

# The Tennessee Jury Verdict Reporter

The Most Current and Complete Summary of Tennessee Jury Verdicts

February 2010

Statewide Jury Verdict Coverage

7 TJVR 2

*Independently Researched Jury Verdict Results Since 2004*

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## Civil Jury Verdicts

Timely coverage of civil jury verdicts in Tennessee including court, division, presiding judge, parties, case number, attorneys and results.

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### **Age Discrimination - Two deputy police chiefs with the City of Chattanooga alleged they were dismissed because of their age, the city hoping to use the money saved to higher younger (and less expensive) patrol officers**

*Vaughn et al v. Chattanooga Police*, 07-0543

Plaintiff: Lee Davis, *Davis & Hoss*, Chattanooga and R. Jonathan Guthrie, *Patrick Beard Schulman & Jacoway*, Chattanooga

Defense: Phillip A. Noblett, Michael A. McMahan and Patrick Bobo, *Nelson McMahan & Noblett*, Chattanooga

Verdict: \$333,546 for Cooke  
\$202,293 for Vaughn

Court: **Hamilton (Chancery)**

Judge: Frank Brown  
1-13-10

T.E. Vaughn, then age 59, was a police officer for 36 years with the City of Chattanooga. By the Spring of 2007, he was a deputy police chief. A second deputy police chief was Charles Cooke, age 49. He too had been with the police force for years, his service totaling 27

years. In May of that year, the newly appointed police chief, Freeman Cooper, told the pair their jobs were being abolished. Despite their years of service, each was told they had three days to clear out their offices. They were given an opportunity to apply for a civilian job or even better they could retire.

The police chief would explain the decision was motivated by a combination of budgetary and administrative reasons. At a city meeting, it was explained that the \$240,000 saved by eliminating these two positions could be utilized to hire more patrol officers. Administratively, the new chief also wanted to put his own people in the command structure – the government pointed to proof there was animosity between the two deputy chiefs and the new boss.

A month later Vaughn and Cooke sued the police and alleged the abolishment of their positions represented age discrimination. They thought the “budgetary reasons” cited by the police was a code to mask naked age discrimination. That is, by eliminating two long-serving and distinguished deputies, the government could hire

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<u>County</u>	<u>Case#</u>	<u>Verdict</u>	<u>Description</u>
Memphis	150	\$509,000,000	A surgeon-inventor alleged patent infringement by a medical device manufacturer
Plaintiff: Robert Krupka, Marc Cohen & Glen Reid, Memphis			
Davidson	78	\$105,500,000	An infant rear-seat passenger in a Chrysler minivan was killed when the seat in front of collapsed onto him
Plaintiff: J.E. Baker, Jr., George Fryhofer Leigh May, Atlanta, GA and Gail Ashworth, Nashville			
Shelby	143	\$58,278,000	Two passengers were killed in a Chrysler minivan crash that implicated both the B-Pillar design and the seat belts
Plaintiff: Larry Morris and Jeremy M. Knowles, Alexander City, AL & Richard Charlton, Memphis			
Shelby	1347	\$43,800,000	A six year old boy was left paralyzed after a serious crash. He blamed the design of the rear-seat seat belt design in his 1995 Ford Mercury Marquis
Plaintiff: J. Houston Gordon, Covington and Keisha Moses, Memphis			
Knoxville	1165	\$40,000,000	A technology firm that provided streaming on-line services, alleged its value was depressed by a breach of contract by a radio conglomerate
Plaintiff: Martin Bailey, Knoxville			
Davidson	84	\$26,500,000	Two computer programmers at HCA alleged the company falsely them of stealing company secrets.
Plaintiff: Thor Urness & Julie Burnstein, Nashville			
Shelby	1338	\$23,600,000	A young woman (24) reported a lump in her breast to her Ob-Gyn – the doctor thought it was nothing – months later the plaintiff was diagnosed with terminal cancer
Plaintiff: James Lees, Charleston, WV William Raiford, Clarksdale, MS			

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