

A

ge Discrimination Litigation

by L. Steven Platt & Cathy Ventrell-Monsees

HIGHLIGHTS

Expert Guidance Helps You Win More Age Cases

Authors L. Steven Platt and Cathy Ventrell-Monsees share their expertise to help you get the best possible results. Their experience includes over 100 age discrimination trials and the submission of more than 50 amicus briefs.

In this 2003 update, you will receive valuable substantive and practical information that you can put to use right away. For example, you receive:

Answers to the following questions:

- Who is counted as an employee? *See Clackmas Gastroenterology Associates, P.C. v. Wells*, 123 S.Ct. 1673 (2003). **§1:70.10.**
- Does the ADA provide a cause of action based on the employer's more favorable treatment of older employees, also within the protected class? *See Cline v. General Dynamics Land Systems, Inc.*, 98 F. Supp. 2d 846 (N.D. Ohio 2000), *rev'd*, 296 F.3d 466 (6th Cir. 2002), *cert. granted, sub nom, General Dynamics Land Systems, Inc. vs. Cline*, 123 S.Ct. 1786 (2003). **§1:120.**
- What are the elements that must be included in every EEOC charge form? **§3:130.**
- Is there a greater burden of proof on employees in a failure to hire/promote case? **§5:90.**
- What is the Supreme Court's view of statistics in discrimination cases? *See Miller-EL v. Cockrell*, 123 S. Ct. 1029 (2003). **§8:30.10.20**
- What has been the effect of *Reeves* on the stray remarks doctrine? **§8:60.**
- How can the plaintiff effectively counter a motion in limine to exclude evidence of other acts of discrimination? **§10:20.80.**

10 New Forms!

The forms include an innovative **Motion to Strike Affirmative Defenses (§10:721)** to rid the case of boilerplate that serves only to

cause delay and obscure the real issues. Plaintiffs should file this motion in almost every case, but seldom do. Now you have the tools to make it easy. Additional forms include:

- Current EEOC Charge Form. **§3:120.10.**
- Plaintiff's First Set of Interrogatories to Defendant—Failure to Promote. **§4:200.10.**
- Interrogatories—RIF—State Human Rights Commission. **§4:251.**
- Plaintiff's First Set of Requests for Admissions. **§4:291.**
- Plaintiff's Memorandum in Opposition to Summary Judgment—Pretext. **§7:140.10.**
- Plaintiff's Motion to Exclude Manager's Testimony. **§10:20.100.**
- Plaintiff's Reply to Defendant's Motion to Exclude Evidence of Promotions of Younger, Similarly-Situated Workers. **§10:20.110.**
- Complaint—ADEA Willful; ADEA Non-Willful. **§10:694.**
- Separation & Release Agreement—Short Form. **§12:120.20.**

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