

# American As Apple Pie ...

# Trial By Jury

Juries continue to create a disturbing trend in deciding damage awards. These awards remain a serious financial burden for American business, and our nation's regulatory and legal systems in general.

The cases listed are representative of the hundreds received each month from small and middle-sized companies. They stress the many ways the business owner is charged with violating city, state and federal employment law and why Employment Practices Liability Insurance is an essential purchase for business owners/managers.

*The names have been changed to protect the privacy of the business and the claimant.*

## Allegation:

### Sex Discrimination and Wrongful Termination –

The original demand filed with the state human rights commission and the EEOC from Carla Berry was for \$28,000.

**A settlement was negotiated for \$23,235.81** with her plastics company employer.



## Allegation:

### Disability Discrimination, Wrongful Termination and Related Tort Counts –

The claimant, Cody Beasley filed the charge with the county superior court. The company rehired Beasley prior to him filing the suit. Mr. Beasley settled with his promotion company for \$31,000. The defense expenses totaled \$18,198.04.

**Final cost: \$49,198.04**



## Allegation:

### Wrongful Termination –

The claimant Lucille Albertson alleged that she was discharged based on her pregnancy-related disability. She and her hair salon employer settled the case for \$55,000. Defense costs totaled \$3,165.19.

**Final cost: \$58,165.19**



## Allegation:

### Sexual Harassment, Discrimination and Retaliation –

Ruth Baker sent her letter to the insured seeking loss based on her allegations. She settled with her restaurant employer for \$57,500.

Defense costs, fees and payment to the mediator ran \$18,957.14. **Final cost: \$76,457.14**

## Allegation:

### Sex Discrimination & Violation of the Equal Pay Act –

Mary Gross initially filed her suit with the EEOC and later refiled it with a U.S. District Court. Ms. Gross settled with her printing company employer for \$75,000. Defense costs totaled \$38,801.18.

**Final cost: \$113,801.18**



## Allegation:

### Wrongful Termination, Breach of Implied Contract, Promissory Estoppel, Defamation and Outrageous Conduct –

Richard Butler filed the complaint with the state district court. After three years of mediation, the claimant settled with his cleaning supplies employer.

**Final cost: \$903,000 including defense and settlement.**



**Allegation:**

**Workers' Compensation Retaliation –**

Shawn McPherson filed the complaint with the county circuit court. The claimant and his photo lab employer settled for \$500. Defense fees and costs \$5,603.71.

**Final cost: \$6,103.71**



**Allegation:**

**Age Discrimination, Intentional Infliction of Emotional Distress and Disability Discrimination –**

Claimants James Brogran and Alfred Wiggins filed a complaint in the judicial district of the state. They settled with their healthcare employer for \$63,300 (\$18,300 to Brogran and \$45,000 to Wiggins) at mediation. Arbitration costs totaled \$2,562.50. Defense fees and costs: \$25,031.67.

**Final Costs: \$90,894.17**

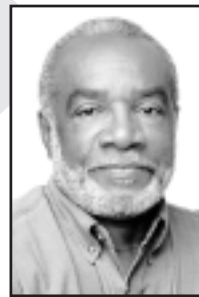


**Allegation:**

**National Origin Discrimination, Breach of Implied Contract, Promissory Estoppel, Infliction of Emotional Distress, and Related Claims –**

A complaint was filed in a state superior court where the parties Ethelle Bijornick and her manufacturer employer settled for \$7,000. Defense costs were \$6,649.62.

**Final cost: \$13,649.62**



**Allegation:**

**Wrongful Termination, Race Discrimination & Defamation –**

Claimant Bernard Alexander filed suit alleging racial discrimination, wrongful termination and defamation by his furniture store employer.

The case settled at mediation for \$25,000. Defense fees and costs: \$34,234.31

**Final Costs: \$59,234.31**

**If You Get A Bad Jury ... You Can Get Clobbered!**

These actual settlements and defense costs prove how employment law is the most universal business exposure today. The liability system, supported by plaintiffs' lawyers, gives your employees a powerful incentive to file suit.

Cut your potential losses! Call your insurance agent or broker and get the protection you need.