

Strafford

Litigating Damages in Employer Discrimination and Retaliation Cases

Strategies for Mitigating and Defending Damage Awards

A live 90-minute CLE [webinar/teleconference](#) with interactive Q&A

Wednesday, June 26, 2013 (Today)
1:00pm - 2:30pm EDT, 10:00am - 11:30am PDT

This CLE webinar will provide guidance to employment litigators for defending against and mitigating damage awards in discrimination and retaliation lawsuits. The panel will discuss the recurring issues that arise in damages determinations in employment suits in a still struggling work market.

Description

A struggling job market makes litigating damages in discrimination and retaliation cases far more challenging for employers' counsel. Juries are more inclined to consider the **lack of available jobs when deciding front pay awards**—and to grant emotional distress or punitive damages.

Employment counsel defending discrimination and retaliation lawsuits must determine their client's exposure and understand how to evaluate the evidence supporting a plaintiff's damages claim. Counsel should tailor **specific strategies for the current environment to mitigate, defend and settle damages awards**.

Listen as our authoritative panel of employment litigators examines recurring damages issues in discrimination and retaliation lawsuits in a down labor market and provides strategies for defending against and mitigating damages awards.

Outline

- I. Recurring damages issues in the current labor market
 - A. Sympathetic jury
 - B. Calculating front pay awards
 - C. Emotional distress damages
 - D. Punitive damages
- II. Strategies to mitigate and defend against damages awards
 - A. During litigation
 - B. During settlement

Benefits

The panel will review these and other key questions:

- How are judges and juries determining front pay awards in discrimination and retaliation cases in light of the still struggling labor market?
- What evidence is critical to defend against claims of emotional distress and punitive damages?
- What strategies have been most effective for employment counsel for mitigating damages issues during trial or settlement proceedings?

Following the speaker presentations, you'll have an opportunity to get answers to your specific questions during the interactive Q&A.

Faculty

PROGRAM MATERIALS

- Presentation
- CLE Form
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- CLE Form (PA)

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Strafford's webinars are easy to access and are current to my practice.

Carol Babbitt

Law office of Carol Coplan Babbitt

This was my first experience with an interactive CLE. It was good not to have to leave my office for the program.

Patricia Hays

Vestcom International

The subject matter presented was very relevant to my practice.

Nineveh Alkhas

Neal, Gerber & Eisenberg

I appreciated the clear nature of the presentation slides, as well as the Q&A section at the end.

Edmund Morrell

Alston & Bird

I really liked the examples and the slides were very helpful and made following along very easy

Rita Diaz

Timothy R. Newton, Partner
Constangy Brooks & Smith, Atlanta

He represents employers in state and federal court litigation involving employment discrimination under the Age Discrimination in Employment Act, Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, the Family and Medical Leave Act, and other state and federal laws. He also counsels and guides clients on resolving employee relations issues.

Joshua M. Davis, Director
Goulston & Storrs, Boston

He specializes in the area of labor and employment law and related litigation. He represents employers in a wide range of employment-related matters and provides counsel to companies in distress. His clients include financial services firms, law firms, pharmaceutical companies, media companies and non-profit entities.

Nonnie L. Shivers, Shareholder
Ogletree Deakins Nash Smoak & Stewart, Phoenix

She advises, counsels and represents private and public employers in all aspects of employment law, in particular defending employers against allegations of discrimination, sexual harassment and wrongful termination in state and federal court, as well as administrative forums.

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Strafford Publications, Inc. • 590 Dutch Valley Rd. NE • PO Box 13729 • Atlanta, GA 30324-0729 USA
Toll-Free: 1-800-926-7926 or 1-404-881-1141 • Fax: 404-881-0074

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