

# The Countian

St. Louis  
County Edition

An open letter to  
future lawyers

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## Hollister Co. wins dress code lawsuit

By Donna Walter  
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Former Hollister Co. manager-in-training Laketra Bennett said the store violated her religious rights by not exempting her from the store's dress code, which, she maintained, required sales associates to wear clothing that was too revealing.

But a federal jury said the employer has the right to enforce its own rules and regulations — including the so-called "Look Policy" that calls for its sales associates to dress in Hollister or Hollister-like clothing. That meant low-cut tops, short skirts, ripped jeans and other form-fitting clothing.

On Friday, the St. Louis-based jury entered a defense verdict in the lawsuit the Equal Employment Opportunity Commission filed against J.M. Hollister LLC and Abercrombie & Fitch Stores Inc., d/b/a Hollister Co.

"We are pleased that a jury of eight made a clear finding that Abercrombie & Fitch and Hollister Co. did not discriminate against Ms. Bennett or fail to accommodate her religious beliefs," the company said in a statement. "We have always been and will continue to be supportive of our associates' religious practices and will continue to accommodate those practices as the law requires."

Bennett agreed to the dress code in November 2006 when she was hired as a salesperson, or "model," for Abercrombie & Fitch's Fairview Heights, Ill., store. In June 2007, she

## Reaching to give



Photo by Karen Elshout

Missouri Association of Trial Lawyers volunteer Joan Lockwood thanks Becky Yohe, of Dogtown, as she contributes to the Salvation Army Red Kettle Campaign outside the Schnucks store in south St. Louis on Friday. Lockwood was among the members of MATA who volunteered to ring the bell on Friday at locations in Kansas City and St. Louis.

## Lawsuit tackles rare tort cause: HIV infection

By Alyson E. Raletz  
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A Kansas City man who's accused a former sexual partner of knowingly infecting him with HIV is seeking justice from the courts via civil litigation.

While lawsuits in Missouri have tackled similar infection complaints involving other sexually transmitted diseases, attorneys believe this case is the first of its kind to deal with HIV in the state.

"There's been a tremendous amount of discrimination," said the plaintiff's attorney, Michael Ketchmark, of Davis Ketchmark & McCreight in Kansas City. "As education moves forward, people are more accepting of health conditions than they had been in the past."

His client, Brian Potter, last week filed suit in Jackson County Circuit Court against Brent Lambi, of Kansas City, for negligence, concealment, negligent infliction of emotional distress and battery.

Potter and Lambi met in July 2008 and two months later expressed a desire to have sex with each other, according to the suit.

The plaintiff, who said he tested negative for HIV that June, reportedly asked the plaintiff if he'd tested

positive or negative for HIV before they engaged in any sexual activity.

The defendant allegedly told the plaintiff that he wasn't HIV-positive and hadn't tested positive for the virus.

The two then proceeded to engage in sexual activity in September 2008, but that November the plaintiff tested positive for HIV, according to the suit.

"Upon information and belief, defendant knew or in the exercise of reasonable care should have known that he was HIV-positive and/or that he had not been tested HIV-negative at the time of his contrary representation to plaintiff in or around September 2008," the suit stated.

Lambi hasn't been charged with the equivalent criminal statute of knowingly infecting another with HIV, according to the Jackson County Prosecuting Attorney's office.

Asked whether his client had pursued or intended to pursue criminal charges against Lambi, Ketchmark declined to comment.

Reached by phone for comment, Lambi said, "I have no knowledge of this," before quickly hanging up on a reporter.

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