



BERTINI O'DONNELL & HAMMER, PC

June 2010 Newsletter

Lisa Bertini served as faculty for the 19th Annual Employment Law Update in Richmond, Virginia in early May. She has recently been named co-chair of the Virginia Trial Lawyers Association's (VTLA) employment law section and will serve as a member of the VTLA Board of Governors.



Lisa O'Donnell was named one of the Influential Women of Virginia for 2010. The award recognizes outstanding efforts of women in Virginia for making notable contributions in their profession, community and society at large. Further, in May she attended the Judicial Conference of Virginia as an invited guest. The Judicial Conference is comprised of all circuit court judges in the Commonwealth of Virginia.



Amberley Hammer was accepted into the Million Dollar Advocates Forum. Membership is limited to trial attorneys who have achieved million and multi-million dollar results. Membership is based on ones' ability to demonstrate, in an objective and tangible way, their ability to accomplish superior results in complex cases. In addition, she is now serving on the litigation support committee for Virginia Trial Lawyers Association (VTLA).

Amberley Hammer and **Lisa O'Donnell** won an appeal from a case tried in Fredericksburg Circuit Court last year on behalf of a child with cerebral palsy. The jury awarded a verdict against an employer of a nurse midwife in the amount of \$939,000 and the Supreme Court of Virginia affirmed the verdict.



Amberley Hammer and **Lisa Bertini** went to trial for a motor vehicle accident case in which they received a jury verdict in the amount of \$77,000.00 on behalf of our client.

Lisa Bertini made employment law history in *Johnson v. Portfolio Recovery Associates, LLC*, No. 2008cv555, 2009 U.S. Dist. LEXIS 124635 (E.D. Va. June 12, 2009). In that case the Plaintiff was employed as an assistant VP for a company that purchased and collected delinquent debt. Following his termination, the Plaintiff claimed that he had been discriminated in his compensation based on his race. The Defendant employer initially argued that the Plaintiff's compensation discrimination claims were time barred to the extent the alleged discriminatory decisions were made more than 300 days prior to the filing of his EEOC charge. Prior to the passing of the Lilly Ledbetter Fair Pay Act, the Plaintiff's recovery would have been limited. However, under the FPA, a new 300 day clock is triggered for filing a Title VII discriminatory compensation claim with each discriminatory pay period. If a timely EEOC charge is filed for at least one instance of pay discrimination, the Plaintiff can recover pay for similar or related pay discrimination that occurred in the two years prior to the filing of the EEOC charge.

In May, **Bertini O'Donnell & Hammer** participated in a fundraising dinner at a Norfolk restaurant to support the ODU Child Development Center.



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