

PRESS RELEASE

Contact: Michael D. Donovan

DONOVAN LITIGATION GROUP, LLC

Donovan Litigation Group, LLC
<http://www.donovanlitigationgroup.com>
mdonovan@donovanlitigationgroup.com

1055 Westlakes Drive, Suite 155
Berwyn, PA 19312
Phone: 610-647-6067

DONOVAN LITIGATION GROUP, LLC ANNOUNCES THAT THE SUPREME COURT OF THE UNITED STATES HAS DENIED CERTIORARI IN *WAL-MART STORES, INC. v. BRAUN*, PAVING THE WAY FOR DISTRIBUTION OF OVER \$187 MILLION IN BACK WAGES TO PENNSYLVANIA WAL-MART EMPLOYEES

Berwyn, PA. March 28, 2016. The Donovan Litigation Group, LLC, is pleased and excited to announce that the Supreme Court of the United States issued an order today denying review of the \$187 million class action jury verdict obtained on behalf of Pennsylvania Wal-Mart employees for unpaid wages and off-the-clock work.

The Supreme Court's order leaves intact a December 15, 2014 decision by the Pennsylvania Supreme Court that resoundingly affirmed the decisions of two lower courts and a unanimous class action jury verdict issued in 2006. In October 2006, a Philadelphia jury found that 186,000 current and former Wal-Mart employees were owed \$78.5 million in unpaid wages for off-the-clock work and paid break violations from March 1998 through April 2006.

Subsequently, trial judge Mark I. Bernstein awarded an additional \$62.2 million in statutory liquidated damages, \$10.2 million in prejudgment interest, \$33.8 million in statutory attorney fees and \$11.9 million in non-statutory attorney fees, bringing the total judgment to over \$180 million. The Pennsylvania Superior Court affirmed the bulk of Judge Bernstein's judgment.

Wal-Mart attempted to argue in the United States Supreme Court that the class action should not have been certified and that due process required testimony from each of the 186,000 employees at the trial of case. The Pennsylvania Supreme Court rejected those arguments, saying the trial evidence supported the trial court's decisions and that Wal-Mart's own records provided proof of all of the workers' claims. The denial of review by the Supreme Court follows its recent decision in another wage and hour class action that was also tried to verdict, *Tyson Foods, Inc. v. Bouaphakeo*, where the Court upheld the use of representative evidence to establish the number and extent of unpaid hours worked by line workers at a Tyson pork processing plant. Class co-lead counsel, Michael D. Donovan, said: "We are gratified by the Court's decision and hope our clients will finally be paid all of the money they worked for and are owed by Wal-Mart."

The class of Wal-Mart employees was represented in the Supreme Court by Michael D. Donovan of DONOVAN LITIGATION GROUP, LLC (Berwyn, PA) and Judith Spanier of ABBEY SPANIER, LLP (New York, NY). This is another major appellate win for Michael D. Donovan in a class action appeal. In 2011, he also obtained a landmark decision affirming the class action judgment against Kia Motors America, Inc. for selling cars with defective front brakes, *Samuel-Bassett v. Kia Motors America, Inc.* The United States Supreme Court also refused to review that case.