

## Fat-discrimination lawsuit fails in SC 13

A 305-pound woman's charge that she was turned down for a job because of her weight was rejected by a Santa Cruz County Superior Court jury yesterday.

Jurors unanimously sided with Community Foods, a Santa Cruz health foods store, which was sued by Toni Cassista after she failed to get a job there in 1987.

Cassista, 42, was seeking unspecified monetary damages from the store. Her attorney, James Moore King, said Cassista was wrongly "perceived as handicapped by Community Foods" during the job-application process.

Justin Lighty, the store's attorney, said Cassista didn't get a job as cashier-stock clerk because she wasn't as qualified as the three women who were hired at the time. Cassista had no experience in retail sales or health foods, he said, and those who were hired had relevant experience.

Lighty said jurors he talked to after the verdict "had a lot of good things to say about Community Foods."

After Cassista inquired if her weight was a factor in her rejection, Lighty said, the store agreed with Cassista's suggestion to have a consciousness-raising session about heavy people for employees. Store officials wanted "to assure themselves they hadn't done anything wrong," Lighty said.