



BUSINESS

# Hospital exec said he was fired for being a white male. NC jury awarded him \$10 million.

BY [MICHAEL GORDON](#) AND [HAYLEY FOWLER](#)

UPDATED OCTOBER 28, 2021 1:27 PM



Civil suits can be filed against another party for reasons including alleged negligence, product liability, marriage and children, money and debt and injury. BY [JOSH BELL](#)



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A former top executive at Novant Health who claimed he lost his job because he is a white male received \$10 million from a federal jury in Charlotte on Tuesday.

The massive award followed the trial of David Duvall's claims of reverse discrimination against Novant, one of the Carolinas' largest private employers.

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“We are pleased that the jury affirmed that Duvall’s race and gender were unlawful factors in (his) termination,” Charlotte attorney Luke Largess told the Observer.

Largess said he hopes the jury award serves as a warning that “employers must be sure that the steps they take to advance diversity in the workplace, even with the best of intentions, stay within the confines of the law.”

Novant Health spokesperson Megan Rivers told the Observer the hospital plans to “pursue all legal options, including appeal.”

“We are extremely disappointed with the verdict as we believe it is not supported by the evidence presented at trial, which includes our reason for Mr. Duvall’s termination,” she said.

Rivers also said the company’s diversity and inclusion programs aren’t at odds with its non-discrimination policies, which “extend to all races and genders, including white men.”

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According to his complaint, Duvall was fired in 2018 without warning or explanation shortly before his fifth anniversary with the company. He said he was replaced by two women, one Black and one white.

White men serving as Novant’s chief legal officer, medical group president, chief information officer, patient experience officer and president of the company’s Haymarket Medical Center in northern Virginia also were fired and eventually replaced by a woman or a member of a minority group, the lawsuit claims.

Duvall, who worked in Mecklenburg County, accused Novant of violating Title VII of the Civil Rights Act, which prohibits race and gender discrimination in the workplace.

“While the goal of achieving diversity in leadership has recognized value, terminating high performing employees with no justification or purpose other than to achieve diversity constitutes an adverse employment action based on race and/or gender,” his lawsuit claimed.

But in court filings, Novant described Duvall’s steadily diminishing role after he began delegating many of his responsibilities to two assistants.

The hospital also described an important 2016 presentation Duvall was to give to key Novant leaders. Instead, he “walked away on the second slide, stating he ‘couldn’t do it anymore’” — an incident that weakened executive confidence in Duvall’s ability to do his job, the documents allege.

Largess said Duvall stopped his speech because he felt faint. He completed his presentation after receiving medical treatment at the scene, Largess said.

Winston-Salem-based Novant primarily serves the Carolinas, Virginia and Georgia and has a massive presence in Charlotte. At the time of Duvall’s firing, Novant had nearly 30,000 workers and operated on nearly \$5 billion in revenue and a net income of \$94 million.

The jury’s decision follows a weeklong trial in the uptown federal courthouse before U.S. Magistrate Judge David Cayer. Given the explosive issues involved and the amount of money changing hands, the verdict form filled out by the jury foreperson framed the issue in simple terms.

*“Has Plaintiff David Duvall proven that his race (Caucasian) and/or his sex (male) was a motivating factor in Novant Health’s decision to terminate him?”*



A check appears in the space next to yes.

*“Has Novant Health proven that it would have made the same decision to terminate David Duvall regardless of his race and/or sex?”*

This time the check was next to “No.”

The jury had six women and two men. The racial breakdown was six whites, one Black and one Latino.

The \$10 million in punitive damages awarded Duvall comes as the country continues to debate the use of race and diversity in everything from workplace hiring and promotions to college admissions.

Last week, a federal judge in Winston-Salem ruled that [UNC Chapel Hill did not discriminate](#) against prospective white or Asian students by using race as a factor in its admissions policy.

Meanwhile, private employers are facing a balancing act between addressing historic pay, hiring and promotion gaps for women and people of color while avoiding allegations of discrimination from white employees and men.



In 2020, for example, the Labor Department under the Trump Administration pushed Wells Fargo and Microsoft Corp. to explain how their efforts to expand Black leadership in their companies did not violate workplace safeguards against racial bias, [Bloomberg reported](#).

In Duvall’s case, the former Novant executive said his firing cost him his severance pay and bonuses and more than \$200,000 in retirement. He said he also had to pay for his health insurance out of pocket.

After his departure from Novant, Duvall was hired for a similar executive position with a hospital chain in Michigan. He was fired from that job in January 2020 after the Observer reported his lawsuit, Largess said.

Duvall has returned to Charlotte and begun operating his own health care marketing and communications company.



duval jury sheet






IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:19-CV-624-DSC

DAVID DUVAL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<u>VERDICT</u>
	)	
NOVANT HEALTH, INC.,	)	
	)	

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A federal jury in Charlotte ordered Winston-Salem-based Novant Health to pay a former executive \$10 million in a reverse discrimination lawsuit on Tuesday, Oct. 26, 2021. KORI HOFFMAN *COURTESY OF NOVANT HEALTH*

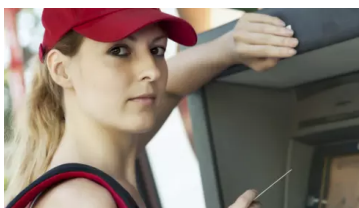
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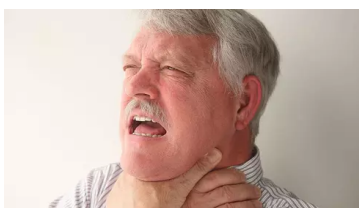
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**Beth Jackson**

Apparently, Right to Work no reason termination laws apply to everyone except white male executives.

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**Mark Ranier**

I'll bet the Charlotte Observer editorial bozos are having a tizzy fit about this! This just goes against their anti-white agenda.

Like · Reply · 1 · 2d



**Bailey Miller**

For someone who isn't racist you sure do worry about it a lot.

Like · Reply · 1 · 2d



**Bailey Miller**

Did he really walk out at the beginning of a presentation that he was giving?

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**Roger Mills**

Of course not. But that's what the moronic Novant "leaders" wanted the Jury to believe. There's no question Novant was trying to meet self-derived "quotas" to portray their wokeness to the public, and the Jury ruled properly.

Like · Reply · 1 · 2d



**Bailey Miller**

Roger Mills You sure do seem to know a lot about this.

Like · Reply · 1 · 2d



**Roger Mills**

Bailey Miller They admitted as much in their case filings. If you were knowledgeable and observant in an unbiased manner, you'd know a lot more too.

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**David Danger Brown**

Touché

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**Roger Mills**

Why not? It was exactly the right decision. Leftists need to understand that hiring (and firing) and everything else in life should be blind to race, creed, color, religion, etc. There should never be a goal of "achieving diversity" in anything, for any reason.

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**Gerald Burnham**

Sounds right to me. It takes 2 women to do the job of one white guy. Plus they can pay them less. Poetic justice. Or they could hire a Trans guy who thinks he's a woman. That would make both sides happy.

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BY GORDON RAGO

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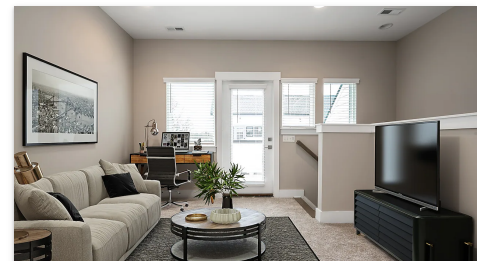
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