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PRESS RELEASE

Kern and Chess Successfully Defend AutoZone in Retaliation Case

New Orleans, La., and Miami, Fl., March 6, 2008— On February 26, 2008, Jones Walker Labor and Employment partners Tracy E. Kern and Laurie M. Chess received a defense verdict on behalf of AutoZone following a seven-day jury trial in a retaliation case in Wilmington, Delaware.

The plaintiff, an African American male, worked for AutoZone for two years as a part-time salesperson in its Smyrna, Delaware store. He filed an internal complaint of alleged racial bias against his store manager. Following the complaint, the plaintiff contends he was retaliated against by being denied a promotion to a full-time salesperson and/or parts sales manager position; disciplined unfairly for minor infractions; and given poor performance evaluations. The plaintiff further complained that he was subjected to a hostile work environment and constructively discharged as a result of his complaint. The employee sought to recover back pay, front pay, compensatory damages, attorney fees, and costs.

At trial, the plaintiff presented two former African American employees to support his position. AutoZone called its loss prevention manager, human resources manager, and district manager, all of whom testified the plaintiff was treated fairly. At the conclusion of the evidence, the Court granted AutoZone's motion to dismiss the plaintiff's claim of constructive discharge. The plaintiff's claims of hostile work environment and retaliation proceeded to the jury. After the jury deliberation, the jury entered a verdict in favor of AutoZone on all counts.



Kern



Chess

Tracy Kern received her J.D. from the Paul M. Hebert Law Center, Louisiana State University, in 1990 and practices from Jones Walker's New Orleans office. Laurie Chess received her J.D. from Tulane University Law School in 1997 and practices from the firm's Miami office. Jones Walker's Labor and Employment attorneys represent employers and their interests and counsel an array of companies in a wide range of industries throughout the United States in all aspects of labor and employment law. Combining more than

350 years of experience, Jones Walker's Labor and Employment attorneys offer clients one of the largest, most diverse, and well-seasoned labor and employment practices in the region.

Jones Walker provides the full range of legal services to a national and international corporate client base through offices in Florida, Louisiana, Texas, and Washington, D.C. For more information, visit www.joneswalker.com.

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