



STOKES WAGNER Wins Jury Verdict For Hotel Bel-Air & Wolfgang Puck

LOS ANGELES, CA (6/14/16)

After a three-week trial, a Los Angeles jury returned a rare defense verdict in favor of **Hotel Bel-Air** and its **Wolfgang Puck Restaurant**. Seeking \$5.1 Million in compensatory damages plus punitive damages, Carney Shegerian and his team of three lawyers and other technical support staff -- California plaintiffs' attorneys advertising a 95% success rate -- was defeated by Stokes Wagner, including Arch Stokes, Peter Maretz, Diana Dowell, Adam Parry, Shirley Gauvin and paralegal Eleanor McCloskey. Mr. Stokes asked the jury to award Zero, and that is what they did.

Plaintiff Felix Huerta originally claimed 12 causes of action, including race discrimination, harassment, failure to prevent, negligent supervision, breach of implied contract, intentional infliction of emotional distress, etc. Huerta claimed that while working as an evening restaurant server at the iconic **Hotel Bel-Air's** famed **Wolfgang Puck Restaurant** he was subjected to racist taunts, bullying, assault and battery, and attacks by another server, in front of supervisors and managers. Huerta alleged vile and demeaning conduct, including calling him "mother-f___ing Mexican," "f___ing Mexican," "little b__ch," "beaner," etc. On December 21, 2013, the tension between the two servers resulted in an altercation. The matter was investigated and both were terminated.

Hotel Bel-Air had implemented a progressive employee handbook/contract that guaranteed no employee would be retaliated against for reporting bad behavior. The hotel even had a 24/7 "hotline," making it easy for employees to complain. Further, the hotel conducted regular training, encouraging employees to report any concerns. Mr. Huerta failed to report anything for almost two years.

In his Closing, Mr. Shegerian summoned images of Cesar Chavez and Martin Luther King, Jr., in his impassioned pleas to the jury for millions. **Hotel Bel-Air's** counsel, Arch Stokes, turned that argument on its head, quoting Dr. King's saying, "he who passively accepts evil is as much involved in it as he who helps to perpetuate it. He who accepts evil without protesting against it is really cooperating with it." Mr. Stokes argued that plaintiff Huerta laid in wait and taunted the supposed bully/harasser, provoking the physical altercation.



The jury returned a verdict in favor of the defense on all claims.

One of the Dorchester Collection hotels, the *Hotel Bel-Air* is a Five Star/Five Diamond luxury hotel property located in Bel Air, California.

Stokes Wagner specializes in the representation of hospitality and restaurant clients in labor and employment matters throughout the nation.

Please contact Peter Marez of Stokes Wagner at 619-237-0909/pmarez@stokeswagner.com for all inquiries.

Case Information:

Case Title: Felix Huerta v. Kava Holdings, Inc., et al.

Case Number: BC554145

Court: Los Angeles Superior Court, Central

Nature of Suit: Harassment, Discrimination, Failure to Prevent Harassment/Discrimination

Judge: Hon. Ruth Ann Kwan

Date Filed: August 8, 2014

Law Firms: Arch Stokes, Peter Marez, Diana Dowell, Adam Parry, Shirley Gauvin and paralegal Eleanor McCloskey, Stokes Wagner, ALC (Defendants); Carney Shegerian, Anthony Nguyen, Shegerian & Assoc. (Plaintiffs)

