$15M awarded to former Newark teacher with MS who says district retaliated against her

By Thomas Zambito | NJ Advance Media for NJ.com



A jury in Newark awarded $15 million to a former Newark schoolteacher with multiple sclerosis who said her bosses retaliated against her.

NEWARK A former Newark teacher who claimed her bosses retaliated against her by forcing her to teach kindergarteners even though they knew her multiple sclerosis was worsening, won a $15 million verdict today in state Superior Court.

Stephanie Davis, 45, began teaching in Newark in 1997, the same year she

was diagnosed with MS. Davis lawyers say her health deteriorated after she was removed from her job as a literary coach at an early childhood center and eventually sent to teach 5-year-olds.

While in the kindergarten job at the South 17th Street School, her supervisor criticized Davis work for a lack of vigor, her attorneys said.
It broke my heart, Davis said of the 2012 transfers that ended her 15-year career and forced her into an early retirement.

After an eight-week trial in Newark, a jury of five women and two men awarded Davis $12 million in compensation for her pain, suffering and lost wages. A short time later, they awarded her another $3 million in punitive damages, despite a plea from an attorney for the school district who said any additional money was unnecessary and would negatively impact the city 37,000 schoolchildren.

The message will be received loud and clear by the district, attorney Perry Lattiboudere told jurors before they began deliberations on the punitive damages. We get it. My clients get it.

After the $12 million award was announced, Lattiboudere told the jury, we are clearly disappointed with the decision but we respect your decision. It was unclear yesterday whether the district will appeal.

Davis attorneys, Kevin Barber and Christopher Hager, had argued that school officials purposefully ignored their clients requests for reasonable accommodations while they waged a nearly two-year retaliation campaign.

In these sorts of cases you need to punish them, Barber told jurors when asking that the jury also award punitive damages. They knew that her MS was getting worse. Her conditions were getting worse and what did they do? Absolutely nothing. Davis, who lives in the Vauxhall section of Union Township, wanted to remain in her job as a literary coach in a building where she had access to an elevator, her lawyers say. Her condition makes it

difficult to walk for long periods and she cannot climb stairs, they said.

School officials repeatedly turned back Davis claims of discrimination, according to the lawsuit she filed against the district. By March 2012, she was suffering from blurred vision, short term memory loss and dizziness, the lawsuit says.

Schools are responsible to make sure that our future generations get it right, Barber said. In a place of education they have to get it right.