

\$17 million

By Scott Sunde

OF THE TIMES HERALD STAFF

A Red Oak man who a year ago was making \$600 a week managing a drug-store has won a judgment of more than \$17 million from a Dallas County jury after complaining that his former employer wrongly fired him and damaged his reputation after accusing him of taking sexual favors from female co-workers.

Jon Jensen had worked for the Eckerd drug chain for six years and was managing a Duncanville store in January 1989 when he was fired for fraternization with employees. He sued Jack Eckerd Corp. a month later, saying it had defamed him and caused him emotional distress when it investigated.

On Wednesday, a state District Court jury agreed with Jensen and awarded him \$17.28 million, including \$10 million in punitive damages. Visiting Judge Bill Coker, who has yet to enter his final judgment, heard the case in 134th District Court.

"We are thrilled," said Robert Thornton, one of Jensen's attorneys. "I think it's the nature of the damage to Mr. Jensen that generated that kind of award."

A spokesman for the company at its Clearwater, Fla., headquarters expressed "absolute shock and disbelief in light of the evidence presented in this case."

Asked whether the company would appeal, he said, "We will do what is necessary to achieve a proper result in this matter."

Much of Jensen's suit focused on Eckerd's "Speak Up" program in which employees and customers could pass along suggestions and complaints to executives.

The lawsuit labeled the program as "nothing less than a return to the methods of the Spanish Inquisition."

As part of the program, an anonymous letter was sent to Eckerd that complained that Jensen was giving female employees special treatment in exchange for sex, according to the lawsuit.

"It is an unwritten law in order to advance all a female has to do is give Jon sex," court documents quoted the letter as saying. Jensen has denied the allegation, and Thornton said Eckerd's investigation never proved it.

Statements, rumors and an investigator's opinions were written down and shown to Jensen's supervisor, he added. Similar information was shown to at least two employees after he was fired Jan. 30, 1989, Thornton said.

Eckerd has 1,632 stores, including 407 in Texas, and annual sales of \$2.9 billion.