

Pierce v. Landmark Management Group, Inc.

Case Number

S-14-0867

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November 3, 2015

Court Number

Douglas

Case Summary

S-14-0867, Sybille Pierce v. Landmark Management Group, Inc., et al. (Appellant)

Douglas County, Judge Michael Coffey

Attorneys: Molly Adair-Pearson (Adair Pearson Law for Appellant) ' Craig Martin (Lamson, Dugan)

Civil: ADA and FMLA

Proceedings below: Partial summary judgment followed by jury verdict in favor of plaintiff. Plaintiff was awarded \$19,281.36 in back pay and benefits, \$19,281.36 in liquidated damages, \$2500 in other damages, and \$28,537.63 in punitive damages. Attorney fees were awarded to plaintiff in the amount of \$70,034.65.

Issues: 1. The trial court erred in sustaining Plaintiff's motion for partial summary judgment as to Defendants being integrated employers for purposes of the Family Medical Leave Act and excluding testimony regarding the Defendants not being integrated employers for purposes of the Family Medical Leave Act. 2. The trial court erred in excluding testimony regarding any mention of or reference to Plaintiff's receipt of unemployment benefits. 3. The trial court erred in excluding Defendants from introducing, discussing, mentioning, or referring to deposition exhibit No. 6, the undated handwritten note, bates labeled D000257. 4. The trial court erred in excluding testimony regarding any mention of or reference to the fact that Plaintiff did not report income earned from nannying on her state and federal income taxes. 5. The trial court erred in overruling Defendant's objections and allowing testimony and receiving exhibits containing hearsay and lacking in foundation. 6. The trial court erred in refusing to give certain jury instructions requested by Defendants. 7. The verdict of the jury is contrary to the facts and the law and is not supported by sufficient evidence. 8. The verdict of the jury is excessive and exorbitant, was the result of passion, prejudice, or mistake, and the jury disregarded evidence or rules of law. 9. The trial court erred by awarding unreasonable and excessive attorney fees. 10. The trial court erred in overruling Defendant's Motion for New Trial and failing to recuse.
