

BALTIMORE COUNTY PAYS ANOTHER SETTLEMENT IN A FEDERAL ADA SUIT

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August 7, 2013

Another Baltimore County employee has achieved a substantial settlement under the Americans with Disabilities Act. William Galanti, a career laborer in the Department of Public Works, was forced out in 2011 after falling on the job and fracturing his hip. Mr. Galanti was forced to retire despite an excellent recovery well within the period of sick leave available to him.

Under the terms of the settlement, Mr. Galanti, now 71, will be reinstated to work effective September 1, 2013, earning \$45,630.00 a year and benefits, for so long as he chooses to work. He also will receive two years' back-pay, emotional distress damages, pension adjustments, and attorney's fees and costs incurred in his federal litigation, totaling approximately \$143,000.00. As part of the settlement, Mr. Galanti also will be able to obtain his full workers compensation award for his 2011 injury, as the County has agreed to cease its claim for a set-off, which would have fully cut off his workers compensation award. Mr. Galanti also will continue to receive his service retirement benefits, including the survivorship rights he elected to protect his wife but the County had fought. (The Baltimore County Board of Appeals ruled in Mr. Galanti's favor awarding him his service retirement and survivor benefits for his wife, but the County appealed. As part of this settlement, the County will dismiss with prejudice its appeal pending in the Circuit Court for Baltimore County.)

With his return to duty, Mr. Galanti looks forward to being able to serve Baltimore County's people again and completing his 30+ year career when he chooses – not prematurely based upon the County's illegal medical assumptions, bias and stereotypes. He and his family are grateful that he will be returning to work earning the income and benefits to which he is entitled and upon which they rely.

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This settlement follows the May 2013 settlement in excess of \$1,000,000.00 paid to three First Responders, and the August 2012 settlement paid to ten employees and applicants exceeding \$500,000.00. As well, in 2010, highly decorated Baltimore County police detective, William Blake, prevailed on his ADA claims before a federal jury and received a \$225,000.00 verdict. The County was then ordered to repay over \$500,000.00 in fees, expenses and costs incurred by Detective Blake in his six-year legal battle.

In 2007, the U.S. Department of Justice launched an investigation into the County's illegal employment practices. That investigation concluded in August 2012 with the Department of Justice filing suit for a "pattern and practice" of violating the ADA, and the County agreeing to submit to a three-year Consent Decree. The County remains subject to federal oversight under the Consent Decree.

Ms. Cahill, who, along with Benjamin Rosenberg, represented Mr. Galanti states: "Bill Galanti did hard, unglamorous work day-after-day for decades to keep our roads safe, sometimes in blazing sun and sometimes in blizzards. He is extraordinarily vigorous and committed at 71 years young, and we are thrilled he will be going back to work and receiving compensation for all he has been put through by the County. As his wife puts it: *'he just loves to work!'*"

About Kathleen Cahill Law:

Kathleen Cahill of the Law Offices of Kathleen Cahill LLC in Baltimore, Maryland, has been practicing employment and civil rights law for 30 years. For the last eight years Ms. Cahill has been named to Super Lawyers, and in 2013, to Super Lawyers' Top 100 Lawyers and Top 50 Women Lawyers. In 2012, Ms. Cahill was named by U.S. News and Best Lawyers as their Lawyer of the Year in the category of representing individuals in employment law matters.

About Benjamin Rosenberg:

Benjamin Rosenberg, the founder and Chairman of Rosenberg Martin Greenberg, is recognized as one of the preeminent litigators in Maryland. He handles major cases in state and federal trial courts and has argued many significant appeals. Ben is a fellow of The American College of Trial Lawyers and the Maryland Bar Foundation. He was named one of Maryland's top litigators in Chambers USA: America's Leading Lawyers for Business every year since 2006; a Benchmark: Litigation Leader each year since 2008; and is one of Maryland's top commercial litigators in Best Lawyers in America. He was also recognized as one of the top 100 lawyers in Maryland in the 2012 edition of Maryland Super Lawyers.