

Circuit Court for Montgomery County
Case No. 485861V

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND**

No. 1007

September Term, 2022

YOSEPH SEYOUM

v.

CARLOS SALVADO, *ET AL.*

Wells, C.J.,
Nazarian,
Beachley,

JJ.

Opinion by Nazarian, J.

Filed: August 22, 2023

* This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for persuasive value only if the citation conforms to Maryland Rule 1-104(a)(2)(B).

**At the November 8, 2022 general election, the voters of Maryland ratified a constitutional amendment changing the name of the Court of Special Appeals of Maryland to the Appellate Court of Maryland. The name change took effect on December 14, 2022.

Yoseph Seyoum filed a legal malpractice suit against his former attorney, Carlos Salvado, and Mr. Salvado's law firm alleging that they had mishandled Mr. Seyoum's protective order case. The malpractice case proceeded to trial in the Circuit Court for Montgomery County and a jury returned a verdict in favor of Mr. Salvado. Mr. Seyoum appeals and challenges three of the circuit court's evidentiary rulings. We affirm.

I. BACKGROUND

A. Pre-trial Litigation.

On May 26, 2021, Mr. Seyoum filed a legal malpractice suit against Mr. Salvado and his law firm, Salvado, Salvado & Salvado, PC.¹ He alleged that Mr. Salvado, in his capacity as Mr. Seyoum's attorney, mishandled his representation of Mr. Seyoum in a protective order proceeding that involved Mr. Seyoum's minor child and the child's mother, Mr. Seyoum's estranged wife. In preparation for trial in the malpractice case, the court issued a scheduling order that required the parties to identify expert witnesses by August 27, 2021. Although the scheduling order was revised several times, the deadline by which the parties were to designate their experts was not extended. Mr. Seyoum identified one expert witness by this date, Darin Rumer, whom he designated to testify about the standard of care in legal malpractice cases involving protective order proceedings.

On April 20, 2022—eight months after the court's deadline to designate expert witnesses—Mr. Seyoum filed a motion for leave to identify an additional expert witness. He argued that he should be permitted to designate an additional expert witness, despite

¹ References to Mr. Salvado include both him and his law firm unless we say otherwise.

his delay, because he had learned through discovery that he required “an expert to testify to the extensive damages caused by the posting of negative information about him on the internet.” Mr. Salvado opposed the motion and argued that allowing Mr. Seyoum to designate an expert eight months after the deadline would “prejudice [Mr. Salvado] in [his] efforts to defend this matter and jeopardize the existing trial date,” which was set for July 25, 2022. On May 4, 2022, the court denied Mr. Seyoum’s motion. Mr. Seyoum filed a motion to reconsider that the court denied on June 17, 2022.

On June 13, 2022, Mr. Salvado filed two motions *in limine*: the first sought to exclude witnesses Mr. Seyoum sought to call to testify about his alleged reputational damages and the second sought to exclude a number of Mr. Seyoum’s damages claims. Mr. Salvado’s first motion alleged that in response to Mr. Salvado’s interrogatories, Mr. Seyoum identified lay witnesses to provide information that would only be admissible at trial if those witnesses were designated as expert witnesses. Mr. Seyoum opposed this motion and argued that the information he sought to elicit from those individuals was not expert testimony.

Mr. Salvado’s second motion *in limine* sought to preclude consideration of certain damages. Mr. Salvado argued that Mr. Seyoum could only prove damages to his reputation by presenting expert witnesses, but again had failed to designate any expert who could provide such testimony to support his claim. He also asserted that based on Mr. Seyoum’s deposition testimony, Mr. Seyoum could not demonstrate lost income or psychological and emotional distress damages and should be excluded from claiming them during trial. Mr.

Seyoum argued again that expert testimony wasn't required to support a claim for reputational damages and that Mr. Salvado had failed, as a matter of law, to explain why his reputational damages claims should be excluded. Therefore, Mr. Seyoum contended, the question of harm to his reputation must be resolved by a jury rather than on a motion *in limine*. On July 18, 2022, the court granted in part and denied in part both of Mr. Salvado's motions. The court ruled that "[e]vidence of purported damages to [Mr. Seyoum]'s reputation will be precluded" because Mr. Seyoum was required to designate an expert witness to testify to these damages at trial and failed to do so. The court also granted the portion of Mr. Salvado's motion relating to evidence of psychological or emotional distress, but deferred its ruling on whether Mr. Seyoum could present evidence of lost income.

Mr. Seyoum also filed a motion *in limine* of his own to exclude evidence that one of his fact witnesses, Sylvia Adams, had been suspended from the practice of law in Maryland. On July 11, 2022, the court denied that motion.

B. The Trial.

A four-day jury trial began on July 25, 2022, and we'll discuss the portions relevant to this appeal.

During his direct examination, Mr. Seyoum testified that he participated in other litigation prior to the protective order hearing:

[COUNSEL FOR MR. SALVADO:] You've been involved in other litigation haven't you?

[MR. SEYOUM:] Yes, sir.

* * *

[COUNSEL FOR MR. SALVADO:] You filed a lawsuit against [WAZE].

[MR. SEYOUM:] Yes, sir,

[COUNSEL FOR MR. SALVADO:] and [the] thrust of the suit was that they had stolen your technology.

[MR. SEYOUM:] Allegedly, yes.

On cross-examination, Mr. Seyoum also was questioned about litigation against Millennium Development, Inc. and a suit involving one of his prior business partners, Mussee Leakmariam:

[COUNSEL FOR MR. SALVADO:] You also were in some litigation in the District of Columbia concerning a company Millennium?

[MR. SEYOUM:] Yes.

* * *

[COUNSEL FOR MR. SALVADO:] There was some litigation . . . between Mr. Leakmariam, and . . . another individual in the company, right?

[MR. SEYOUM:] Yes, sir.

[COUNSEL FOR MR. SALVADO:] And there were some allegations there that you had used company funds inappropriately to pay your personal expenses, right?

[MR. SEYOUM:] After, after I sued him, or we sued, he counter-sued us for that.

Mr. Seyoum's attorney did not object to any of the questions until counsel for Mr. Salvado offered the Superior Court filing in the case involving Mr. Leakmariam into evidence. At a bench conference, the court sustained Mr. Seyoum's objection and excluded the exhibit.

On the second day of trial, Ms. Adams testified as a fact witness for Mr. Seyoum. Mr. Seyoum intended to use Ms. Adams's testimony to demonstrate that Mr. Salvado didn't interview Ms. Adams or present her testimony during the protective order

proceedings and committed malpractice in doing so. On direct examination, counsel for Mr. Seyoum questioned Ms. Adams about her suspension from practicing law in Maryland. Mr. Salvado's counsel objected to many of these questions and the court excluded them from the record. But the following portions were not objected to and came in:

[COUNSEL FOR MR. SEYOUM:] Well, was your suspension from the Bar as a result of that client's complaint?

[MS. ADAMS:] No.

[COUNSEL FOR MR. SEYOUM:] What was the cause of the suspension from the Bar? Just very, very briefly, please.

[MS. ADAMS:] I failed to file my income tax returns for three years.

Then, on cross-examination, counsel for Mr. Salvado indicated that he was going to offer the public disclosure of Ms. Adams's suspension from the Maryland Bar into evidence. Mr. Seyoum objected and a bench conference ensued:

[COUNSEL FOR MR. SALVADO]: . . . Good afternoon, Ms. Adams.

[MS. ADAMS]: Hello.

[COUNSEL FOR MR. SALVADO]: I'm not here to embarrass you, ma'am.

[MS. ADAMS]: Okay.

[COUNSEL FOR MR. SALVADO]: But I'm going to ask you a couple of questions that may prove to be embarrassing. I don't do it for any reason other than it's part of my job. If I could have this marked as 2. . . .

[COUNSEL FOR MR. SEYOUM]: Your Honor, I'm just going to object to this because you didn't allow me to ask her questions about this.

THE COURT: All right, hold on, hold on. I don't know where we're going or what this is, so.

[COUNSEL FOR MR. SALVADO]: May we approach?

(Bench conference follows:)

[COUNSEL FOR MR. SALVADO]: This is a print out from the Court of Appeals that I'm going to move as evidence.

THE COURT: Okay, and, I didn't allow you to ask what?

[COUNSEL FOR MR. SEYOUM]: Well, I asked her to explain what happened that led up to this incident. And that's what [counsel for Mr. Salvado] objected to, and I wasn't allowed to.

[COUNSEL FOR MR. SALVADO]: Sure, she said didn't file tax returns for three years. That's what she said.

THE COURT: Right.

[COUNSEL FOR MR. SALVADO]: That was her answer.

THE COURT: All right.

[COUNSEL FOR MR. SEYOUM]: But then, I asked her why she didn't file her tax returns and what the circumstances surrounding that were.

[COUNSEL FOR MR. SALVADO]: You asked her why.

THE COURT: I don't know that it matters. Does it?

[COUNSEL FOR MR. SEYOUM]: Well, I think it does. I think it's something that, you know, if [counsel for Mr. Salvado] is going to try to attack her credibility, she could have an opportunity to explain.

[COUNSEL FOR MR. SALVADO]: This is a matter of public record hearing, Judge, of what has happened and what she consented to.

THE COURT: All right, well, if he gets into this, I might let you ask her something on, you know, on redirect, but I—yes.

After the bench conference, Mr. Salvado offered the public disclosure of Ms. Adams's bar suspension into evidence:

[COUNSEL FOR MR. SALVADO:] Ma'am, let me show you what's been marked as Defendant's Exhibit 2 and have you take a look at that.

[MS. ADAMS:] Yes.

[COUNSEL FOR MR. SALVADO:] Do you recognize that, ma'am?

[MS. ADAMS:] Vaguely, yes.

[COUNSEL FOR MR. SALVADO:] And it indicates that you've been indefinitely suspended on October 28th, 2021, correct?

[MS. ADAMS:] Yes.

[COUNSEL FOR MR. SALVADO:] And it says that you knowingly failed to respond to Bar Counsel, correct?

[MS. ADAMS:] Yes.

* * *

[COUNSEL FOR MR. SALVADO:] And it says you committed a criminal act that reflects adversely on honesty, trustworthiness, or fitness as an attorney. Correct?

[MS. ADAMS:] Yes.

[COUNSEL FOR MR. SALVADO:] It also says that you engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. Correct?

[MS. ADAMS:] Yes.

[COUNSEL FOR MR. SALVADO:] And then, finally, it says you engaged in conduct that is prejudicial to the administration of justice. Correct?

[MS. ADAMS:] Yes.

[COUNSEL FOR MR. SALVADO:] And you agreed to this, right?

[MS. ADAMS:] Yes.

[COUNSEL FOR MR. SEYOUM:] He didn't read the entire thing.

[COUNSEL FOR MR. SALVADO:] Well, it goes on to say that you failed to file tax returns for three years, and you failed to provide complete, timely responses to Bar Counsel's request for information and documentation regarding the status of your tax returns, right?

[MS. ADAMS:] Correct.

[COUNSEL FOR MR. SALVADO:] I would move Defense

Exhibit 2.

The court conducted another bench conference, in which Mr. Seyoum’s counsel conceded that he “d[idn’t] care” whether the exhibit was admitted since it had been read onto the record:

THE COURT: We’re sort of going to get sidetracked here on this, I think.

[COUNSEL FOR MR. SEYOUM]: But I think he’s opened the door. I think I’ve got a lot, I’ve got to ask her a couple of questions about her version of what happened here.

* * *

THE COURT: All right, and I’ll give him a little bit of leeway on redirect.

[COUNSEL FOR MR. SALVADO]: You’re going to let this in.

THE COURT: What?

[COUNSEL FOR MR. SEYOUM]: I don’t care. It’s been read into the record.

THE COURT: All right, all right, go ahead, all right.

The court then admitted the exhibit into evidence.

After deliberating, the jury found that Mr. Salvado had not breached the applicable standard of care in handling Mr. Seyoum’s protective order case. Judgment in favor of Mr. Salvado was entered on August 5, 2022, and Mr. Seyoum filed a timely notice of appeal. We discuss additional facts below as necessary.

II. DISCUSSION

Mr. Seyoum raises four issues for our review which we have rephrased:² *first*, whether the circuit erred in admitting testimony about Mr. Seyoum’s previous litigation matters; *second*, whether the circuit court erred in precluding Mr. Seyoum from questioning Ms. Adams, a fact witness who testified on behalf of Mr. Seyoum, about her suspension from the Maryland Bar; *third*, whether the court erred in allowing Mr. Salvado to impeach Ms. Adams with evidence of her suspension from the Maryland Bar; and *fourth*, whether the circuit court erred in precluding Mr. Seyoum from presenting proof of harm to his reputation as a result of Mr. Salvado’s alleged malpractice. We affirm the circuit court’s decisions on all issues.

A. Mr. Seyoum Failed To Preserve His Challenge To Admitting Evidence of Mr. Seyoum’s Previous Litigation.

Mr. Seyoum argues that the court erred in admitting evidence of his involvement in three earlier lawsuits: (1) Mr. Seyoum’s suit against WAZE for theft of technology;

² Mr. Seyoum phrased his Questions Presented as follows:

- I. Did the circuit court abuse its discretion by allowing the admission of other litigation involving the Plaintiff?
- II. Did the circuit court err in allowing witness Sylvia Adams to be impeached regarding her bar suspension and with extrinsic evidence, and by further not allowing the Plaintiff to elicit the information on direct examination to minimize the sting of the information?
- III. Did the circuit court err in not allowing proof of reputational harm and damages as relevant to the standard of care?

(2) litigation involving Millennium Development; and (3) litigation involving Mr. Seyoum’s business partner. Mr. Seyoum alleges that the circuit court abused its discretion in allowing this evidence of past litigation to unfairly prejudice Mr. Seyoum by painting him as “chronically litigious.” Mr. Salvado responds that Mr. Seyoum’s counsel didn’t raise any objections during the cross-examination of Mr. Seyoum about his prior litigation, so the issue has not been preserved for appellate review. We agree with Mr. Salvado.

“It is trial counsel’s responsibility to let the court know what you want and, when necessary, to explain why your request should be granted.” Joseph F. Murphy, Jr., *Maryland Evidence Handbook*, § 100, at 3 (4th ed. 2010). When examining whether testimonial evidence should or should not have been admitted by the trial court, then, we begin our inquiry by determining whether the party challenging the court’s conduct preserved the point with a timely objection. *See* Md. Rule 8-131(a) (“Ordinarily, the appellate court will not decide any other issue unless it plainly appears by the record to have been raised in or decided by the trial court . . .”). The primary purpose of this rule is to ensure a fair proceeding for all parties and “to promote the orderly administration of the law.” *Brice v. State*, 254 Md. 655, 661 (1969) (*quoting Banks v. State*, 203 Md. 488, 495 (1954)). “The interests of fairness are furthered by requiring counsel to bring the position of their client to the attention of the lower court at the trial so that the trial court can pass upon, and possibly correct any errors in the proceedings.” *State v. Bell*, 334 Md. 178, 189 (1994) (cleaned up).

An objection is timely if it is made the moment evidence is offered to the court or

as soon as an objection to admissibility becomes apparent. *Ocean Plaza Joint Venture v. Crouse Const. Co.*, 62 Md. App. 435, 451 (1985). A party’s failure to make a timely objection “bars the[m] . . . from obtaining review of the claimed error, as a matter of right.” *Robinson v. State*, 410 Md. 91, 103 (2009). In other words, if a party fails to make a timely objection, they waive the right to raise the matter for review or appeal. *See Grandison v. State*, 425 Md. 34, 68–69 (2012) (finding that the defendant waived appellate review of an alleged defect in the jury instructions when he failed to object during trial); *see also Basoff v. State*, 208 Md. 643, 650 (1956).

When Mr. Salvado’s attorney questioned Mr. Seyoum about his prior litigation with WAZE and Millennium Development on cross-examination, Mr. Seyoum answered without any objection from his counsel. Mr. Seyoum’s attorney had objected to previous questions and also had objected to Mr. Salvado’s attempt to offer the Superior Court filing in the lawsuit involving Mr. Seyoum’s business partner into evidence. By failing to object when asked about them, Mr. Seyoum waived any challenge to the testimony Mr. Salvado elicited about his litigation with WAZE or Millennium Development.

Similarly, counsel never objected during Mr. Salvado’s cross-examination of Mr. Seyoum about the litigation involving his former business partner.³ Even when Mr.

³ There is some confusion about whether Mr. Seyoum is challenging the arguments made during the bench conference on the admissibility of the Superior Court filing (which Mr. Seyoum references in his brief) or whether he is challenging the testimony elicited about the litigation involving his business partner. Mr. Seyoum clarifies in his reply brief that he only is challenging the testimony elicited from Mr. Seyoum about the lawsuit, though, so that is the argument that we address here.

Seyoum admitted to using business funds to pay for personal expenses, including paying Mr. Salvado's fee for the protective order case, his attorney never objected. The only objection Mr. Seyoum's attorney made during this line of questioning was to opposing counsel's characterization of Mr. Seyoum's testimony, and the court struck that statement in agreement with Mr. Seyoum. No other objections were made, so we decline to review Mr. Seyoum's challenges to the testimony elicited about his prior litigation against WAZE, Millennium Development, and his former business partner.

Mr. Seyoum argues that it was “monumentally one-sided, unfair, and prejudicial” that the court permitted Mr. Salvado to present testimony about Mr. Seyoum's use of company funds for personal expenses but didn't allow the jury to hear “the information that favored Mr. Seyoum” But Mr. Seyoum points the finger at the wrong actor: it wasn't the court's responsibility to ensure that testimony favorable to Mr. Seyoum's case was presented, but his duty to question Mr. Seyoum about the litigation on re-direct if it were important to rehabilitate his credibility. And the court didn't restrict Mr. Seyoum's ability to develop this testimony in any way on re-direct examination. It was Mr. Seyoum's obligation—not the court's—to explore these topics and present the testimony supporting his case if he wished to do so.

B. Mr. Seyoum's Challenge To The Court's Exclusion Of Ms. Adams's Testimony About Her Suspension From The Maryland Bar On Direct Examination Is Not Preserved.

Mr. Seyoum intended to call Ms. Adams as a fact witness to demonstrate that Mr. Salvado committed malpractice for failing to interview Ms. Adams or present her

testimony during the protective order proceedings. Perhaps in an effort to guard her credibility from attack, Mr. Seyoum filed a motion *in limine* to exclude any evidence that Ms. Adams was suspended from the Maryland Bar. The court denied the motion.

Here’s where things get confusing. Despite trying to exclude any mention of Ms. Adams’s suspension, Mr. Seyoum—the party who supposedly wanted this information kept out—attempted to bring it in on direct examination by questioning Ms. Adams about her suspension from the Maryland Bar. Mr. Salvado—who, remember, had just defeated a motion *in limine* to exclude this testimony—objected to most of her testimony about the bar suspension. The court agreed with Mr. Salvado (who apparently had adopted Mr. Seyoum’s original position) and excluded the testimony:

[COUNSEL FOR MR. SEYOUM:] Now, you’re not a member of the Bar now. Will you explain to the ladies and gentlemen of the jury why you’re not a member of the Bar now?

[MS. ADAMS:] In 2019, I got, I was, at the end of 2019, I was diagnosed with autoimmune hepatitis. And prior to that, my mother, who lived with me, my father had passed in 2007. My mother had fallen and broken her—

[COUNSEL FOR MR. SALVADO:] Objection.

THE COURT: Yes, sustained.

[COUNSEL FOR MR. SEYOUM]: We’re not going into all of the background. . . . If you could just explain in a very brief way, what happened to your Bar membership.

[MS. ADAMS]: Okay. I was suspended. My license was suspended. Because former clients filed a complaint against me with Maryland Attorney Grievance Commission. And, although, it was, in the end, nothing was determined to be—

[COUNSEL FOR MR. SALVADO]: Objection.

THE COURT: Sustained.

* * *

[COUNSEL FOR MR. SEYOUM:] And can you explain very, very briefly, why you had not filed your tax returns for three years?

[MS. ADAMS:] Because I did not have, I had to let go of my administrative assistant, and, so, that meant I had to do the legal work—

[COUNSEL FOR MR. SALVADO]: Objection.

THE COURT: Sustained.

Mr. Seyoum now argues that during trial, the court erred in refusing to allow him to question Ms. Adams on her suspension from the Maryland Bar and “minimize the sting of the information.” The issue isn’t preserved, but even if the court erred in sustaining those objections on direct examination, it resolved that error when it allowed the testimony on re-direct examination anyway.

A party may not claim error in a ruling excluding evidence unless the party is prejudiced by the ruling and “the substance of the evidence was made known to the court by offer on the record or was apparent from the context within which the evidence was offered.” Md. Rule 5-103. “Ordinarily, a formal proffer of the contents and relevancy of the excluded evidence must be made in order to preserve for review the propriety of the trial court’s decision to exclude the subject evidence.” *Merzbacher v. State*, 346 Md. 391, 416 (1997); *see also Muhammad v. State*, 177 Md. App. 188, 281 (2007) (“A claim that the exclusion of evidence constitutes reversible error is generally not preserved for appellate review absent a formal proffer of the contents and materiality of the excluded testimony.”). That said, a formal proffer is not an absolute requirement for preservation where the court hears the testimony and “the relevance [is] apparent from the context.”

Devincentz v. State, 460 Md. 518, 539 (2018).

Again, Mr. Seyoum sought *in limine* to keep this testimony out altogether, and now he's complaining that it wasn't allowed in unfettered. As such, the relevance of this testimony to Mr. Seyoum's case wasn't obvious at the trial, so Mr. Seyoum was required to proffer its relevance to preserve the issue for appellate review, and he didn't. *See Ndunguru v. State*, 233 Md. App. 630, 637 (2017) (Because defense counsel "did not proffer the basis for the admissibility of the excluded testimony" after the state objected to his question and the court sustained the objection, the defendant's challenge to the exclusion was unpreserved for the Court's review). The only theory he articulated sought the opposite result, and he never made in the circuit court the argument that he makes now, *i.e.*, that he wanted to get ahead of the bad facts on direct examination. The circuit court never had a chance to consider that flip-flop, and we decline to consider it for the first time here.

Regardless, even if we were to assume that the court erred in sustaining defense counsel's objections to Ms. Adams's testimony, any error was cured when, during her re-direct examination (and in response to Mr. Seyoum's questions), she was given ample leeway to explain why she had been suspended from the Maryland Bar. So although the court precluded Mr. Seyoum from exploring Ms. Adams's bar suspension on direct, it gave him the opportunity to question Ms. Adams about her version of events on re-direct examination and to mitigate any damage to her credibility that might, in theory, have resulted from Mr. Salvado's cross-examination. In other words, the testimony that Mr.

Seyoum complains wasn't elicited on Ms. Adams' direct examination eventually was elicited on re-direct, rendering any error potentially committed by the court resolved during the trial.

C. Mr. Seyoum's Challenge To Mr. Salvado Impeaching Ms. Adams's Credibility Using Extrinsic Evidence Has Been Waived.

Next, Mr. Seyoum argues that Mr. Salvado impeached Ms. Adams improperly on cross-examination with extrinsic evidence of her suspension from the Maryland Bar. Mr. Salvado responds that he attacked her credibility properly and did not do so with extrinsic evidence. Once again, we decline to reach the merits because Mr. Seyoum waived it.

On cross-examination, defense counsel indicated that he was going to offer the public disclosure of Ms. Adams's suspension from the Maryland Bar into evidence. Mr. Seyoum objected "because [the court] didn't allow [him] to ask her questions about this." The court agreed to consider allowing Mr. Seyoum to explore Ms. Adams's bar suspension on re-direct, and the cross-examination continued. Then, Mr. Salvado's attorney, who seemingly was trying to lay foundation to enter "Defendant's Exhibit 2" into evidence, essentially read the document onto the record. He elicited specific statements from the document—not yet in evidence—about Ms. Adams's indefinite suspension from the Maryland Bar for failing to file her tax returns and complete timely responses for the status of those tax returns. Despite Mr. Salvado reading the document onto the record before offering it into evidence, Mr. Seyoum's attorney didn't object once. Then, at a bench conference after defense counsel finally moved to enter the exhibit, counsel for Mr. Seyoum responded to a discussion about whether the exhibit should be admitted that "I

don't care. It's been read into the record," without making any objection or seeking a continuing objection to the cross-examination of Ms. Adams on her Maryland Bar suspension. Mr. Seyoum's attorney didn't indicate in any way that he objected to the document being admitted. Instead, he was concerned solely with ensuring that he received an equal opportunity to "ask [Ms. Adams] a couple of questions about her version of what happened."

The result is that Mr. Seyoum's challenges to this evidence fail. He never preserved any challenge to the admission of Ms. Adams's bar suspension testimony on the basis that the statements from the document were extrinsic evidence. And because he didn't object when Mr. Salvado read the document on the record, he waived any objection to the contents of the document affirmatively. That ends the inquiry there.

D. The Circuit Court Did Not Err In Precluding Evidence Of Reputational Harm.

Finally, the court issued an order before trial that precluded Mr. Seyoum from presenting evidence of damages to his reputation. The court reasoned that it already had denied Mr. Seyoum's motion for leave to identify an additional expert witness to testify to reputational damages on the grounds that his motion was untimely, and without expert testimony to qualify this evidence, any evidence of reputational damages would be inadmissible. Mr. Seyoum argues on appeal that the court erred in precluding testimony of reputational harm before and during trial. But we need not reach the merits on this issue either because the jury returned a verdict finding that Mr. Salvado didn't breach the standard of care, a defense verdict on liability that cuts off any issues of damages. Because

we are affirming the circuit court on the first two challenges Mr. Seyoum raised, the jury’s verdict and the court’s judgment in favor of Mr. Salvado remain undisturbed, and any error relating to the potential admissibility of damages evidence (if there were any) necessarily would be harmless. *See Shear v. Motel Mgmt. Corp. of Am.*, 61 Md. App. 670, 691 (1985) (“In light of the fact that the jury found *no* liability on the part of the [defendant], any error . . . with respect to the amount of damages that could be awarded was clearly harmless error.”).

**JUDGMENT OF THE CIRCUIT COURT
FOR MONTGOMERY COUNTY
AFFIRMED. APPELLANT TO PAY
COSTS.**