

Court Awards \$42.4 Million Against State of Indiana – Victory on Behalf of Indiana State Employees Believed to Be Among Largest Class Action Judgments Against State in History

INDIANAPOLIS, Indiana — An Indiana trial court has awarded more than \$42 million to current and former Indiana state employees who were required by the State of Indiana to work 40-hour workweeks from 1973 until 1993 even though other state employees holding the same positions were required by the State to work only 37.5-hour workweeks for exactly the same pay. Judge John Hanley of the Marion Superior Court issued findings of fact, conclusions of law and a judgment earlier this morning.

Suit was filed almost sixteen years ago, on July 29, 1993, when attorneys William A. Hasbrook and John F. Kautzman of Indianapolis-based Ruckelshaus, Kautzman, Blackwell, Bemis & Hasbrook filed the original class action complaint. The crux of the plaintiffs' complaint has from the beginning been that the State was not legally permitted to force state employees in particular job classifications to work 2.5 hours more per week than other state employees in the same job classifications, while still paying them exactly the same pay as their lower-hour counterparts. Sixteen years and one four-day bench trial later, the Indiana court agreed and found in favor of the plaintiffs, awarding \$42.4 million in damages for 20 years that the State continued making this unjust demand of certain of its employees.

Over the course of the litigation, the case has been up and down to the Indiana appeals courts numerous times, with the plaintiffs emerging victorious each time. The case had also been overseen by a succession of judges, until Judge Hanley set the case for trial in March of this year.

In 2008, the Ruckelshaus firm brought on Texas-based litigation firm Susman Godfrey LLP as co-trial counsel. Regarding the judgment, Steve Susman of Susman Godfrey said, "The Indiana state employees who are plaintiffs in this case have had to wait an extraordinarily long time for justice. But now that justice has come, these employees should finally be paid the full wage they earned so many years ago." Mr. Hasbrook of the Ruckelshaus firm said, "We thank our class representatives, all class members, and the Indiana State Employees Association for their patience and dedication in seeing the case through to this judgment. We are extremely pleased that the Court has validated the claims of Indiana's hard-working State employees."

The \$42.4 million dollar judgment is believed to be among the largest class action judgments against the State of Indiana in its history.

The plaintiff class was represented by Mr. Susman and two of his colleagues from Susman Godfrey, Jonathan Bridges and Stephen Shackelford, Jr., and by Mr. Hasbrook and Mr. Kautzman from the Ruckelshaus firm.