

\$650,000 in Harassment, CEPA Suit

Longo v. East Coast News: A Mercer County jury awarded \$650,000 on Jan. 27 on a Toms River woman's sexual harassment and whistleblower claims against her employer, a distributor of adult novelty products.

Doreen Longo, a sales representative for East Coast News in Hightstown, e-mailed supervisor David Pezzullo in January and February 2006 to complain that another sales representative, Marc Kercheval, allegedly called her a vulgar name, joked about her providing sex acts to clients in exchange for orders of merchandise, and threatened to rape her.

When Pezzullo did not answer Longo's e-mails, the complaint eventually reached company president Frank Koretsky, who issued Longo and Kercheval written reprimands. When Longo then complained of retaliation, she was dismissed and told it was because of her complaints, the suit alleged.

Longo, represented by **Andrew Dwyer** and **La Toya Barrett** of Dwyer's firm in Newark, claimed that East Coast failed to investigate her allegations. The company disputed that assertion, saying it had looked into her complaint and found it lacked merit. The company filed counterclaims over Longo's subsequent employment with another adult-products company, charging her with violating a noncompete clause, but Superior Court Judge **Douglas Hurd** dismissed the counterclaims before trial.

The jury awarded \$150,000 in compensatory damages and \$500,000 in punitive damages.

John MacDonald of **Stark & Stark** in Lawrenceville, who represented the defendants, along with **Stephanie Camarda** at the firm, says he plans to file motions for a judgment notwithstanding the verdict, a new trial and remittitur. He says the jury charge failed to recognize that a Conscientious Employee Protection Act suit must show that a member of upper management participated in the harassment or was recklessly indifferent to a plaintiff's harm.

— **By Charles Toutant**