

Press Release

Quinton Brown v. Nucor Steel Berkeley

Nucor to Challenge Reversal of District Court's Decision Denying Class Certification

HUGER, SOUTH CAROLINA, August 18, 2009 - "At Nucor Steel Berkeley and Nucor Corporation, we pride ourselves in being Equal Opportunity employers, and we acknowledge our employees as the key to our success as a company. We at Nucor strive to keep all of our employees satisfied, successful, and proud to be part of the Nucor team without regard to race, gender, national origin, religion, or any other protected category," states Giff Daughtridge, Vice President and General Manager of Nucor Steel Berkeley, a division of Nucor Corporation.

Unfortunately, as with any successful company, Nucor has become a target for plaintiff's attorneys eager to score an economic victory based upon unsupported baseless allegations. In 2003, seven current or former Nucor Steel Berkeley employees filed a purported class action discrimination lawsuit against Nucor. The Plaintiffs' case is made up largely of unconfirmed allegations by a few employees who did not report many of these alleged events until long after they were said to have occurred and this suit was filed. Nucor is confident that the overwhelming evidence to be presented at trial will portray a workplace that respects diversity, rewards hard work and provides fair opportunity to all employees. A United States District Judge in Charleston, South Carolina has had jurisdiction over this case since 2004 and has held numerous hearings on the allegations raised by the seven plaintiffs. After years of examining the veracity of these allegations and the legal issues involved, the District Judge determined that the allegations were not sufficient to merit class action status and ordered in August of 2007 that the Plaintiffs' motion for class certification be denied.

Plaintiffs then appealed that decision to the Fourth Circuit Court of Appeals. Recently, in a 2-1 split decision, a three-judge panel of the Fourth Circuit Court of Appeals overturned the District Judge's decision denying class action status. The panel's written opinion focused upon highly inflammatory allegations that have little or no evidentiary support and ignored the District Judge's findings. Allegations of a plant-wide radio system playing inappropriate materials, allegations of racial slurs by plant supervisors, and allegations of the sale of confederate flags at the company store are wholly unsupported by the evidence before the court. Most of the other allegations are based upon uncorroborated statements of individual employees and were never reported to Nucor until a lawsuit was a filed. The District Judge heard all of the evidence and found it lacking to justify a class action. Nucor is confident that once the voluminous record in this case is reviewed in full, it will be vindicated. Nucor will continue to vigorously defend the case through the court process.

Nucor believes strongly in the appellate process established by our legal system and intends to fight these unsupported claims. Nucor will ask the full Fourth Circuit Court of Appeals this week to re-hear this case and re-examine both the sound ruling of the District Judge and the compelling analysis of the dissenting appellate judge who believed that the District Judge's ruling should be upheld.

Daughtride states further, "We will continue to support the great people who make up the Nucor team. We will ensure that their livelihoods are not affected by the efforts of outside attorneys to score an economic victory based solely on uncorroborated allegations."

Contact: Giff Daughtride, Vice President and General Manager of Nucor Steel Berkeley
1455 Hagan Avenue, Huger, SC 29450
(843) 336-6000