

CIVIL RIGHTS

# Student Alleges Sexual Orientation Discrimination

Plaintiff, a heterosexual member of the North Central College women's basketball team, claimed that she was discriminated against by the team's lesbian head coach (who supposedly favored a gay teammate over her), and asserted that she was retaliated against after her parents complained to school officials about the alleged discrimination. She says that the acts of discrimination caused her to quit the team during her junior year, and that her efforts to rejoin the team during her senior year were refused. The defense denied that any acts of sexual orientation discrimination occurred, argued that the perceived acts of favoritism (including a moderate reduction in playing time before she left the team) were the exercise of the coach's legitimate authority in addressing team rules violations by plaintiff, and maintained that the refusal to let her rejoin the team was due to plaintiff's academic conflicts, among other things.

**Plaintiff Asked:** \$1,000,000

**Defendant Offered:** Cost of Defense was indicated

**Verdict:** \$10,000 on the retaliation claim only.



From left to right: Manny Sanchez, JVR Editor John Kirkton and Brad Alexander.



**Manny Sanchez**  
Sanchez, Daniels & Hoffman LLP

Manuel "Manny" Sanchez is the founder and managing partner of Sanchez Daniels & Hoffman LLP, the second largest

minority-owned law firm in the United States. He has specialized in civil trial defense work for more than 35 years. In 1987, he and John Daniels founded the firm of Sanchez & Daniels.

Manny has recently been appointed or elected to public entities, including being appointed by President Barack Obama to the President's Advisory Commission on Educational Excellence for Hispanics.

Manny also regularly serves on the corporate boards of publicly traded companies. He also serves on non-for-profit Boards of Directors. He is a member of the Commercial Club of Chicago, Defense Research Institute, ABA, ISBA, CBA, Society of Trial Lawyers, Chicago Inn of Court, and American Board of Trial Advocates. He also serves as Chairman of the Board of Trustees of Northern Illinois University.

Manny has been honored by numerous organizations including "One of the Nation's Most Influential Hispanics." He holds a B.A. from Northern Illinois University and a J.D. from the University of Pennsylvania. Mr. Sanchez lives with his wife, Pat Pulido Sanchez in Chicago, Illinois.



Bradley Sanchez Hoffman

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**Bradley Alexander**  
Sanchez, Daniels &  
Hoffman LLP

Bradley D. Alexander is a partner with the firm of Sanchez Daniels & Hoffman LLP. Mr. Alexander has concentrated his practice of over

twenty years defending self-insured corporations in personal injury matters arising out of premises, vehicular and products liability, as well as consumer and contract dispute issues.

Brad was with the firm of Kiesler & Berman from 1988 - 1999; was recruited by and spent the next four years with The Hartford Insurance Company where he managed the High Exposure Team of claim consultants; and returned to the trenches of litigation in 2003 when he joined the firm, then known as Sanchez & Daniels.

Brad graduated from Loyola University of Chicago in 1985 and received his J.D. from the John Marshall Law School in 1988. He is a Chair Qualified Arbitrator in DuPage County and is the proud father of four sons.

Sanchez Daniels & Hoffman LLP is one of the largest minority-owned law firms in the US with over 25 years of experience specializing in civil litigation. It is a full service, civil practice law firm with expertise in litigation, personal injury, defense work, strict liability, tort, construction and toxic tort litigation, motor vehicle liability, insurance coverage, excess and reinsurance matters.

### Jury Verdict Case Details...

#### CIVIL RIGHTS--COLLEGE STUDENT ALLEGES SEXUAL ORIENTATION DISCRIMINATION (14)

Danielle Howell v North Central College 05L-554 Tried Jul. 18-27, 2011

**VERDICT:** \$10,000 on Count II retaliation claim (\$10,000 loss of normal life; \$0 emotional distress/pain & suffering); Not Guilty on Count I discrimination claim.

**JUDGE:** Dorothy F. French (IL, Du Page 18th Jud Cir)

**PLTF ATTYS:** Kent D. Sinson of Sinson & Sinson **DEMAND:** \$1,600,000

**ASKED:** \$1,000,000

**DEFT ATTYS:** Manuel Sanchez and Bradley D. Alexander of Sanchez, Daniels & Hoffman (Wheaton) **(CHUBB) OFFER:** cost of defense (indicated)

**FACTS:** Pltf F-20 junior at North Central College in Naperville was a member of the girls' basketball team in the fall of 2000. She claimed she was discriminated against by a lesbian head coach who favored a gay teammate and that she was retaliated against as a result of her parents having sent a letter to school officials complaining about the alleged discrimination/favoritism. Pltf's parents sent a five-page letter to the college President and Athletic Director outlining their beliefs as to the pattern of sexual orientation discrimination posited upon pltf by the homosexual head coach and the "gay friendly" (but heterosexual) assistant coach. Pltf contended the discriminatory acts drove her to quit the team mid-season on Dec. 20, 2000, and her efforts to rejoin the team during her senior year were refused, causing severe depression, academic interruption, a breakdown of her relationship with her parents, and several counseling sessions with a school psychologist. Pltf proceeded to trial on two breach of contract theories for violation of the Student Handbook's anti-discrimination and anti-retaliation provisions, and sought damages for emotional distress/mental anguish and loss of a normal life. Pltf did graduate from the college in 2002. The defense denied there were ever any acts of sexual orientation discrimination, and asserted pltf's own level of egocentrism prevented her from accepting that the perceived acts of discrimination/favoritism (including a moderate reduction in her playing time during the three weeks before she quit the team) were the exercise of legitimate authority and discretion of the coaching staff in enforcing team rules violations by the pltf. Those violations included unnecessary roughness by pltf toward a fellow teammate, a heated verbal exchange with a teammate, and missing a scheduled practice. The defense also denied pltf was retaliated against due to her parents' letter and argued that the refusal to allow her to rejoin the team for her senior year was due to pltf's academic conflicts and her adverse effect on team chemistry in general. The defense further contended pltf's emotional distress and mental anguish did not result from her experience with the basketball program but rather was due to five very significant personal life stress raisers that she discussed in an email sent to one of her professors in an effort to explain her sporadic classroom attendance. The Court granted the defense motion to bar claims for punitive damages, and also granted defense motions for summary judgment on claims for intentional infliction of emotional distress, negligent infliction of emotional distress, and spoliation of evidence. Pltf filed post-trial motions.