Jury Verdict Upheld In Disability Discrimination Case Reiter V. Maxi-aids, Inc.

January 26, 2018 • Results

On January 19, 2018, Judge Leonard Wexler for the Eastern District of New York upheld a July 21, 2016 jury verdict in favor of Wigdor LLP's client, Plaintiff Barry Reiter, against Defendants Maxi-Aids, Inc., a medical supply company, and its owner and CEO Elliot Zaretsky in a lawsuit involving claims of disability discrimination in violation of the Americans with Disabilities Act (ADA) and the New York State Human Rights Law (NYSHRL).

Mr. Reiter was disrespected and degraded by Defendant Zaretsky after disclosing a medical illness, and was terminated one day after requesting paid Family Medical Leave Act (FMLA) leave to care for his daughter, who had also fallen ill. On July 21, 2016, after a week-long trial in the Eastern District of New York, a jury found that Mr. Reiter was discriminated against on the basis of his disability, as well as his association with his daughter's disability, and imposed an award of $400,000 in punitive damages.

Defendants filed a post-trial motion arguing that there was insufficient evidence to prove Mr. Reiter's disability discrimination claims. The Court disagreed, finding that there was in fact sufficient evidence to support the jury's verdict. Defendants' motion for a new trial was thus denied and a verdict of liability was upheld in favor of Mr. Reiter. The $400,000 award was reduced to $50,000 due to an ADA statutory cap for punitive damages.

Mr. Reiter was represented by Wigdor LLP Partner Lawrence M. Pearson and Senior Associate Tanvir H. Rahman.

Statement from Lawrence M. Pearson, Partner at Wigdor LLP:

"We are very pleased with Judge Wexler's decision to uphold the verdict. This case shows that employees who suffer from discrimination can obtain punitive damages from juries where an employer has engaged in blatant discrimination." Law360
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