

which he was in default. Tesconi knew of Martin's financial problems and did not inform Reddy, counsel argued.

Tesconi denied that he arranged the investments or that he was the go-between. He asserted that he merely made an introduction.

Defense counsel denied the allegations and claimed that Reddy was fully advised and that she entered the transactions with her eyes wide open. Counsel argued that Reddy was aware of and appreciated the risk inherent in making the investments but nevertheless assumed these risks.

Defense counsel stated that the first several deals went well for Reddy.

**INJURIES/DAMAGES** Reddy sought compensatory damages of more than \$200,000 on each cause of action. She also sought punitive and exemplary damages.

**FACTS** The jury found that Reddy and Tesconi were in a friendly relationship and that Tesconi made false representations to Reddy. The jury also found that Reddy did not reasonably rely on the representations, and awarded her no damages.

**RISK'S NOTE** This report is based on court documents and information provided by plaintiff's and defense counsel.

—Jaclyn Stewart

## MARIN COUNTY

### EMPLOYMENT

Age Discrimination — Race Discrimination — Retaliation

## Employer denied that plaintiff's layoff was discriminatory

#### ARBITRATION Defense

**CASE** Natasha Hughes v. Sonnen Motorcars LLC,  
No. 090575

**COURT** Superior Court of Marin County,  
Marin, CA

**JUDGE** Richard L. Gilbert

**DATE** 10/15/2010

**PLAINTIFF**

**ATTORNEY(S)** Pamela O. Pitt, Law Office of Pamela O.  
Pitt, San Francisco, CA

**DEFENSE**

**ATTORNEY(S)** Daniel P. Costa, The Costa Law Firm,  
Gold River, CA

**FACTS & ALLEGATIONS** On Dec. 5, 2008, plaintiff Natasha Hughes, a 41-year-old black female, was terminated from her position as a service cashier at Sonnen Motorcars LLC

in San Rafael. Hughes started her employment with Sonnen Motorcars in March 2005.

Hughes sued Sonnen, alleging her termination was the result of age discrimination, race discrimination and retaliation.

Plaintiff's counsel argued that Hughes was wrongfully terminated while younger, less qualified employees were retained, and that younger female employees were given preferential treatment.

Sonnen Motorcars denied the allegations. Defense counsel argued that, due to the economy and lowered sales it experienced, it was necessary to downsize and layoff employees who were unnecessary, including Hughes. Moreover, Sonnen contended that it retained employees who were willing to go above and beyond their assigned tasks and demonstrate their ability to multi-task, which Hughes failed to do.

#### INJURIES/DAMAGES *emotional distress*

Hughes sought recovery of damages for loss of wages/salary and commissions, as well as emotional distress and attorney fees. She also sought to recover punitive damages.

**RESULT** The court found in favor of the defendant during a binding arbitration.

**DEMAND** \$255,843  
**OFFER** \$8,750

**INSURER(S)** Federated Mutual Insurance Co.

**EDITOR'S NOTE** This report is based on information that was provided defense counsel. Plaintiff's counsel did not respond to the reporter's phone calls.

—Aaron Jenkins

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