

**1062 - Outrage/Invasion of Privacy - An IT co-worker at the MS State Rating Bureau retaliated against a female employee and placed her phone number on a website that features escorts – the woman then received numerous phone call solicitations for sex – after the scheme was discovered, the IT worker was fired and the woman sued him for outrage and invasion of privacy among other torts – he defended it was just a foolish mistake on his part**

*McLaughlin v. Robb*, 17-256

Plaintiff: Chadwick M. Welch, *Heidelberg Patterson Welch & Wright*, Ridgeland

Defense: Pro se

Verdict: \$285,750 for plaintiff

Court: **Rankin**

Judge: Dewey K. Arthur

Date: 3-2-21

Denise McLaughlin, age 60, started working in the windstorm department in 2014 for the Mississippi State Rating Bureau (MSRB). It is a non-profit established by statute that provides auditing and accounting services to the insurance industry.

There was evidence McLaughlin had conflict with a co-worker, Charles Robb. Robb worked in IT for MSRB and thus had access to confidential information about MSRB employees. McLaughlin made a complaint that Robb was harassing a co-worker.

Robb retaliated against McLaughlin and on two occasions (Sunday afternoons), he created a sexual solicitation on a website ( backpage.com) that featured prostitution. The solicitation included McLaughlin's cellphone number and offered sexual services for a "young red head" named *Denisa* rather than Denise. McLaughlin, age 60, is not a red head and had never been a prostitute.

McLaughlin's phone began to ring with purported "Johns" who wished to employ her. She couldn't figure out why people were calling. Finally she asked a John why he called. He explained the advertisement on backpage.com.

McLaughlin immediately suspected Robb was the culprit. She advised her employer and Robb was promptly terminated. She also got in touch with the police. They too identified Robb as the perpetrator and he was arrested.

McLaughlin then filed this lawsuit against Robb regarding his misconduct and presented six separate theories, outrage, negligent infliction of emotional distress, invasion of privacy, defamation, negligence and gross negligence. She developed proof these events led her to quit her job at MSRB (she had hoped to retire) and she moved out of state.

McLaughlin also presented a negligence claim against MSRB, citing that Robb had a history of work-related problems and he shouldn't have been placed in a position where he had access to confidential employee information. MSRB moved for summary judgment and argued McLaughlin's exclusive remedy against it was worker's compensation. Judge Arthur denied the summary judgment motion and MSRB subsequently settled with McLaughlin. The case advanced to trial against Robb alone – while he was a pro se defendant, Robb is married to an attorney.

Robb defended his difficult position as well as he could. He noted that his conduct was foolish and was just a prank. Moreover he just wanted McLaughlin to receive prank phone calls and his advertisement (for Denisa and not even Denise) told callers not to text her.

The jury in this case found for McLaughlin on all six counts. She took \$10,000 in economic damages plus \$275,000 for pain and suffering and mental distress. The jury added \$750 more for getting a new cellphone. The verdict totaled \$285,750 and a consistent judgment was entered against Robb.

**Case Documents:**

[Pretrial Order](#)

[Jury Verdict](#)