

JVR No. 810230 (E.D.N.Y.), 2005 WL 6430457

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United States District Court, E.D. New York.

DRAKE v. DELTA AIRLINES, INC.

1:94cv05944

DATE OF INCIDENT: April, 1993

DATE OF FILING: December, 1994

DATE OF TRIAL: July, 2005

TOPIC:

SUMMARY

Outcome: Plaintiff Verdict

Non Verdict Award: \$

Total Verdict: \$2,500,000

Judge Reduced Award To: \$

Claimed Past Medical: \$

Claimed Future Medical: \$

Claimed Past Wage Expense: \$

Claimed Future Wage Expense: \$

Plaintiff's Economist: \$

Defendant's Economist: \$

EXPERT-WITNESSES:

ATTORNEY:

Plaintiff: [Samuel O. Maduegbuna](#), New York, NY

Defendant: [Ira G. Rosenstein](#), New York, NY

JUDGE: [Frederic Block](#)

RANGE AMOUNT: \$2,000,000 - 4,999,999

STATE: New York

COUNTY: Not Applicable

SUMMARY

PLAINTIFF:

Sex: Male

Age: An adult of undetermined age.

PRIMARY STATUTE OR GROUND: Retaliation-General

SECONDARY STATUTE OR GROUND:

GENERAL ENTITY TYPE: Transportation

SPECIFIC ENTITY TYPE: Air Transportation

ADVERSE EMPLOYMENT ACTION: Termination

AMOUNT OF AWARD AFTER STATUTORY LIMIT: \$

ATTORNEY'S FEES: \$

DAMAGES:

Past Medical: \$

Future Medical: \$

Past Wage: \$

Future Wage: \$

Pain and Suffering: \$2,500,000

Other: \$

Total: \$2,500,000

Punitive: \$

Hedonic: \$

Other: \$

Interest: \$

Loss of Services: \$

FACTS:

A male former employee sued the defendant airline claiming retaliation and wrongful discharge in violation of federal law. The plaintiff alleged that he was wrongfully terminated in retaliation for being a union leader and organizer. The plaintiff further alleged that the defendant purposefully targeted him for multiple drug tests (three in a six-month period) as a means of creating the appearance that he cheated on his drug test in an attempt to eliminate well-known union leaders. The defendant denied the allegations and claimed that its drug-test subjects were randomly chosen by computer.

Jury Verdict Research

COURT:

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