

Weekend Spotlight

Elkhart man wins suit against Tyler Wal-Mart

From Staff Reports

An Elkhart man was awarded \$315,000 in damages Friday afternoon by a jury which found Wal-Mart Stores Inc. had wrongfully fired him based on discrimination.

An Anderson County jury deliberated several hours Friday in State District Judge Bascom W. Bentley's court before awarding Jeremiah McKenzie the damages and legal fees.

In its verdict, the jury indicated Wal-Mart had committed unlawful employment practices against the plaintiff and had engaged in unlawful intentional discrimination.

In his original petition filed February 1993, McKenzie said he was accused of theft while employed as auto center manager at the Tyler Wal-

Mart, but the charge was fabricated in order to fire the plaintiff in keeping with Wal-Mart's policy of discrimination toward blacks.

McKenzie's lead counsel, Jim Hankins, said they maintained, and the jury agreed, that the company wanted to fire him because he was black, and the theft allegation was a way to accomplish that.

McKenzie received \$250,000 in exemplary damages, \$50,000 for loss of past earnings, \$10,000 for past mental anguish, \$5,000 for loss of past credit reputation and \$500 for past mental anguish, embarrassment, humiliation and injury to character.

The jury awarded \$126,000 for the plaintiff's legal fees, and \$142,000 in legal services if the case is appealed to the Court of Appeals.