

# Verdicts & Settlements

FEB. 14, 2001

## *Sabrina Cooper-Lannan v. Kelly, Bauersfeld, Lowry & Kelley, et al.*

(BC218062)

Result: Dec. 07, 00

L.A. Superior Van Nuys  
HON Michael Harwin

**Topic:** Employment Law

**Sub topic:** Wrongful Termination

Sub-sub topic: Sexual Harassment

**Jury verdict:** Defense

**Attorneys:**

**Plaintiff** – W. Michael Hartman, Canoga Park

**Defendant** – Frank Nemecek, Nemecek & Cole, Sherman Oaks

**Facts:** The plaintiff worked for the defendant law firm as a legal secretary for almost 12 years. In 1997, the partner for whom plaintiff worked semi-retired to Hawaii. The plaintiff was reassigned to another partner in the firm whom she allegedly did not like. The plaintiff allegedly became unhappy with her co-workers and her job assignment. In December 1998, plaintiff went on a three-week vacation and did not return to her employment. The defendant law firm paid the plaintiff through January 1999.

**Contentions:** The plaintiff contended that during the entire course of her employment she was subjected to unwelcome sexual comments and that she was wrongfully terminated from her position. The plaintiff maintained that the lawyer defendants shot rubber bands at her breasts, asked her if

she had breast implants, asked if her breasts were “real or Memorex” and offered to give her breasts the “squeeze test” to determine if they were real. The plaintiff alleged that defendants asked her to bend over to file in order to look up her dress and stood over her desk to look down her blouse. The defendants denied all of the plaintiff’s allegations. The defendants contended that she was content and happy until the partner for whom she worked for ten years semi-retired to Hawaii. Thereafter, the defendants maintained that plaintiff became a magnet for discord in the office, was disrespectful of her co-workers and refused assignments from lawyers in the firm. The defendants contended that the plaintiff agreed to release them from any claims if they paid her through January 1999.

**Damages:** The plaintiff claimed damages for emotional distress of \$35,000 and argued that she lost income because she had taken a part-time job following January 1999.

**Jury Trial:** Length seven days Poll 12-0; Deliberation 30 minutes

**Settlement Discussions:** Prior to trial, the plaintiff demanded \$300,000. The defendants offered \$12,500, which was withdrawn during trial.