

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Entered
FILED IN CLERK'S OFFICE

JUN 28 1973

BEILINDA D. MARSHALL, CAROLYN A. :
SMITH, LINDA C. BRYANT, PATRICIA :
A. STAFF and LINDA HULTON, :

Plaintiffs :

vs. :

H. JACK PENDLEY and DAVID M. :
PENDLEY, d/b/a PENDLEY BROTHERS :
COMPANY, NATHAN E. CORNING, :
JOSEPH W. BARTLETT, WILLIAM R. :
RUSSELL, MORTIMER B. ZUCKERMAN, :
MARCUS C. BOGUE, JR., MILDRED A. :
PUTNAM and CHARLES D. POST, as :
Trustees of NATIONAL REALTY :
INVESTORS, :

Defendants :

BEN H. CARTER, Clerk
By: *BH* Deputy Clerk

CIVIL ACTION

NUMBER 16773

ORDER OF COURT

The within case came on to be heard by the Court without the intervention of a jury on June 13, 1973, and was concluded on June 22, 1973.

FINDINGS OF FACT

Based upon the evidence, the Court finds that on March 1, 1972, persons engaged in the management of the Sahara Club Apartment complex engaged in discriminatory acts against plaintiffs in violation of the provisions of the Civil Rights Act of 1968, 42 U.S.C. 3601, et seq.

That discrimination took the form of a false statement by the defendants' agent in charge of the apartment complex to plaintiffs (three black and two white airline stewardesses who, as a group, were seeking apartment accommodations) that there were no

2-bedroom or 3-bedroom apartments available for rent, when, in fact, there were such apartments available, and, of the further false information communicated by said agent to plaintiffs that a credit check would be required which would take two or three weeks to complete, whereas, in fact, if required at all such credit check could be completed in a much shorter time. The above false statements were calculated to discourage plaintiffs in their efforts to rent apartments from defendants by reason of the fact that it was necessary that plaintiffs secure housing accommodations immediately, a fact which was communicated to defendants' agent. Defendants were responsible for such acts of discrimination under the doctrine of respondeat superior. The Court further finds that actual damages, punitive damages and an award of compensatory damages for embarrassment and humiliation (apartments being rented at that identical time to white stewardesses working for the same airline, which fact they communicated to plaintiffs to their embarrassment and humiliation) as a result of such discriminatory acts or acts are appropriate. And further the plaintiffs are entitled to an award of attorney's fees.

JUDGMENT

Let a judgment issue in favor of plaintiffs as against all defendants that Plaintiff Smith recover fifteen dollars and fifty cents (\$15.50) actual damages, three hundred and fifty dollars (\$350.00) compensatory damages for humiliation and embarrassment and one thousand dollars (\$1,000.00) as punitive damages; that Plaintiff Marshall recover fifteen dollars and fifty cents (\$15.50) actual damages, three hundred and fifty dollars (\$350.00) compensatory damages for humiliation and embarrassment and one thousand

dollars (\$1,000.00) as punitive damages; that Plaintiff Bryant recover six dollars and forty cents (\$6.40) actual damages, three hundred and fifty dollars (\$350.00) compensatory damages for humiliation and embarrassment and one thousand dollars (\$1,000.00) as punitive damages; that Plaintiff Helton recover fourteen dollars and forty cents (\$14.40) actual damages, three hundred and fifty dollars (\$350.00) compensatory damages for humiliation and embarrassment and one thousand dollars (\$1,000.00) as punitive damages; that Plaintiff Stagg recover eleven dollars and twelve cents (\$11.12) actual damages, three hundred and fifty dollars (\$350.00) compensatory damages for humiliation and embarrassment and one thousand dollars (\$1,000.00) as punitive damages. In addition the Court awards two thousand seven hundred eighty-one dollars and three cents (\$2,781.03) as attorney's fees.

SO ORDERED, this 28 day of June, 1973.

CHARLES L. ROY, JR.

UNITED STATES DISTRICT JUDGE