

Employment MVP: Shegerian & Associates' Carney Shegerian

By Aaron Vehling

Law360, New York (December 10, 2015, 7:06 PM ET) -- Carney Shegerian of [Shegerian & Associates](#) has secured millions of dollars in damages awards for workers fired for age, disabilities and injuries on the job, earning him a spot on [Law360's list of Employment MVPs for 2015](#).

The California-based plaintiffs attorney has won more than 70 jury trials over the course of his 25-year career, 30 of which were seven-figure verdicts. But it's not just about the joy of winning or the money, he says.

"I feel big for my clients and relate to their pain in a visceral kind of way," he said.

One case from 2015 involves a seven-figure verdict, but the facts of the case also stuck out to Shegerian.

In June, the state's appellate court affirmed a \$3.2 million verdict against the city of Los Angeles stemming from allegations that supervisors in the city's Department of Recreation and Parks harassed and discriminated against a disabled gardener.

Shegerian's client, James Duffy, who is in his 60s, had worked for the city for 20 years when he suffered a head injury on the job that left him with short-term memory issues.

Duffy endured a staggering onslaught of harassment. His supervisors told him they could kill him and no one would ever know, because he often worked in isolated parts of the vast city, Shegerian said.





Additionally, the all-Hispanic supervisors called Duffy "the dumbest white guy they ever knew," Shegerian said.

They also drove by Duffy's house at night to scare him, Shegerian said.

"It was hell for him and his wife," he said.

The net effect was a constructive termination, which means that the conditions were so bad that it was like they were firing Duffy because he had no other choice but to quit, Shegerian said.

Another big case occurred in July, when Shegerian won about \$8 million for a former [Rite Aid Corp.](#) manager who endured years of harassment and discrimination because of injuries he sustained trying to stop a robbery at his store.

Plaintiff Robert Leggins had stellar performance reviews for two decades before the 2007 robbery. The injuries meant he had trouble doing some physical tasks, in addition to having to medical leave several times over subsequent years to undergo surgery on his neck and spine, and he alleged that because of this he received steady harassment and was eventually fired six years later.

Rite Aid had said it suspended and ultimately fired Leggins for closing the store early on New Year's Day, but according to Shegerian the company signed off on the shorter operating hours months earlier and had for years allowed the practice.

Ultimately, the California state jury unanimously ruled in favor of Leggins on all his claims, including wrongful termination, disability bias, retaliation and discrimination.

"It underscores how the retail industry as a whole treats the disabled," Shegerian said. "It's really bad."

Shegerian said that the verdict was about more than money for Leggins, who took pride in his job and was devastated that he could be considered to be faking his disability or otherwise acting unethically.



"The family members told me they got him back after the trial process," Shegerian said.

Shegerian said he has had several meaningful cases in his career, overall, but former [Los Angeles Times](#) sports columnist T.J. Simers' suit alleging he was forced out because of his age is one that stands out prominently to him.

After nearly two days of deliberation following a six-week trial in November, the 12 jurors **returned with a \$7.1 million verdict** in favor of the 63-year-old Simers, formerly a prominent columnist for the paper's sports section, finding the paper had discriminated against him because of his age and because he suffered a transient ischemic attack, also known as a mini-stroke, in March 2013.

Although the paper has said it intends to appeal that verdict, Shegerian still sees it as a tremendous victory — albeit a challenging one.

"It was very difficult dealing with the publishing defendant, who had tremendous resources," he said.

The paper also had very well-prepared, articulate witnesses, but ultimately Shegerian was able to show that the paper's justifications for firing Simers — that Simers had unethically showed third parties previews of columns and that he hired unapproved people to edit videos for the paper — were a pretext.

He said being a plaintiffs attorney in employment law is enjoyable because "you are dealing with clients you really believe in."

It's also a busy practice area because it's not all that settled in many ways, he said. The many open questions about the nuanced world of employment law means he fields on average 30 calls a day from prospective clients, he said.

"People are overly litigious in that area these days," he said.

The native New Yorker has been in California since he moved to Los Angeles to attend law school at Loyola University 28 years ago. Shegerian spent the first five years of his career



as a defense attorney, doing a mix of business litigation and employment litigation. About 20 years ago, he decided to switch gears.

He attributed his track record to hard work and preparation. During a trial, he only logs a couple hours of sleep a night, he said.

"Preparation can't be overemphasized," Shegerian says. "I'm not the brightest and most articulate, but I can outwork any defense attorney or opposing counsel."

--Additional reporting by Daniel Siegal. Editing by Katherine Rautenberg.