

Buckley Bala Wilson Mew LLP Secures Record-Setting \$3.47M Verdict

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Buckley Bala Wilson Mew LLP, an award-winning employment and civil rights law firm based in Atlanta, recently secured the largest single-plaintiff verdict in the history of the Northern District of Georgia. Attorneys Ed Buckley and Kyle Brooks represented plaintiff Tiphony Marshall in her lawsuit against Tidal Wave Response, LLC et al.

This week in a jury trial on damages, where liability had already been established, Ed Buckley and Kyle Brooks of Buckley Bala Wilson Mew LLP, presented to the jury damages in a case involving Tiphony Marshall, an office manager for Tidal Wave Response, LLC, and John Myers, its owner. The case involved evidence of virulent racial and sexual harassment of Ms. Marshall, culminating in a violent incident that caused her to flee from the workplace. At the last possible minute before trial, Tidal Wave Response and Myers sought a motion for continuance, claiming to have not known about the default judgment and trial, despite repeated notices of the case from plaintiff's counsel and from the court. Judge Grimberg denied their motion and ordered that the trial proceed. At that point, Myers and his lawyers declined to participate in the trial and fled the courtroom. Buckley and Brooks then presented a case to the jury, which included a reading of the admitted facts, followed by a day long presentation of damages, which included testimony by Mrs. Marshall, two of her co-workers who were present during the racial and sexual harassment, and her husband, who testified about the impact of the harassment on his wife.

After deliberating for about four hours, the jury returned a verdict for back pay of \$50,113.82; compensatory damages against John Myers for race discrimination, racial harassment, and retaliation under 42 U.S.C. § 1981 in the sum of \$300,140.00; a compensatory damages award of \$20,140.00 against Tidal Wave Response for sex discrimination, sexual harassment, and retaliation under Title VII; an award of punitive damages against John Myers for race discrimination under 42 U.S.C. § 1981 in the sum of \$3,000,000.00; an award of punitive damages against Tidal Wave Response, LLC, for race discrimination, racial harassment, and retaliation under § 1981 in the sum of \$50,000.00; and an award of punitive damages against Tidal Wave Response for sex discrimination, sexual harassment, and retaliation under Title VII in the sum of \$50,000.00. The verdict totaled \$3,470,393.82. Buckley has had several other seven-figure Title VII victories, prior to this one, including sexual harassment cases.

When asked about the verdict, Buckley said, "This is the first time I've had the defendant and their lawyers flee the courtroom during a trial. The admissions and evidence were presumably so overwhelming that they did not want to face the jury. The conduct of record

is despicable and not in keeping with the standards of our community. We asked the jury to state the values of the community in their verdict, and specifically to respond to the violation of the community standards that had taken place here. The jury did so, speaking out as one against racism and sexism in the workplace. This verdict was a team effort involving terrific detailed work by Kyle Brooks, a partner in our firm, as well as Bernadette Seals, our paralegal, who worked effectively to make our effort seamless.”

When asked about the verdict, Brooks said, “This verdict stands as an important statement by the jury that our community will not tolerate racial and sexual abuse in the workplace. The evidence in this case showed that Mrs. Marshall was subjected to roughly three and a half years of abhorrent, abusive conduct by John Myers and Tidal Wave Response. I am proud to have been a part of holding these Defendants responsible for their plainly illegal behavior. As Mr. Buckley said, this verdict was a result of a team effort, an effort that is consistent with the reputation our team at Buckley Bala Wilson Mew LLP has built for zealously representing the victims of workplace discrimination, harassment, and retaliation.”

About Buckley Bala Wilson Mew LLP

Buckley Bala Wilson Mew LLP is a preeminent employment and civil rights law firm headquartered in Atlanta. With an outstanding reputation for winning cases at trial and on appeal, the firm specializes in handling cases on behalf of employees and other individuals involving discrimination, retaliation, harassment, and other civil rights matters. For more information about the firm, visit www.bbwmllaw.com.

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