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LAWYER WITHDRAWS HER CHARGE OF ABUSES

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NORFOLK - The labor lawyer who last year accused a landscape business of essentially enslaving migrant Mexican workers, ended the lawsuit Thursday with a stark admission.

The abuse never happened. "Following extensive subsequent investigation of these allegations," Mary Bauer conceded as part of a settlement to end a federal lawsuit, "it has been determined that at no time did these individuals or corporations confine or unlawfully detain a plaintiff, and that these allegations are unfounded.

"Additionally, upon full review of all payroll records, it is agreed that these individuals and corporations timely paid each employee for every hour worked for all base and overtime hours."

Randolph Hoover , whose family businesses employed the men, called the concession "a vindication on behalf of my mother and father and the corporation they have built."

Settlement papers including the admission by Bauer were signed Friday and have yet to be filed with the court, although the case file does note that the suit has been settled.

Stephen E. Heretick , who, along with Louis N. "Mike" Joynes , defended the family and its businesses, was satisfied with the statement.

"In our view, that's about as clear a vindication of the Hoovers as anyone could ask for," he said.

"It cost them a lot of money, but they stood their ground."

The case was a sensation when it was filed April 24, 2003, in U.S. District Court in Richmond.

Fourteen Mexican laborers, it charged, had been forced by their employers to live in squalor locked inside a warehouse in Portsmouth without proper plumbing, heating or air conditioning.

Virginia Turf Management Associates Inc . or an offshoot, Hoover Inc., employed the men from 2000 through 2002 through a federal program that deals with migrant laborers.

They worked mowing and trimming trees along state highways.

The Hoover family, which operated the landscape business for 40 years, became tarred as the people who locked Mexican laborers into a warehouse, said John Hoover, who was named in the suit despite, he said, his being in California and Colorado during much of the time it covered.

The family was held up to ridicule, and more, he said.

Hoover said that when he was negotiating to buy a house when one of the new neighbors asked him what he did for a living. When he said he was a landscaper, they asked if he was one of the ones that locked up the Mexicans.

Hoover said he tried to explain that the allegations were untrue, but the real estate deal fell through.

The case was settled Thursday, with both sides agreeing to pay their own fees and not to pursue further legal action.

The Hoovers, who admit to spending more than \$200,000 to rescue their reputations, said they decided not to pursue counter suits.

They were tired of the legal battles, they said, and didn't want to undermine the good work they say the Justice Center, on whose behalf Bauer filed the suit, otherwise performs.

The Hoovers also said they took pity on the 14 former employees named in the suit, agreeing at the court's settlement conference Wednesday to give each \$200 so they could get back to Mexico.

"I really felt sorry for them," John Hoover said. "Although we were victimized, they were victimized too." Some of their relatives still work for the company, he said.

Bauer could not be reached for comment. The Justice Center referred all questions to another attorney, Tim Freilich, who declined to say whether she still worked for the organization.

The group released a statement on the settlement, saying that "the most important result of this case has been the exposure of the housing conditions of these guest workers. Workers no longer housed in the industrial warehouse."

The Hoovers said that it was the workers who asked that they set up a dormitory in that warehouse.

He said that inspectors later showed that it was not the unheated hovel described in the initial suit.

In fact, John Hoover said, the company is likely to try to reopen the dorm later, after getting the proper permits from the city.

Virginia Turf currently has about 125 employees, some 30 of them in this area, he said.

Randolph Hoover said the company still hires Mexican workers. "And we're proud to do so," he said. "A lot of these men are men I consider friends of mine."

WVEC Channel 13 contributed to this story.

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