## WAL-MART HIT WITH \$7.5 MILLION VERDICT IN DISABILITY DISCRIMINATION LAWSUIT

## PRESS CONFERENCE TODAY AT 4:00 PM

NEW YORK – February 24, 2005 – Last night, after a week-long disability discrimination trial in the Eastern District of New York before United States Magistrate Judge James Orenstein, a jury returned a verdict of \$7.5 million in favor of Patrick S. Brady, a 21 year old who suffers from cerebral palsy.

After one day of deliberation, the jury found that Mr. Brady was unlawfully discriminated against when he was transferred by Wal-Mart and a departmental manager Yem Hung Chin from his position in the pharmacy to a position picking up garbage and collecting shopping carts in the parking lot. The jury also found that Mr. Brady was asked impermissible pre-employment questions concerning his disability. After the trial, Mr. Brady stated that he was "very happy the jury believed in me."

Douglas H. Wigdor, a partner at Thompson Wigdor & Gilly LLP and lead counsel for Mr. Brady commented that "the jury verdict was well reasoned and thoughtful. The jury recognized from the evidence that we presented that Wal-Mart and Ms. Chin acted unlawfully and that Mr. Brady suffered severe emotional distress because of their actions." Christi Gallagher, a Wal-Mart spokeswomen, said in a statement "we are optimistic that the award will be substantially reduced or eliminated altogether."

In December 2001, Wal-Mart, in an effort to resolve numerous disability discrimination cases, entered into an agreement with the Equal Employment Opportunity Commission that governed their conduct under the Americans with Disabilities Act. Despite this Federal Court Order and the fact that Wal-Mart has been held in contempt of court for violating another Federal Court Order that governed Wal-Mart's compliance with the Americans with Disabilities Act, during the trial, conclusive evidence was presented concerning Wal-Mart's non-compliance. Mr. Wigdor commented that "Wal-Mart's failure to follow a Federal Court Order conclusively demonstrates their brazen attitude toward people with disabilities. While I had hoped that this jury verdict would send a message to Arkansas that they need to make whole-sale changes with respect to their treatment of people with disabilities, I am concerned by Wal-Mart's statement after the trial that they still don't get it."

There will be a press conference today at 4:00 PM at the law offices of Thompson Wigdor & Gilly LLP, located at 350 5<sup>th</sup> Avenue, Suite 5720, New York, NY 10118. Patrick Brady and his family will be present.

Other employees of Wal-Mart who feel they have suffered discriminatory treatment should contact the law of firm of Thompson Wigdor and Gilly LLP.

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**About Thompson Wigdor and Gilly:** Thompson Wigdor & Gilly LLP <a href="http://twglawyers.com/">http://twglawyers.com/</a> is a recently founded firm, specializing in handling high-profile, complex litigation and government investigations, as well as counseling clients in a wide array of substantive legal areas, including employment law, criminal law, sports and entertainment law, labor relations, and civil rights. They can be reached at (212) 239-9292 or info@twglawyers.com.