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Jury awards teen \$25,000 for incident at Rose Parade

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November 22, 2002

A jury awarded \$25,000 yesterday to a Rancho Bernardo High School baritone player who was throttled by the school's band director after the boy showed up wearing orange socks for the 2001 Tournament of Roses Parade.

A lawyer for 16-year-old Travis LeBlanc, who quit the school's marching band after the incident, said the boy wore orange socks that day because he lost his regulation white ones. A lawyer for the school said the teen-ager was playing a prank.

In its verdict, the San Diego Superior Court jury found band director Tom Cole and the Poway Unified School District liable for intentional and negligent infliction of emotional distress.

According to testimony, Cole noticed the boy's orange socks, grabbed him by the throat, shook him back and forth and yelled, "I ought to wring your (expletive) neck."

"There's a no-violence policy at the school and it should hold for teachers as well as students," said the boy's mother, Keri LeBlanc, a nurse practitioner at Children's Hospital in Kearny Mesa.

Jeffery Morris, a lawyer for the district, wouldn't comment yesterday on whether Cole, who is still the school's band director, was ever disciplined. He said Cole overreacted to a prank that was uncovered "minutes before they were getting ready to step into the parade and onto national television."

"There were some issues with this young man in terms of his attitude and performance and there was discussion of him leaving the band before this ever happened," Morris said.

The teen-ager was 14 at the time and is now a senior. His lawyer, Bob Fuselier, said the boy's mother decided to sue only after the school refused to apologize.

"It really came down to the fact that they wouldn't do anything or say they were sorry," Fuselier said.

Fuselier said the boy had a limited choice of footwear after discovering his white uniform socks missing that morning. The band, the Royal Regiment, wears blue and white uniforms.

Being chosen to march in the annual parade on New Year's Day in Pasadena is a major honor for a high school band, guaranteeing national exposure.

"He had a choice – wear no socks, or wear the orange socks he got for Christmas," Fuselier said.

At trial, Fuselier asked for \$150,000, saying the boy suffered such emotional trauma that he quit the band and no longer

plays an instrument. The boy suffered no major physical damage.

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