

THE ZAPPIA LAW FIRM

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— Labor & Employment Law —

SPECIAL UPDATE

PUBLIC AND PRIVATE EMPLOYERS

November 18, 2014

\$185 MILLION JURY AWARD

IN SINGLE PLAINTIFF GENDER DISCRIMINATION CASE

Yesterday, a California federal jury awarded \$185 million in punitive damages to a former AutoZone manager, Rosario Juarez, who alleged she was fired after complaining that she was demoted after giving birth.

The jury, which had already awarded her over \$872,000 in compensatory damages on Friday, awarded this record breaking award for a single employee yesterday after finding AutoZone's alleged gender discrimination to be malicious.

Juarez joined the company in 2000 and was promoted to parts sales manager in 2001. Her complaint alleged that she noticed a disparity between men and women in the company. Out of 98 stores in the San Diego area, only 10 had female managers. The complaint says that she was promoted to the position of store manager in October 2004, but only after she complained about the disparity. She alleged that after she informed the company of her pregnancy in November 2005, her district manager urged her to step down, saying she would not be able to handle the responsibilities of running the store and being a mother at the same time. She alleged that after her son was born in May 2005, she continued to be discriminated against. She complained about the discrimination again, but her complaint was ignored, and she was demoted in February 2006. The complaint alleged that AutoZone then devised a scheme to justify firing her through its loss prevention program. A customer service representative allegedly misplaced an envelope with cash from the register, and Juarez was blamed and subsequently terminated for the loss in November 2008.

Juarez v. AutoZone Stores Inc. et al, U.S. District Court for the Southern District of California Case Number 3:08-cv-00417.

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This tops what we believe to be the reigning single employee award of \$167 million as reported in our Special Update of April 2012.

Whistleblower Wins \$167 Million Jury Verdict - The Largest Judgment for a Single Victim of Workplace Harassment in U.S. History! – A Sacramento jury awarded a \$167 million verdict (including \$125 million in punitive damages) to a former physicians’ assistant. The plaintiff claimed she was terminated after repeatedly filing complaints to human resources regarding hospital conditions, safety practices, and individual sexual harassment against her. Her complaints ranged from: a bullying surgeon who once stabbed her with a needle and broke the ribs of an anesthetized heart patient in a fit of rage; to another surgeon greeting her each morning with an "I'm horny" comment and a slap on her bottom; to a third surgeon who called her "stupid chick" in the operating room and made disparaging remarks about her Armenian heritage, asking if she had joined Al Qaeda. The jury rejected the hospital’s claims that the plaintiff was guilty of professional misconduct after numerous current and former employees testified to a litany of abuses which “depicted a culture of vulgarity and arrogance they said humiliated female employees and put patients at risk.”

Chopourian v. Catholic Healthcare West, (E.D. California 2012) ____ F.Supp. ____.

<http://www.juryverdictalert.com/jury-verdicts/item/employment/chopourian-v-catholic-healthcare-west>