

**Press Release – January 20, 2006 12:00 p.m. – Baltimore, Maryland**

**Temporary Restraining Order Granted by US District Court in Baltimore Against Howard County**

**Complaint of Disability Discrimination Filed by Parents of Diabetic Child, Along With Motion for Temporary Restraining Order and Permanent Injunction**

Tracey and Wade McDavid, parents of eight year-old Hunter McDavid filed a federal lawsuit against Howard County, the Howard County Council, and the Howard County Department of Recreation and Parks alleging unlawful discrimination under the Americans With Disabilities Act. The county operates a parks and recreation center as part of Licensed Recreational Childcare program. Hunter, who is a diabetic, attends the county's program for about four hours a day. Hunter needs insulin and may also require a glucagon injection as an emergency measure should he lapse into unconsciousness due to his sugar levels. The County Dept of Recreation and Parks' policy or custom was that it did not have to provide a trained staff person to administer either insulin or glucagon to Hunter, even if necessary to save Hunter's life. As of result of the County's decision, the McDavids were forced to file a federal lawsuit alleging discrimination under Title II of the ADA, a violation of the 14<sup>th</sup> Amendment to the U.S. Constitution, and a violation of Maryland's Declaration of Rights.

Jeffery C. Taylor, Esq. and Michael J. Snider, Esq. filed the Complaint along with a request that a Temporary Restraining Order (TRO) and preliminary injunctive relief be issued. United States District Court Judge William Quarles heard oral arguments from the parties on January 13, 2006 regarding the request for a TRO. The county's attorney, Richard Baseshoar, Esq., argued that the county would suffer a financial burden if forced to provide a staff person on site to attend to any needed emergency care for Hunter. Mr. Taylor argued that any financial concerns of the county were outweighed by the potentially disastrous result should Hunter not be provided immediate medical attention by a trained staff person due to his diabetes.

Represented by the Baltimore employment law firm of Snider & Associates, LLC, the McDavids obtained the TRO. As a result of the court's Order, the county must now provide a trained staff person on site to administer glucagon and insulin to Hunter, if necessary to save his life, while the parties continue this litigation. For now, the McDavids are protected from the nightmare of losing their son's life based on the county's refusal to provide emergency medical care.

The County has refused to agree to extend the TRO willingly, so the parties are scheduled to appear before US District Court Judge J. Frederick Motz on

Monday, January 23, 2006 to argue whether a permanent injunction should be entered on behalf of Hunter McDavid.

The court's decision is a victory for the disabled and county residents in general because it will lead to overall better policies and procedures for disabled children who attend the county's recreational programs.

**Issued by :**

Snider & Associates, LLC

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