trauma from Strubin.

73. In the summer of 2019, Ludwig began therapy, to continue her healing and to address the ways in which Strubin had damaged her life.

74. On October 29, 2019, Ludwig dual-filed a Charge of Discrimination with the Equal Employment Opportunity Commission and Maryland Commission on Civil Rights.

75. During the administrative agency process, an attorney from the Maryland Office of the Attorney General ("Maryland OAG") represented the interests of Strubin and the Maryland Judiciary.

76. The purpose of the administrative agency process is to attempt conciliation between the parties. Conciliation, however, is dependent upon a good faith effort from all parties.

77. In this situation, Strubin was completely shielded from the administrative agency process. For example, the parties conducted mediation through the EEOC but Strubin did not attend.

78. During mediation, Ludwig offered to be questioned by the Maryland OAG attorney. During her questioning, Ludwig provided the Maryland OAG attorney with detailed information about her relationship with Strubin. Counsel for Ludwig also offered to provide information about the motels Strubin used to have sex with Ludwig and pictures of the jewelry that Strubin provided Ludwig, along with any other information they possessed.

79. Despite providing the Maryland OAG attorney with this information, the Maryland OAG submitted a blanket and general denial in response to Ludwig's Charge of Discrimination. In their denial, the Maryland OAG detailed their investigation into Ludwig's

claims. Their investigation, however, appears to have been limited to speaking with Strubin and other employees of the Circuit Court for Garrett County.

80. Finally, the Maryland OAG defended Strubin and the Maryland Judiciary by arguing that the applicable federal and state laws concerning discrimination and harassment in the workplace did not apply to Ludwig's claims because Strubin drafted Ludwig's employment contract in a specific manner so that certain federal and state anti-discrimination laws would not apply based on the parties that were named in the employment contract.

81. Ludwig files these claims now to confront the trauma she experienced and to ensure that no other employee of the Maryland Judiciary is forced to endure the harassment and abuse she went through for years.

### **STATEMENT OF CLAIMS**

#### **COUNT I**

Battery  
(Ludwig v. Strubin)

82. Ludwig incorporates by reference the allegations in Paragraphs 1 through 81, as if fully set forth herein.

83. As described above, on April 29, 2019, Strubin summoned Ludwig into his chambers to have sex. When Ludwig entered the chambers, she explicitly told Strubin that she did not want to have sex. In response, Strubin grabbed Ludwig and prevented her from leaving. When Ludwig resisted, Strubin pinned Ludwig against his desk and slammed her head onto the surface of his desk. Strubin then removed Ludwig's clothes before having vaginal intercourse with Ludwig, without her consent.

84. There was no legal justification for Strubin's behavior on April 29, 2019, as Strubin acted intentionally and with malice when he forced Ludwig to have sex with him.

85. The acts and omissions by Strubin that are described in this Complaint constitute battery under Maryland law.

86. As a proximate result of Strubin's conduct, Ludwig has or will suffer substantial harm, for which Ludwig seeks general, compensatory, consequential, and punitive damages.

**COUNT II**  
False Imprisonment  
(Ludwig v. Strubin)

87. Ludwig incorporates by reference the allegations in Paragraphs 1 through 86, as if fully set forth herein.

88. On April 29, 2019, Strubin prevented Ludwig from leaving his chambers after she told Strubin that she did not want to have sex with him.

89. As described above, Strubin grabbed Ludwig, pushed her away from the door, and then pinned her against his desk before he sexually assaulted her.

90. There was no legal justification for Strubin's behavior on April 29, 2019, as Strubin acted intentionally and with malice when he prevented Ludwig from leaving his chambers and forced Ludwig to have sex with him.

91. The acts and omissions by Strubin that are described in this Complaint constitute false imprisonment under Maryland law.

92. As a proximate result of Strubin's conduct, Ludwig has or will suffer substantial harm, for which Ludwig seeks general, compensatory, consequential, and punitive damages.

**COUNT III**  
Intentional Infliction of Emotional Distress  
(Ludwig v. Strubin)

93. Ludwig incorporates by reference the allegations in Paragraphs 1 through 92, as if fully set forth herein.

94. For nearly five years, Strubin abused and harassed Ludwig as a way of controlling Ludwig and intimidating her to have sex with him, whenever he demanded.

95. The form of Strubin's abuse and harassment varied, but often involved verbal insults, threats, and physical violence.

96. At work, Strubin tormented Ludwig on a weekly basis and used this behavior to coerce and/or force Ludwig to have sex with him. For example, Strubin threatened to ruin Ludwig's life and the life of her family if she stopped having sex with him. Strubin also threatened to use all his power and authority as a Maryland judge to ensure that Ludwig would never be able to work anywhere in Garrett County if she quit her job.

97. Strubin would also constantly proclaim to Ludwig that he was more powerful than God and that there was no one that could prevent him from getting whatever he wanted.

98. As a result of Strubin's behavior, Ludwig was traumatized and developed depression, anxiety, and severe emotional distress.

99. Following the events of April 29, 2019, Ludwig never left her home as she was terrified of seeing Strubin.

100. Ludwig's life was permanently altered by Strubin's behavior as she was unable to work, care for herself, or even accomplish the most basic life tasks in the months following the sexual assault on April 29, 2019.

101. There was no legal justification for Strubin's use of threats, sexually harassing behavior, and use of violence against Ludwig from 2015 through 2019, as Strubin acted intentionally and with malice during this period.

102. The acts and omissions by Strubin that are described in this Complaint constitute intentional infliction of emotional distress under Maryland law.

103. As a proximate result of Strubin’s conduct, Ludwig has or will suffer substantial harm, for which Ludwig seeks general, compensatory, consequential, and punitive damages.

**COUNT IV**

42 U.S.C. § 1983 – Deprivation of Rights provided by  
the Fourteenth Amendment to the United States Constitution  
(Ludwig v. Judge Strubin)

104. Ludwig incorporates by reference the allegations in Paragraphs 1 through 103, as if fully set forth herein.

105. The Fourteenth Amendment to the United States Constitution guarantees citizens equal protection of the laws of the United States, with violations thereof giving rise to claims for relief under 42 U.S.C. § 1983.

106. 42 U.S.C. § 1983 protects against the “deprivation of any rights, privileges, or immunities secured by the United States Constitution and laws” by persons acting under the color of law. The right to be free from discrimination based on sex and sexual harassment in employment is a clear and well-established right, known to Strubin throughout the time period of the allegations in this Complaint.

107. The acts and omissions by Strubin that are described in this Complaint constitute discrimination based on sex and sexual harassment, which violated Ludwig’s right to equal protection of the laws, in violation of the Fourteenth Amendment to the United States Constitution, because Strubin was, at all times relevant, acting under color of state law and in his capacity as a member of the Maryland Judiciary.

108. There is no legitimate reason or governmental objective that could justify Strubin’s discriminatory and harassing behavior and his decision to condition Ludwig’s employment on sex.

109. As a proximate result of Strubin’s conduct, Ludwig has or will suffer substantial harm, for which Ludwig seeks general, compensatory, consequential, and punitive damages.

**COUNT V**

42 U.S.C. § 1983 – Deprivation of Rights provided by  
the Fourteenth Amendment to the United States Constitution  
(Ludwig v. Judge Strubin)

110. Ludwig incorporates by reference the allegations in Paragraphs 1 through 109, as if fully set forth herein.

111. The Fourteenth Amendment to the United States Constitution guarantees citizens equal protection of the laws of the United States, with violations thereof giving rise to claims for relief under 42 U.S.C. § 1983.

112. 42 U.S.C. § 1983 protects against the “deprivation of any rights, privileges, or immunities secured by the United States Constitution and laws” by persons acting under the color of law. The right to be free from a hostile work environment is a clear and well-established right, known to Strubin throughout the time period of the allegations in this Complaint as Strubin subjected Ludwig to unwelcome conduct based on her sex when he required Ludwig to have sex with him to keep her job throughout the 2015-2019 period (on a near weekly basis), while Strubin used verbal threats and force.

113. The acts and omissions by Strubin that are described in this Complaint demonstrate that Ludwig was subjected to a hostile working environment, which violated Ludwig’s right to equal protection of the laws, in violation of the Fourteenth Amendment to the United States Constitution, because Strubin was, at all times relevant, acting under color of state law and in his capacity as a member of the Maryland Judiciary.

114. There is no legitimate reason or governmental objective that could justify Strubin's discriminatory and harassing behavior and his decision to condition Ludwig's employment on sex.

115. As a proximate result of Strubin's conduct, Ludwig has or will suffer substantial harm, for which Ludwig seeks general, compensatory, consequential, and punitive damages.

**REQUESTS FOR RELIEF**

Accordingly, Ludwig requests that this Court enter judgment on her behalf and enter an order directing the award of other relief, as follows:

- A. Finding that Strubin committed the act of battery when he sexually assaulted Ludwig on April 29, 2019;
- B. Finding that Strubin committed the act of false imprisonment on April 29, 2019;
- C. Finding that Strubin committed acts which constitute intentional infliction of emotional distress;
- D. Finding that Strubin deprived Ludwig of her constitutional rights under the Fourteenth Amended to the United States Constitution;
- E. Awarding Ludwig back pay, front pay, lost benefits, and other emoluments of employment and such other relief as is necessary to make her whole;
- F. Awarding Ludwig compensatory damages for pain, humiliation, and emotional distress;
- G. Awarding Ludwig punitive damages;
- H. Awarding Ludwig attorneys' fees and costs;
- I. Awarding Ludwig pre- and post-judgment interest as provided by law; and

J. Awarding Ludwig any other relief to which she is entitled and/or which this Court deems necessary and proper.

A jury trial is demanded for all claims triable by jury

Respectfully submitted,

/s/ Sammy Y. Sugiura

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