

From the February 27, 2006 Virginia Lawyers Weekly.

Verdicts & Settlements

Fired woman wins \$3.5M verdict for defamatory performance evaluation

The plaintiff, Cynthia Hyland, age 45, had enjoyed a successful and lucrative 21-year career with Raytheon Corporation, and its predecessor company, Hughes Electronics Corporation. Shortly before her termination, Hyland was the senior vice-president of RTSC, a subsidiary of Raytheon, and was slated as the successor to Bryan Even, the president. Raytheon brought in Heidrick & Struggles, a recruiting company, to conduct a corporate evaluation of Even. During the process, Hyland was guaranteed confidentiality in her responses. Relying on these promises and believing the feedback would be used in the professional development of Even, Hyland provided honest feedback of Even, which Heidrick & Struggles admitted was no different than others interviewed.

Ultimately, Hyland's comments were falsely characterized and communicated to Raytheon, RTSC, and Even, and led to Even's defaming Hyland in her performance evaluation and with corporate management of Raytheon, thereby orchestrating Hyland's termination. Raytheon promised to provide Hyland with a neutral evaluator to assist Hyland in resolving her complaints about the defamatory performance evaluation and subsequent defamatory statements, only to place Hyland blindsided into a meeting with Even and a Raytheon employee selected as the undisclosed coach for Even, both of whom were engaged in the mission of eliminating Hyland from Raytheon and RTSC. Hyland was subsequently terminated for reasons Hyland proved were demonstrably false.

Type of Action: Defamation, tortious interference, and fraud

Type of Injuries: Loss of income and benefits, including stock and retirement, emotional distress

Name of Case: Hyland v. Raytheon Co., et al.

Court/Case Number: At Law No. 221038, Fairfax County Circuit Court

Judge or Jury: Jury trial

Name of Judge: Judge Arthur B. Vieregg Jr.

Awarded or Settled: Jury award

Amount: \$3.5 million. (\$1.5 million compensatory damages and \$2 million in punitive damages, punitives reduced to \$350,000 cap)

Plaintiff's Attorneys: Peter C. Cohen and Elaine Charlson Bredehoft, Reston

Plaintiff's Experts: Neil Demchick, CPA, CBA, CVA, CRRA, Maryland First Financial Services Corp.

Defendant's Experts: Laura Malowane

Highest Offer: \$300,000

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