

# Business Briefs

## Longest-running suit in East not near being resolved after 19 years

By The Associated Press

ROANOKE RAPIDS, N.C. -- The longest-running lawsuit in the state's Eastern District, which claims blacks were illegally denied jobs at J.P. Stevens' textile mills, appears no closer to being resolved than when it was filed 19 years ago.

More than 2,800 former workers and job applicants at nine plants and three offices in Roanoke Rapids have said they were victims of race discrimination and are seeking back pay. Their attorneys say the claimants are owed \$96 million.

It has been 13 years since U.S. District Court Judge Franklin Dupree said the mills discriminated against blacks and 10 years since the U.S. Supreme Court refused to review that finding. Still, no claimant has received a nickel, The News and Observer of Raleigh reported Sunday.

Meanwhile, West Point-Pepperell Inc. acquired J.P. Stevens & Co. last year and sold its Roanoke Rapids assets to the Bibb Co. A corporate raider subsequently took over West Point-Pepperell, which continues to be held responsible with Bibb for the back-pay claims.

On their third set of lawyers, the corporate defendants are fighting the suit, contending race had nothing to do with the vast majority of the claimants' failures to get jobs or promotions.

Dupree, a 75-year-old senior judge, no longer has to take a full caseload. He still does, however, and he still handles the Stevens case. Court officials say he

is the only one who knows its intricacies.

In a footnote to a recent order, Dupree light-heartedly jabbed at the case's longevity.

"The case has at times been whimsically referred to as the Eastern District's counterpart to the interminable Jarndyce vs. Jarndyce of Dickens' 'Bleak House' fame," he wrote. But he said the case reminded him of another judge's description of a similar suit. In this case, the judge had written, "we encounter another judicial Paleolithic museum piece."

Indeed, searching through the files is like embarking on an archaeological dig. Legal papers in the suit take up a file cabinet and 21 boxes in the federal courthouse. Employees of the clerk's office know its docket number, 1201, by heart and call it "the case that won't go away."

But the case is significant in several ways, said Richard Seymour, with the Washington-based Lawyers' Committee for Civil Rights Under Law, who prepared and filed the suit in October 1970.

It was one of the first suits to establish the illegality of subjective employment decisions that affect the races differently. And it was the first of its kind in which lawyers used computers to analyze statistics and show that blacks were kept out of high-paying jobs, he said.

The case, Lucy Sledge vs. J.P. Stevens & Co. Inc., was tried in 1972. Stevens had laid off Ms. Sledge, and she said white women had been hired to replace her.

Dupree delayed a ruling for four years, awaiting a Supreme Court decision on a similar case involving the Albemarle Paper Co. mill in Roanoke Rapids.

Finally ruling in 1976, the judge absolved Stevens of intentional discrimination. But statistical evidence showed that discretionary decisions by Stevens' personnel officials had a disparate impact on blacks, he

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-- U.S. District Court Judge Franklin Dupree

ruled. Whites were getting the mills' better-paying clerical, supervisory and skilled jobs, he found.

Consequently he declared that under Title VII of the Civil Rights Act, Stevens was liable for back-pay claims. The amount of back pay and who should receive it are still being litigated.

In that regard, the case has differed from many race discrimination suits under Title VII because the attorneys simply can't reach a settlement.

"The pattern in this court has generally been that once there is a finding of liability, the parties are able

to work out some kind of amicable settlement about the amount of damages to be paid to class members," said J. Rich Leonard, federal court clerk for the Eastern District. "I can't recall another one here where they actually adjudicated the class members' claims in phase two of the class action."

A ruling in February might drastically reduce the claimants in the case. In that order, Dupree said claimants could recover only for discrimination that occurred before Nov. 10, 1972, when the trial ended. That would leave 1,365 claims.

The plaintiffs have moved to reopen the record to allege discrimination continuing through Dec. 12, 1980. Dupree has not ruled on that motion, which would restore 1,461 claims.

One of those belongs to Willie Ray Pittman, a construction worker in Weldon who applied for a job at the mill in 1973, seeking any job, any shift at the mill.

"It didn't matter what kind of job it was -- I just needed a job," Pittman, 41, said. "But they never got around to me for some reason, and during that time, I think they were hiring three or four whites to one black."

He laughed when asked if he expected to get money from the suit.

"No, I don't, because it's been so long," he said. "And besides, Stevens has lawyers, and they are probably going over all the records, and I'll probably be old and retired if I do get anything."

### Local Chamber of Commerce will sponsor export seminar

A half-day seminar on international trade, "The Export Boom -- How to Cash in on It," will be offered from 8 a.m. to 12:30 p.m. on Thursday, June 8, at the Hyatt Winston-Salem.

Speakers will include Jack Whitley, deputy director of the U.S. Department of Commerce; Felicia Pine, trade specialist with the N.C. Department of Commerce; Larry Roth, international trade manager for Dunn Enterprises; William Edwards, vice

president of First Wachovia Corporate Services Inc., and Jeffrey T. Lawyer and Peter S. Brunstetter, attorneys with Petree, Stockton & Robinson.

The registration fee is \$15 for chamber members and \$20 for non-members, payable in advance. A continental breakfast, which is included, will be served from 7:30 to 8 a.m.

For more information, call the Chamber of Commerce at 725-2361.

### Wall honored for accomplishments

Bitsy Wall has been selected the Outstanding Business Associate for 1989 by the Forsyth Chapter of the American Business Women's Association.

Ms. Wall was selected based upon her accomplishments in her

personal and professional lives and the positive image she presents to working women.

She is an assistant vice president with Wachovia Bank and Trust in the systems department.

### Tornado damage may mean dollars saved on your federal income taxes

By PRESTON WHITE JR. Special To The Chronicle

There is some good news! Did you wake up on May 6, 1989, to find your windows broken, your trees uprooted, your roof blown away or your car crushed by the storm? Have you spent the last several weeks clearing away debris, trying to fix it yourself, or struggling to reconcile wildly different repair estimates? Take heart, the storm damage and expenses may translate into federal income tax deductions which will save money on your income taxes next year, if not sooner.

Losses directly caused by the storm of 1989 are losses arising from a "casualty" within the meaning of Section 165 of the Internal Revenue Code. Under some circumstances, this Section of the Code allows individual taxpayers to deduct casualty losses sustained to non-business or personal use property during the taxable year which losses are not compensated for by insurance or otherwise. To determine if, when

and how to deduct these losses, read on.

If a casualty loss deduction is claimed for non-business property on an income tax return, you must be prepared to prove the amount of the deduction to the Internal Revenue Service. In general, you must be able to establish the following:

- The nature and date of the casualty;
- The casualty directly caused the damage to the property;
- You were either the owner of the damaged property or a person (e.g., a lessee) contractually liable to the owner for damage to the property;
- Your adjusted basis in the property;
- The fair market value of the damaged property, both immediately before and immediately after casualty;
- The amount of insurance or other compensation received for the clean-up, repair and restoration of the damaged property;

Please see page A8

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