

gross misconduct because he told his clients that their liability insurance was bound before it was in fact bound.

#### DAMAGES

**According to Defendant:** \$300,000 past earnings; \$1,000,000 future earnings.

#### SETTLEMENT DISCUSSIONS

**According to Defendant:** Demand: \$1,000,000. Offer: \$5,000.

#### EXPERTS

**Plaintiff:** Not reported.

**Defendant:** William Witt, insurance broker, Los Angeles.

# 21

#### CASE INFORMATION

**Type:** Employment

**Court:** Los Angeles

**Name:** Dahn v. Rockwell International

**Case Number:** CS01692

**Judge:** James G. Hastings

**Trial Type:** Jury Trial

**Trial Length:** 15 Days

#### VERDICT/JUDGMENT

**For:** Plaintiff. \$2,393,000.

**Deliberations:** 2 days

**Vote:** 12-0 liability; 11-1 damages

**Date:** 06/19/92

#### COUNSEL

**Plaintiff:** *Brian J. Panish and Timothy J. Wheeler* Greene, Broillet, Taylor & Wheeler, Santa Monica.

**Defendant:** *William Highberger and Richard J. Doren* Gibson, Dunn & Crutcher, Los Angeles.

#### PARTIES

**Plaintiff:** Maurice Dahn, 55, business executive.

**Defendant:** Rockwell International.

#### FACTS/CONTENTIONS

**According to Plaintiff:** Plaintiff was employed by defendant Rockwell International as vice president of information systems in charge of an operating unit with 1,100 employees and a \$150 million budget. Over a 20-year period, he received excellent performance reviews, pay raises, bonuses and stock options. Rockwell became the victim of fraud by OPM, a third-party computer lease broker. OPM altered and forged computer lease contracts with defendant in order to

secure loans from financial institutions totaling over \$300 million. The altered leases were for computers used by the information systems center and were approved by a management committee, not by plaintiff. Plaintiff eventually discovered the fraud and OPM officials were indicted, convicted and sent to prison. Rockwell was subsequently sued by financial institutions in 19 separate lawsuits for malpractice by its in-house attorneys and for securities violations. Rockwell eventually settled these lawsuits for \$38 million plus \$9 million in attorney fees. Two years after plaintiff discovered the fraud, he was removed from his position and offered a staff job. He sued for wrongful termination, contending that he was made the scapegoat for the OPM fiasco, that he was the only Rockwell employee punished and that the way he was treated was the custom and practice at Rockwell. Defendant contended that plaintiff quit his job and that he was removed from his position because of poor job performance and the OPM situation.

#### DAMAGES

**According to Plaintiff:** \$1,800,000-\$3,100,000 lost income.

#### SETTLEMENT DISCUSSIONS

**According to Plaintiff:** Demand: \$800,000 (CCP 998.) Offer: \$0.

#### EXPERTS

**Plaintiff:** Raymond Schultz, Ph.D., economist, IBAR Settlement Co., Pasadena 818/584-3070. George Ott, executive search consultant, Pasadena 818/578-0551.

**Defendant:** Martin Wertlieb, executive search and compensation consultant, Malibu 310/456-0663. Roger Shlonsky, economist, Peat Marwick, Los Angeles 213/972-4000.

# 22

#### CASE INFORMATION

**Type:** Employment

**Court:** Los Angeles

**Name:** Grau v. California Federal Bank

**Case Number:** BC020559

**Judge:** G. Keith Wisot

**Trial Type:** Jury Trial

**Trial Length:** 6-7 Days

#### VERDICT/JUDGMENT

**For:** Defendants

**Deliberations:** 6 hours

**Vote:** 9-3

**Date:** 04/08/92

#### COUNSEL

**Plaintiff:** *Michele K. Williams* Shield & Smith, Long Beach.

**Defendant:** *William D. Cluster* Gibson, Dunn & Crutcher, Newport Beach.

#### PARTIES

**Plaintiff:** Susan Grau, 41, bank balancer.

**Defendant:** California Federal Bank. Michele Bonin, 31, bank supervisor.

#### FACTS/CONTENTIONS

**According to Defendant:** Plaintiff, a 10-year employee of defendant bank, was born with cerebral palsy. During a 1990 workforce reduction, she was the first person in her department to be laid off. She alleged defendant laid her off due to her handicap and defendant's failure to accommodate her special needs. Defendant contended it terminated plaintiff based on her poor performance, which was unrelated to her handicap.

#### DAMAGES

**According to Defendant:** \$225,000 lost income; \$300,000-\$500,000 emotional distress.

#### SETTLEMENT DISCUSSIONS

**According to Defendant:** Demand: \$300,000. Offer: \$50,000.

#### EXPERTS

**Plaintiff:** Raymond Schultz, Ph.D., economist, IBAR Settlement Co., Pasadena 818/584-3070. Edward I. Workman, Ed.D., vocational rehabilitation consultant, Workman Morris, San Clemente 714/496-6155.

**Defendant:** Not reported.

# 23

#### CASE INFORMATION

**Type:** Employment

**Court:** San Diego

**Name:** Barger v. Daly

**Case Number:** 632280

**Judge:** J. Richard Haden

**Trial Type:** Court Trial

**Trial Length:** 1 Day

#### VERDICT/JUDGMENT

**For:** Defendants

**Date:** 05/22/92