



Charleston, West Virginia Jury Awards \$1.7 Million in Age Discrimination Case

On October 1, 2009, a jury in [Charleston, Kanawha County, West Virginia](#) returned a verdict in an [age discrimination case](#), awarding James Nagy a total of \$1,750,450.

The Lawsuit

James Nagy filed suit in [Charleston](#) in March 2008 against [West Virginia American Water Company](#), alleging that he was fired in March 2007 because of his age at 53, after 23 years of employment.

James Nagy was represented by [Maria W. Hughes](#) and [Stephen Weber](#) at [Kay Casto & Chaney PLLC](#). [West Virginia American Water Company](#) was represented by [Mychal Schulz](#) at [Dinsmore & Shohl LLC](#).

The case is pending in Circuit Court in [Kanawha County, West Virginia](#), before Judge [Jennifer Bailey-Walker](#).

The Verdict

That \$1,750,450 verdict consisted of:

- \$200,450 for [past lost wages and benefits](#),
- \$900,000 for [future lost wages and benefits](#),
- \$150,000 for humiliation,
- \$150,000 for [emotional distress](#), and
- \$350,000 in [punitive damages](#).

Award of Attorney's Fees and Expenses

Under the [West Virginia Human Rights Act](#) (which prohibits age and other forms of discrimination in the workplace), Nagy's counsel filed a motion additionally requesting [attorneys' fees](#) and expenses.



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Judge Bailey-Walker awarded the plaintiff total [attorney's fees](#) of \$177,772.50, and \$8,855.33 in expenses.

Appeal

The Defendant is in the process of appealing. The issue of [attorneys' fees](#) was resolved by Judge Bailey-Walker on June 8, 2010, so the appeal process is in its early stages as of the date of this article being updated (July 31, 2010). As things develop in the appeal, I will update this article.



Written by [Drew M. Capuder](#) © ([contact information](#));
[Capuder Fantasia PPLC](#); 1543 Fairmont Avenue, Suite 207; Fairmont, West Virginia 26554
Voice: 304-333-5261; Fax: 304-367-1868

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